Appropriate Assessment Screening Report

SDCC Clonburris Phase One

AECOM Ecology

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Clonburris Strategic Zone Development, Co. Dublin

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Introduction

Background

AECOM was commissioned by South Dublin County Council (SDCC) to prepare an Appropriate Assessment (AA) Screening Report for the Clonburris Phase One planning application for 263 new dwellings, new community facilities and three large open green spaces which forms Phase One of the development of SDCC lands within the approved Strategic Development Zone (SDZ) at Clonburris, South Dublin County (hereafter referred to as the 'Proposed Development') (Appendix A). The Proposed Development is located within the Clonburris Strategic Development Zone (SDZ) at Clonburris, Co. Dublin (the approximate Irish Grid Reference of the site centroid is O 04246 32593 and the Irish Transverse Mercator (ITM) coordinates of the centre of the Site is 704133, 732642). The location of the Proposed Development is hereafter referred to as the 'Site'. The location of the Site is shown in Figure 1 and Figure 2, Appendix A.

This document considers the potential effects of the Proposed Development on European sites, which include Special Areas of Conservation (SAC) and Special Protection Areas (SPA). It serves to 'screen' for likely significant effects on European sites from the Proposed Development, either alone or in combination with other plans or projects, and in view of best scientific knowledge.

Overview of the Proposed Development

The layout of the Proposed Development is shown on the drawing titled *Masterplan – Site Plan* produced by Metropolitan Workshop (Appendix A).

The Proposed Development for 263 new dwellings, new community facilities and three large open green spaces forms Phase One of the development of SDCC lands within the approved SDZ at Clonburris, South Dublin County. The Proposed Development comprises 129 houses, 16 duplex apartments and 118 apartments in a mix of one to five storey buildings. There is a mixed tenure throughout the scheme with one third social housing provision, one third affordable housing and one third affordable rental.

The community green sits within the heart of the scheme with the larger linear park forming a green spine running north-south to the west of the of development. These open spaces will provide local amenity and wider connections to the Griffeen Valley Park to the west of the site and the Grand Canal to the south. The scheme is also designed as an exemplar SuDS development, utilising a management train of collection, conveyance and treatment that will connect the proposed surface water infrastructure with the wider SDZ network.

The site benefits from close proximity to Kishoge railway station to the north-east with direct links into Dublin city centre and good access to bus routes. A new infrastructural link road, 'The Clonburris South Link Street' runs along the length of the SDZ Lands, bi-secting the Phase One site. This primary Link Street provides a connection between Adamstown and Cappagh. A total of 253 car parking spaces have been provided throughout the scheme, with a parking ratio of 1:0.96 throughout the scheme.

The roads and streets throughout the development also provide cycle connectivity to the existing cycle infrastructure offering key links to Clondalkin, Ronanstown and Adamstown Town Centre. 168 No. cycle spaces are proposed to serve the apartment and duplex units of which 134 No. spaces are secured sheltered spaces for residents and 34 No. spaces provided for visitors.

Existing environment

The dominant habitats within the Site are buildings and artificial surfaces, recolonising bare ground, meadows, and scrub. There are also treelines, hedgerows, and watercourses within the Site.

The grassy meadow field within the Site is dominated by a limited number of coarse grass species with extremely short swards. It appears to be highly disturbed by humans and dogs. The scrub habitat is generally present in the western section of the Site and forms a mosaic with recolonising bare ground. It is dominated by bramble and the non-native species, butterfly-bush *Buddleja davidii*. The treelines and hedgerows are generally located at the field edges. These mainly include tall hybrid black-poplar *Populus x canadensis*

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treelines with hedge layers comprising native species such as hawthorn *Crataegus monogyna*, and non-native species such as butterfly-bush. The only species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 that are present within the Site are Japanese knotweed *Reynoutria japonica* and Spanish bluebell *Hyacinthoides hispanica*.

The Kilmahuddrick Stream is a small stream located in the western section of the Site. There is also a drainage ditch located at the centre of the Site, which splits to the north near the existing residential area. The Kilmahuddrick Stream is a tributary of the Griffeen River, and discharges into this river approximately 720 m downstream of the Site to the north-west. The Griffeen River flows into the River Liffey further downstream.

Legislative context

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, which is more commonly known as 'the Habitats Directive', requires Member States of the European Union (EU) to take measures to maintain or restore, at favourable conservation status, natural habitats and wild species of fauna and flora of Community interest. The provisions of the Habitats Directive require that Member States designate SACs for habitats listed in Annex I and for species listed in Annex II. Similarly, Directive 2009/147/EC on the conservation of wild birds (more commonly known as 'the Birds Directive') provides a framework for the conservation and management of wild birds. It also requires Member States to identify and classify SPAs for rare or vulnerable species listed in Annex I of the Directive, as well as for all regularly occurring migratory species. SACs and SPAs are collectively known as European sites.

Under article 6(3) of the Habitats Directive, any plan or project which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, must be subject to an AA of its implications for the SAC / SPA and its nature conservation objectives.

In the Republic of Ireland, the requirements of Article 6(3) are transposed into national law through Part XAB of the Planning and Development Act 2000 (as amended) for planning matters, and by the European Communities (Birds and Natural Habitats) Regulations 2011 in relation to other relevant approvals / consents. The legislative provisions for AA Screening for planning applications are set out in Section 177U of the Planning and Development Act 2000 (as amended).

The competent authority which is responsible for carrying out the AA is the relevant consenting body for each plan or project, which in this case is SDCC.

Overview of Appropriate Assessment process

The process required by Articles 6(3) and 6(4) of the Habitats Directive is stepwise and must be followed in sequence.

The first step in the sequence of tests is to establish whether an AA is required. This is often referred to as AA screening. The purpose of AA screening is to determine, in view of best available scientific knowledge, whether a plan or project, either alone or in combination with other plans or projects, could have likely significant effects on a European site, in view of that site's conservation objectives.

For this purpose and as a result of case law 'likely' means 'possible'. If the competent authority determines that there are no likely significant effects (including 'in combination' effects from other plans or projects), then no further assessment is necessary and the plan or project can, subject to any other issues, be taken forward. If, however, the competent authority determines that there are likely significant effects, or if there is reasonable scientific doubt, then the next step in the process must be initiated and a detailed AA is undertaken.

Sources of guidance

This Report has been prepared in accordance with the European Commission (EC) guidance document Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the

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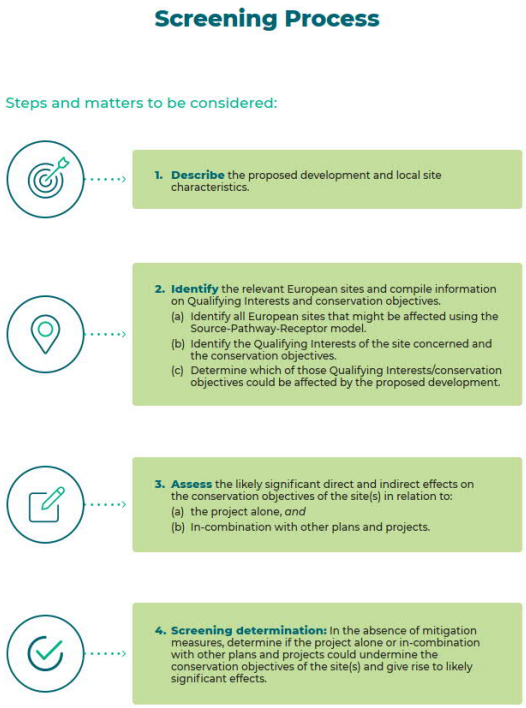
provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2001). It also accords with the guidance provided in the Office of the Planning Regulator (OPR) document on Appropriate Assessment Screening for Development Management (OPR, 2021), and follows the structure and approach recommended, as shown on Image 1 below.

Image 1. The AA Screening process (taken from OPR (2021))



In addition, the following sources of guidance have also been used when carrying out this AA Screening exercise:

- Appropriate Assessment of Plans and Projects in Ireland (DoEHLG, 2010);
- Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018); and,
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular Letter NPWS 1/10 & PSSP 2/10 (NPWS, 2010).

Relevant case law

A series of rulings of the Court of Justice of the European Union (CJEU) are relevant and are considered throughout this document. These rulings and their implications for this AA screening exercise are summarised in Table 1.

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Table 1. Case law relevant to the AA screening of the Proposed Development

Case	Ruling	Relevance to the AA screening of the Proposed Development
People Over Wind and Sweetman v Coillte Teoranta (C-323/17)	The ruling of the CJEU in this case requires that any conclusion of 'no likely significant effect' on a European site must be made prior to any consideration of measures to avoid or reduce harm to the European site. The determination of likely significant effects should not, in the opinion of the CJEU, constitute an attempt at detailed technical analyses. This should be conducted as part of the AA.	It is necessary to distinguish between those measures which are intended to avoid or reduce harmful effects on a European site and those elements of a plan or project that may incidentally provide some degree of mitigation, but which are intrinsic or essential parts of the plan / project itself. If it can be concluded that the Proposed Development will have no adverse effect on any European site, in the absence of mitigation, it will be possible to conclude 'no likely significant effects', and the need for further detailed AA will be 'screened out'.
Waddenzee (C-127/02)	The ruling in this case clarified that AA must be conducted using best scientific knowledge, and that there must be no reasonable Special Conservation scientific doubt in the conclusions drawn. The Waddenzee ruling also provided clarity on the definition of 'significant effect', which would be any effect from a plan or project which is likely to undermine the conservation objectives of any European site.	Adopting the precautionary principle, a 'likely' effect in this AA screening is interpreted as one which is 'possible' and cannot be objectively ruled out. The test of significance of effects has been conducted with reference to the conservation objectives of relevant European sites.
Holohan and Others v An Bord Pleanála (C-461/17)	The conclusions of the Court in this case were that consideration must be given during AA to: effects on qualifying habitats and/or species of a SAC or SPA, even when occurring outside of the boundary of a European site, if these are relevant to the site meeting its conservation objectives; and, effects on non-qualifying habitats and/or species on which the qualifying habitats and/or species depend and which could result in adverse effects on the integrity of the European site.	This relates to the concept of 'functionally-linked habitat', i.e. areas outside of the boundary of a European site which supports its qualifying feature(s). In addition, consideration must be given to non-qualifying features upon which qualifying habitats and/or species rely.
T.C Briels and Others v Minister van Infrastructuur en Milieu (C-521/12)	The ruling of the CJEU in this case determined that compensatory measures cannot be used to support a conclusion of no adverse effect on site integrity.	Compensation can only be considered at the relevant stage of AA and not during AA. Compensation must be delivered when appropriate assessment concludes that there will be adverse effects on site integrity.

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In addition, in a Judicial Review in Irish High Court in the case of Kelly v An Bord Pleanála & Anor, it was ruled that Sustainable Drainage Systems (SuDS) which form a part of the design of a development can be considered an integral part of the development and:

- are not measures that are intended to avoid or reduce the harmful effects of a particular development on a European site;
- are not required to be incorporated by reason of the potential effect of a development on a European site
- are not required to be incorporated by reason of the potential effect of a development on a European site.

The court concluded "*as a matter of fact and law, that SuDS are not mitigation measures which a competent authority is precluded from considering at the [AA] screening stage*".

Purpose of this Report

Whilst the various steps involved in the assessment process must be carried out by a competent authority, consultants or project proponents may undertake a form of screening to establish if an AA is required and provide advice or may submit the information necessary to allow the competent authority to conduct a screening of an application for consent. This Appropriate Assessment Screening Report therefore serves to provide AECOM's opinion on the requirement for further AA, and to provide the information needed by the SDCC to make their own screening decision as competent authority for the Proposed Development.

Relevant European sites

Data sources

The baseline conditions relevant to this AA screening have been established by AECOM through desk-based study including previous AA Screening reports and other ecological reports completed for the Clonburris SDZ and other recently submitting planning developments within the Clonburris SDZ.

The following sources of information were reviewed as part of the desk study:

- EPA maps website (https://gis.epa.ie/EPAMaps/);
- NPWS Protected Sites in Ireland website (https://www.npws.ie/protected-sites);
- The Status of European Union (EU) Protected Habitats and Species in Ireland (Article 17 Report) (https://www.npws.ie/publications/article-17-reports/article-17-reports-2019);
- information on local watercourses (www.catchments.ie) and water quality (www.epa.ie);
- records of Qualifying Interest (QI) / Special Conservation Interest (SCI) species held online by the National Biodiversity Data Centre (NBDC) and Irish Bird Atlas (Balmer et al, 2013);
- information on favourable reference range in Volume 1 (NPWS, 2019a) and threats to conservation condition in Volume 2 and of NPWS' Status of EU Protected Habitats and Species in Ireland (NPWS, 2019b) and species assessments (NPWS, 2019c);
- preliminary information on the nature, location and design of the Proposed Development supplied by the applicants' design team;
- Winter Bird Surveys at Clonburris SDZ (Roughan O'Donovan, 2020);
- Ecological Survey of Clonburris Strategic Development Zone, Clondalkin, Co. Dublin (FERS, 2018);
- Clonburris SDZ Planning Scheme. Strategic Environmental Assessment. Final Environmental Report. South Dublin County Council (Minogue & Associates Ltd. 2017);
- Appropriate Assessment Screening Report for Road Infrastructure Development at Clonburris SDZ, Co. Dublin. Clonburris Infrastructure Limited (Scott Cawley, 2020a);
- Biodiversity Management Plan to inform the Parks and Landscape Strategy of Clonburris SDZ, Clonburris, Co. Dublin (Scott Cawley, 2020b);
- Outline Invasive Species Management Plan Clonburris SDZ, Clonburris, Co. Dublin. South Dublin County Council (Scott Cawley 2020c);
- Environmental Impact Assessment Report for Road Infrastructure Development at Clonburris Strategic Development Zone, Co. Dublin (Stephen Little & Associates, 2020);
- Hydrological and Hydrogeological Qualitative Risk Assessment for Clonburris Infrastructure Development at Clonburris SDZ, Co. Dublin (AWN Consulting, 2020);
- Surface Water Strategy for Clonburris SDZ Planning Scheme. South Dublin County Council (JBA, 2017);
- Screening Assessment for Clonburris SDCC Masterplan Lands, South County Dublin. (Kelleher Ecology Services Ltd, 2019); and,
- Provision of Information for Screening for Appropriate Assessment for the Clonburris SDZ Planning Scheme, Co. Dublin (Scott Cawley, 2017).

Identification of relevant European sites

When seeking to identify relevant European sites, consideration has been given primarily to identified impact pathways and the source-pathway-receptor approach, rather than adopting a purely 'zones'-based approach. The source-pathway-receptor approach is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for an effect to occur. Furthermore, even where an impact is predicted to occur, it may not result in significant effects.

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Department of the Environment, Heritage and Local Government (2010) guidance states that European sites with the potential to be affected by a plan or project should be identified taking into consideration the potential for direct, indirect and/or cumulative (in-combination) effects. It also states that the specific approach in each case is likely to differ depending on the scale and likely effects of the plan or project. However, it advises that the following sites should generally be included:

- all European sites within or immediately adjacent to the plan or project area;
- all European sites within the likely 'zone of impact' of the plan or project; and,
- adopting the Precautionary Principle (UNESCO, 2005), all European sites for which there is doubt as to whether or not such sites might be significantly affected.

The likely zone of impact (also referred to as the likely 'zone of influence') of a plan or project is the geographic extent over which significant ecological effects are likely to occur. The DoEHLG guidance document prescribes a 15 km distance threshold for European sites from the boundary of a plan area. In the case of projects, the guidance acknowledges that the zone of influence must be devised on a case by case basis with reference to the following criteria: the nature, size / scale and location of the project, sensitivity of ecological features under consideration and cumulative effects.

In the first instance, therefore, a search was made for European sites within 15 km of the Site. An overview of the six SACs / SPAs identified within this search area, including the QIs and SCIs of these European sites, are given in Table 2, and their locations are illustrated on Figure 1, Appendix A.

Having identified the European sites within 15 km, consideration was next given to potential impact sources from the Proposed Development at all stages and pathways to European sites (including those located at distances of more than 15 km) by which effects could arise on relevant receptors.

Based on all possible impacts, pathways, and receptors, the zone of influence of the Proposed Development was estimated. A description of this process is given in Table 3.

Relevant European sites

Table 2. European sites within 15 km of the Proposed Development

Site name [site code]	Approximate distance (as the crow flies) from the Proposed Development	Summary of Qualifying Interest(s) / Special Conservation Interest(s)
Rye Water Valley/Carton SAC [1398]	4.6 km, north-west	Desmoulin's whorl snail *Vertigo* moulinsiana [1016] Narrow-mouthed whorl snail *Vertigo angustior* [1014] Petrifying springs with tufa formation *Cratoneurion* [7220]
Glenasmole Valley SAC [1209]	9.4 km, south	Molinia meadows on calcareous, peaty or clayey-silt-laden soils *Molinion caeruleae* [6410] Petrifying springs with tufa formation *Cratoneurion* [7220] Semi-natural dry grasslands and scrubland facies on calcareous substrates *Festuco-Brometalia* * [6210]
Wicklow mountains SAC [2122]	11.3 km, south-east	Alpine and Boreal heaths [4060] Blanket bogs (* if active bog) [7130] Calaminarian grasslands of the *Violetalia calaminariae* [6130] Calcareous rocky slopes with chasmophytic vegetation [8210] European dry heaths [4030] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with *Erica tetralix* [4010] Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0] Oligotrophic waters containing very few minerals of sandy plains *Littorelletalia uniflorae* [3110] Otter *Lutra lutra* [1355] Siliceous rocky slopes with chasmophytic vegetation [8220] Siliceous scree of the montane to snow levels *Androsacetalia alpinae and Galeopsietalia ladani* [8110] Species-rich Nardus grasslands, on siliceous substrates in mountain areas [6230]
Wicklow Mountain SPA [4040]	13.8 km, south-east	Merlin *Falco columbarius* [A098] Peregrine *Falco peregrinus* [A103]
South Dublin Bay and River Tolka Estuary SPA [4024]	13.8 km, east	Arctic tern *Sterna paradisaea* [A194] Bar-tailed godwit *Limosa lapponica* [A157] Black-headed gull *Chroicocephalus ridibundus* [A179] Common tern *Sterna hirundo* [A193] Dunlin *Calidris alpina* [A149] Grey plover *Pluvialis squatarola* [A141] Knot *Calidris canutus* [A143] Light-bellied brent goose *Branta bernicla hrota* [A046] Oystercatcher *Haematopus ostralegus* [A130] Redshank *Tringa totanus* [A162] Ringed plover *Charadrius hiaticula* [A137] Roseate tern *Sterna dougallii* [A192] Sanderling *Calidris alba* [A144] Wetland and waterbirds [A999]

Relevant European sites

Site name [site code]	Approximate distance (as the crow flies) from the Proposed Development	Summary of Qualifying Interest(s) / Special Conservation Interest(s)
South Dublin Bay SAC [0210]	14.6 km, east	Annual vegetation of drift lines [1210] Embryonic shifting dunes [2110] Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310]

* Indicates an Annex I habitat that is a 'priority' habitat under the Habitats Directive.

Relevant European sites

Table 3. Potential impact sources and pathways for effects on European sites from Proposed Development

Potential impact source	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential zone of influence
Construction phase			
Disturbance as a result of increased noise, artificial lighting and/or the presence of personnel, plant and machinery.	The nearest European site for which an animal species is a QI s is the Rye Water Valley/Carton SAC (4.6 km north-west), designated for Desmoulin's whorl snail and narrow-mouthed whorl snail. SPAs designated for wintering waterbirds are all located well beyond the distance at which direct construction-related disturbance would be expected. However, it is possible that SCI species could occur on the habitats within and immediately surrounding the Site.	There is no suitable habitat for Desmsoulin's whorl snail and narrow-mouthed whorl snail within the Proposed Development. Given the distance to the Rye Water Valley/Carton SAC (which is located more than 4 km from the Proposed Development) there is no potential for noise, light or visual disturbance of these species. Moreover, small molluscs are not likely to be vulnerable to such disturbance. There is no pathway for disturbance effects on birds occurring within the boundary of European designated sites due to the intervening distances. However, should SCI species occur in proximity to the Proposed Development, there is the potential for disturbance to be caused. The Waterbird Disturbance Mitigation Toolkit (Cutts *et al*, 2013) states that even 'high level' disturbance sources (including, for example, very noisy construction activities), are only likely to result in 'low level' disturbance at distances of more than 500 m.	There is no pathway for effects to SCI bird species when present within any SPA. The core foraging range of the SCI bird species of the Wicklow Mountains SPA is 5 km for merlin and 2 km for peregrine (SNH, 2016). This European site is therefore located well beyond the distance from the Proposed Development at which regularly foraging by birds associated with this SPA could be expected. There is, however, the potential for wintering waterbird species of the South Dublin Bay and River Tolka Estuary SPA to occur on or near the Site for foraging purposes. This could lead to disturbance where they occur within 500 m of construction works. The South Dublin Bay and River Tolka Estuary SPA is therefore considered to be within the potential ZoI of the Proposed Development.
Direct loss of or damage to qualifying or supporting habitat(s)	The nearest European site is situated 4.6 km from the Proposed Development.	Given the intervening distance, there is no potential for direct loss of or damage to qualifying or supporting habitats.	None.
Waterborne pollution of qualifying or supporting habitats.	The Surface Water Management Plan for the Proposed Development has been informed by the Surface Water Strategy (JBA, 2017) as part of the overall Clonburris SDZ. A dedicated surface water drainage system will discharge the runoff into the Kilmahuddrick Stream (not shown on EPA maps) located within the boundary of the Site along the	Upstream European sites are not relevant to this impact, unless supporting migratory species such as fish which could be impacted by downstream water effects, but that is not the case in this instance. Therefore, only downstream European sites are relevant. Even in a worse-case scenario, any waterborne pollution (i.e. water contaminated with, for example, sediment, fuel, oil, chemicals or concrete) originating from the construction of the Proposed Development will have no significant effect on any downstream European site for several reasons. Firstly, the distance between the Proposed Development and these	None.

	western side. This flows north into the Griffeen River located approximately 680 m north-west, followed by the River Liffey which outfalls at Dublin Bay more than 18 km east of the Proposed Development.	European sites (which are marine) is great (approximately 14 km) with confluence of several tributaries into substantial rivers providing extensive opportunity for settlement and dilution of pollutants *en route*. Secondly, there is a very great dilution effect upon entering the sea at the downstream European sites in Dublin Bay itself, which are subject to tidal flushing and rapid mixing and dilution (Irish Water, 2018). Therefore, even in a worst-case scenario, construction pollutants would not be present at concentrations that could have significant effects on SCI birds or supporting habitats. Although SuDS is not considered necessary to conclude no likely significant effect from surface water, note that pollution-prevention measures will be implemented using best practice guidelines during the construction of the Proposed Development, which will ensure that no pollutants can reach any watercourses. The pollution-prevention measures are already part of the design and are not in place to avoid or reduce potential harmful effects to any European sites, but to satisfy other requirements and therefore can be considered at this stage. Regarding construction-related waste water/foul effluent (as opposed to operational foul effluent, for which see below), this is generally managed and controlled through the use of portaloos and welfare units with storage tanks, where sanitary waste will be removed from site via a licenced waste disposal operator. In such an instance, no hydrological link via effluent will be relevant to any European sites. Otherwise, construction related waste water/foul effluent arising from the temporary Site compound would be connected into the local public sewer network that would discharge to the local Ringsend Waste Water Treatment Plant as per the operational phase outlined below.	
Airborne pollution of qualifying or supporting habitats or QI species.	The nearest European site is situated 4.6 km from the Proposed Development.	Dust and/or other emissions generated during the construction phase are likely to be minimal, even without mitigation, and would be widely dispersed to negligible level before reaching any European designated site.	None.
Spread of invasive non-native species.	Invasive non-native species could be spread hydrologically via multiple watercourses (as described in the waterborne pollution pathway above) to the Dublin Bay coast where European sites including the River Tolka Estuary SPA and South Dublin Bay SAC, are situated.	Japanese knotweed *Reynoutria japonica* and Spanish bluebell *Hyacinthoides hispanica* were the only species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 that was recorded within the Site by SDCC, AECOM ecological walkover survey in 2021, and during invasive species surveys in 2020 (Scott Cawley, 2020c). However, it is unlikely that any non-native plant invasive species will persist given the intervening distances of more than 15 km to the nearest downstream European site and any	None.

		viable parts of an invasive non-native plant species (e.g. seeds) which entered the sea would not persist due to the saline environment and could not establish.	
Disruption to flow of groundwater or reduction in volume of groundwater as a result of earthworks.	Earthworks could potentially interfere with groundwater and could affect qualifying or supporting habitats which rely on groundwater.	Excavations as part of the construction of the Proposed Development will be shallow and will result in very localised effects on groundwater. There is consequently no possibility of effects to groundwater-dependent habitats of the Rye Water Valley/Carton SAC (which is the closest designated site with such features and is 4.6 km upstream of the Proposed Development) or to any other site further afield.	None
Operational phase			
Disturbance as a result of increased number of people and corresponding increase in recreational pressure.	An increase in the number of local residents may result in increased visitor numbers to European sites. In addition, residents may also use habitats immediately surrounding the Proposed Development which could be utilised by SCI bird species outside of SPA boundaries. A recent study (Weitowitz *et al*, 2019) found that increases in housing consistently results in more visitors to protected sites. They found that this is particularly the case for 'on-foot' visitors that originate from housing within 1.5 km of a protected site. At sites provided with car parking opportunities, increased housing within 15 km also saw an increase in visitor numbers, although this was dependent on habitats present. The authors concluded that housing allocations closer to protected sites are likely to have a greater impact in terms of recreational pressure from increased visitor numbers.	Increasing visitor pressure is unlikely to result in significant effects to the QI habitats of any SAC for several reasons. The first is that most European sites are more than 10 km from the Proposed Development, and the closest are well beyond the 1.5 km distance within which Weitowitz (2019) found particular 'on-foot' visitor pressure from new housing. Secondly, much of the QI habitat and habitat in SPAs within 15 km comprises types which are not easy to walk through (such as wetlands, rough grassland/moorland, rocky/mountainous habitat and mudflats) which naturally discourages access by people. Thirdly, existing access arrangements, including marked footpaths, will continue to be used in all cases. It is therefore very unlikely that there would be any significant increase in disturbance / damage to QI habitats or habitat in SPA as a result of, for example, trampling or increased dog walking and related effects. The only QI species within 15 km of the Proposed Development are Desmoulin's whorl snail and narrow-mouthed whorl snail (Rye Water Valley/Carton SAC), and otter (Wicklow Mountains SAC). Changes to recreational pressure which could affect Desmoulin's whorl snail and narrow-mouthed whorl snail (e.g. an increase in recreational walking) are unlikely to be sufficiently large to result in a significant effect given the minimum 4.6 km separation distance, and moreover the snails utilise wetland habitat which people are unlikely to wish to walk through. The Wicklow Mountains SAC is extremely large, covering an area of approximately 329 km^2, most of which is more than 15 km from the Proposed Development. Visitors are therefore likely to be widely dispersed and not concentrated to a specific area where there could be a consequent significant disturbance effect on QI habitat. Additionally, the dominant moorland and mountainous QI habitats discourage walking through them, and access	There is are not considered to be likely significant effects on any SAC as a result of increased recreational visitor pressure from new residents of the Proposed Development, for the reasons given to the left. However, increased recreational pressure could potentially result in likely significant effects on SCI bird species in the following SPAs: • Wicklow Mountains SPA; and, • South Dublin Bay and River Tolka Estuary SPA..

		would predominately be along existing marked footpaths. There are two SPAs within 15 km of the Proposed Development – the distance at which Weitowitz *et al* (2019) found there to be increases in recreational pressure on designated sites from new housing developments. The relevant SCI nesting raptors of the Wicklow Mountains SPA and foraging/roosting waterbirds of the South Dublin Bay and River Tolka Estuary SPA can be prone to visual and noise disturbance by people at a distance. In addition, residents using habitat immediately surrounding the Proposed Development, which may be suitable for SCI species occurring outside of the boundary of SPAs, may also result in increased disturbance effects.	
Waterborne pollution of qualifying or supporting habitats.	The waste water/foul effluent from the Proposed Development once constructed will be connected to a new pump station before entering the local public sewer network that will discharge to the local Ringsend Waste Water Treatment Plant for treatment prior to ultimate discharge to Dublin Bay.	Although SuDS is not considered necessary to conclude no Likely Significant Effect from surface water, note that surface water will be treated by SuDS, which is required by planning for the entire SDZ (as described in Scott Cawley, 2017) of which the Proposed Development is a small part. This drainage system will be incorporated during the operation phase and will form part of the baseline conditions and the measures it incorporates are required to comply with general pollution protection legislation and objectives such the National Standards Authority of Ireland (NSAI) standard documents IS EN 752, BS8301:1985, and the recommendations of the Greater Dublin Strategic Drainage Study (GDSGS). The detailed drainage system was not included in the design to avoid or reduce any potential harmful effects to any European sites, but to satisfy other requirements (such as flood alleviation). The drainage system will effectively manage and treat surface water prior to discharge to natural watercourses during the operation phase of the Proposed Development. Regarding foul water discharges during operation, this will be carried to Ringsend Waste Water Treatment Plant. Information to support the overall SDZ in Scott Cawley (2017) indicates that this treatment plant is being upgraded in phases to cater for increased waste from increased housing within its catchment, up to a capacity of 2.4 million people-equivalent by 2023. Studies reported in Scott Cawley (2017) and Irish Water (2018) also indicate that, regardless of this upgrade, discharges from the treatment plant were found to have no significant effect beyond the near field of discharge and to be rapidly diluted and dispersed to low levels in Dublin Bay. Consequently, there is considered to be no likelihood of significant effects on downstream European sites at Dublin Bay from the Proposed Development by foul water discharges.	None.

Relevant European sites

Increase in number of predators, specifically domestic cats.	An increase in the number of cats, which are predators of various small mammal and bird species, is likely during operation of the Proposed Development.	The nearest European designated site designated for breeding bird species is more than 13 km from the Proposed Development. The maximum linear distance travelled by domestic cats has been recorded as 3 km (Floyd and Underhill-Day, 2013). There is therefore no reasonable possibility of cats from the Proposed Development predating SCI bird species breeding at any SPA. Non-breeding SCI waterbirds can use the habitat outside the SPA, such as that surrounding the Proposed Development, for feeding or roosting (e.g. at high tide). However, these bird species use large open fields with a clear line of sight in order to reduce the risk of predation, and in this way the Site is suboptimal.	None.

* Receptors here means any QI(s) of SAC(s) or SCI(s) of SPA(s) or any other ecological features which support QIs/ SCIs

Relevant European sites

On the basis of the above, **the following impacts have been screened out of further assessment** because there is clearly no potential for them to occur or because any such impacts would clearly not result in any significant effects on any European sites:

- direct loss of or damage to qualifying or supporting habitats during the construction phase;
- waterborne pollution affecting qualifying or supporting habitats either during construction or operational phases;
- airborne pollution affecting qualifying or supporting habitats or QI species during construction;
- spread of invasive non-native species during the construction phase;
- disruption to flow of groundwater or reduction in volume of groundwater during construction phase;
- disturbance to Desmsoulin's whorl snail and narrow-mouthed whorl snail (QI species of the Rye Water Valley/Carton SAC), and otter (QI species of the Wicklow Mountains SAC); and,
- increased predation due to higher numbers of domestic cats during operation of the Proposed Development.

It is therefore possible to **screen out any likely significant effects on all Special Areas of Conservation.**

The only impacts identified which could result in likely significant effects relate to disturbance of SCI bird species of SPAs within 15 km of the Proposed Development, either during the construction phase or the operational phase. Further consideration is therefore given in the remainder of this AA Screening Report to the potential for disturbance impacts to result in adverse effects on the integrity of the identified SPAs.

Wicklow Mountains SPA

The Wicklow Mountains SPA is very large, comprising a substantial part of the Wicklow Mountains area. The site is designated for breeding merlin and peregrine, as summarised in Table 4.

The conservation objective of the Wicklow Mountains SPA is to maintain or restore the favourable conservation condition of the bird species listed as SCI.

Relevant European sites

Table 4. SCI of the Wicklow Mountains SPA

Species	SPA population*	Conservation condition
Merlin [A098]	Between 5 – 10 breeding pairs	Not provided
Peregrine [A103]	Maximum of ten breeding pairs	Not provided

* Population size taken from Natura 2000 Standard Data Form for the site.

South Dublin Bay and River Tolka Estuary SPA

The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dún Laoghaire, and the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included. The site is important for wintering waterfowl. Common and Arctic tern breed in Dublin Docks on manmade structures and south Dublin Bay is an important staging post for tern species. A summary of the SCI species of the SPA is given in Table 5.

The conservation objectives in relation to the SCI species of the South Dublin Bay and River Tolka Estuary SPA are:

- to maintain the favourable conservation condition of the SCI species:
- to be favourable, the long-term population trend for each waterbird SCI species should be stable or increasing;
- to be favourable, there should be no significant decrease in the range, timing or intensity of use of areas by the waterbird species of SCI, other than that occurring from natural patterns of variation; and,
- to maintain the favourable conservation condition of the wetland habitat in South Dublin Bay and River Tolka Bay SPA as a resource for the regularly-occurring migratory waterbirds that utilise it:
- the permanent area occupied by the wetland habitat should be stable and not significantly less than the area of 2,192 ha, other than that occurring from natural variation.

Existing pressures on the SPA are described in the Conservation Objectives Supporting Document, published by NPWS (NPWS, 2014). This document identifies that Dublin Bay is subject to significant recreational pressure as a consequence of its proximity to a major population centre. Recreational activity in the form of walkers, both with and without dogs, is known to be widespread across the SPA and of a 'highly active level' in certain areas. A study carried out in the Irishtown area of south Dublin Bay (Phalan and Nairn, 2007) found that dogs off the leash accounted for nearly half of all disturbance events recorded. Disturbance is also reasonably expected to be most significant prior and post migration (Tierney et al. 2016). However, it also identified in NPWS (2014) that human recreational activities at coastal areas occur less frequently during winter months.

Relevant European sites

Table 5. SCI of the South Dublin Bay and River Tolka Estuary SPA

Species	Baseline SPA population (1995/96 – 1999/2000)	Recent population estimates (2006/07 – 2010/11)	Conservation condition
Light-bellied brent goose [A046]	1,548	3,443	Favourable
Shelduck [A048]	1,259	913	Intermediate Unfavourable
Teal [A054]	953	921	Favourable
Pintail [A054]	233	156	Intermediate Unfavourable
Shoveler [A056]	141	123	Unfavourable
Oystercatcher [A130]	1,784	1,772	Favourable
Golden plover [A140]	2,033	1,094	Unfavourable
Grey plover [A141]	517	380	Unfavourable
Knot [A143]	2,837	3,542	Favourable
Sanderling [A144]	141	271	Favourable
Dunlin [A149]	4,146	3,734	Favourable
Black-tailed godwit [A156]	367	873	Favourable
Bar-tailed godwit [A157]	1,529	1,627	Favourable
Curlew [A160]	937	918	Favourable
Redshank [A162]	1,431	2,356	Favourable
Turnstone [A169]	157	238	Favourable
Black-headed gull [A179]	2,196	1,527	Unfavourable
Wetland and waterbirds [A999]	N/A	N/A	Not provided

All population data taken from the Conservation Objectives Supporting Document (NPWS, 2014).

Occurrence of SCI bird species at the Proposed Development

Three SCI were returned from the NBDC database search within 2 km of the Site, black-headed gull, merlin and peregrine falcon. Raptor surveys carried out for the Road Infrastructure Development at Clonburris SDZ (a separate planning application but within, which the Proposed Development is located) recorded one peregrine falcon on 26 June 2020. It was recorded flying over the grasslands adjacent to the R120 outside the Proposed Development to the west (Scott Cawley, 2020a). There are no known records of merlin in the Site vicinity. Previous non-breeding bird surveys were carried out in January, February and March 2020 with the Clonburris SDZ lands (Roughan O'Donovan, 2020);. These surveys recorded one SCI species, black-headed gull, within the Clonburris SDZ lands with a peak count being "highly abundant" (Roughan O'Donovan, 2020);. Scott Cawley (2020a) states that black-headed gull were seen flying over the area assessed for that report (which runs past the Proposed Development). Scott Cawley (2020a) also reported small numbers of lapwing, which however are only SCI species of European sites over 40 km from the Proposed Development, therefore any lapwings that did occur in the Site can reasonably be assumed not to originate from these European sites. The results of the desk study and previous field surveys therefore indicate that there is a small area of suitable foraging habitat for these SCI species within and adjacent to the Proposed Development.

Test of Likely Significant Effects

For each of the two SPAs considered in more detail as part of this AA Screening exercise, the potential impacts of the Proposed Development are considered below, with reference to the conservation objectives of each European designated site, to test for likely significant effects.

The test of likely significant effects was carried out with cognisance of the ruling of the Court of Justice of the European Union (CJEU) in November 2018 in the case of Holohan and Others v An Bord Pleanála (C-461/17). The conclusions of the Court in that case now require that during the course of AA, consideration must be given to:

- likely significant effects on the qualifying habitats and/or species of a SAC / SPA, outside the boundary of the designated site, if these are relevant to the site meeting its conservation objectives; and,
- effects on non-qualifying habitats and/or species on which the qualifying habitats and/or species depend and which could result in likely significant effects on the qualifying features.

The test of likely significant effects in this AA screening is compliant with the requirements of the Holohan ruling.

Disturbance of Special Conservation Interest bird species during the construction phase

As set out in Table 3, due to the distances between the Proposed Development and the nearest SPAs, there is no potential for construction-related disturbance of birds within the boundaries of the designated sites. Should any SCI bird species occur within 500 m of the Proposed Development, there is potential for disturbance of these birds as a result of construction activities (e.g. from noise, lighting or visual disturbance from the presence of personnel, plant or machinery).

However, previous field surveys carried out for the Proposed Development and for neighbouring schemes have identified only one SCI species, black-headed gull.

For the following reasons, it is unlikely that disturbance during the construction phase would result in significant effects on this SCI species:

- the Proposed Development is situated close to the limit (nearly 15 km inland) that SCI waterbirds from Dublin Bay would reasonably be expected to commute to;
- the habitats within and adjacent to the Proposed Development generally comprise limited areas of potential foraging habitat (e.g. open amenity grassland), which are however are rendered considerably unfavourable through being enclosed by hedgerows and/or treelines, scrub encroachment, and the presence of relatively high levels of disturbance from the existing housing community within the Site; and,
- there is abundant alternative habitat for roosting and foraging by SCI species, including those recorded by field survey, within Dublin Bay, the wider coastal area, and agricultural areas around Dublin. Therefore, if any displacement of birds during the construction phase took place as a result of disturbance, there would be extensive alternative suitable habitat available.

It is therefore concluded that **there are no likely significant effects on any SPA from disturbance of SCI species during the construction phase of the Proposed Development**.

Disturbance of Special Conservation Interest bird species during the operational phase

The potential for increased recreational pressure to result in significant effects on all SPAs within 15 km of

the Proposed Development during its operational phase is identified in Table 3.

However, the following two SPAs can be excluded from such potential adverse effects for the reasons given:

- Wicklow Mountains SPA is a very large site, covering an area of approximately 329 km^2. Visitors to this site are therefore likely to be spread out over a large area and not restricted to a small or particular location at which there could be an increase in recreational pressure. Furthermore, peregrine and, in particular merlin, both nest in remote and difficult to access locations (Hardey et al, 2013) which are unlikely to be subject to significant increases in visitor numbers. Urban nesting peregrines are generally considered to be tolerant to higher levels of human activity (Ruddock and Whitfield, 2007); and,
- The South Dublin Bay and River Tolka Estuary SPA is already subject to high visitor numbers and recreational pressure. The Natura Impact Report on the Dún Laoghaire-Rathdown County Development Plan 2016 – 2022 (RPS, 2016) identified that the coastal area of the county is a popular leisure destination and that development may place increasing pressure on ecological features. It highlights disturbance to birds as a potential adverse effect which could arise through development. However, it should be highlighted again that South Dublin Bay and River Tolka Estuary SPA is already subject to a large number of visitors and they are consequently managed in such a way as to mitigate the potential effects of recreational pressure. As discussed in sub-heading "South Dublin Bay and River Tolka Estuary SPA" above, this includes limiting access to certain areas, preventing dog walking off the leash and controlling various watersports. Such management, enforced through bye-laws, will continue during the operational phase of the Proposed Development and will therefore serve to limit the effects of visitor-induced disturbance of SCI bird species such that significant effects are not likely on the South Dublin Bay and River Tolka Estuary SPA.

It is therefore concluded that there are no Likely Significant Effects on any SPA from disturbance of SCI species during the operational phase of the Proposed Development.

Other principal plans or projects that may act 'in combination'

Cumulative effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location (CIEEM, 2018).

As noted above, there is considered to be no likely significant effect on any European site from the Proposed Development. This is considered to be very clearly the case for this small development that is located distantly from European sites. As such it is not possible for there to be a cumulative or in-combination effect with other plans or projects.

However, the primary plan which could theoretically cause in-combination effects is the overall SDZ itself.

The SDZ was designated as a SDZ Planning Scheme in 2015, comprising approximately 280 hectares of land in Clonburris, Co. Dublin. The purpose of the SDZ Planning Scheme is to ensure the delivery of residential and commercial / economic development together with supporting infrastructure and facilities in a sustainable manner on a strategic site i.e. a sustainable community rather than solely a housing or commercial development. The Core Strategy in the County Development Plan 2016-2022 envisages approximately 8,000 units within the SDZ lands over the lifetime of the County Development Plan (Minogue & Associates Ltd. 2017).

A Strategic Environmental Assessment (SEA) was prepared for SDCC by Minogue & Associates Ltd. (2017) for the Clonburris Strategic Development Zone (SDZ) Planning Scheme. The Environmental Report documents the SEA process and is the key consultation document in the SEA process and facilitates interested parties to comment on the environmental issues associated with the plan. It includes Key Principles following a review of International, National, Regional and Local Plans, Policies and Programmes as follows:

Test of Likely Significant Effects

- Conserve and enhance biodiversity at all levels,
- Avoid and minimise effects on nationally and internationally rare and threatened species and habitats through sensitive design and consultation, recognising ecological connectivity where possible,
- Facilitate species and habitat adaption to climate change,
- Avoid and minimise habitat fragmentation and seek opportunities to improve habitat connectivity,
- Ensure careful consideration of non-native invasive and alien species issues particularly as they relate to waterbodies such as the Grand Canal and Griffeen River.

The SDZ Planning Scheme includes residential infrastructure developments, associated roads and drainage works within the Clonburris SDZ land, including the Proposed Development. The SDZ Planning Scheme underwent an AA screening exercise which concluded that the SDZ Planning Scheme would not result in any likely significant effects either alone or in-combination to any European sites (Scott Cawley, 2017).

An Appropriate Assessment Screening Report was prepared by Scott Cawley (2017) in line with Article 6(3) of the EC Habitats Directive for the Balgaddy-Clonburris Strategic Development Zone (SDZ) – Draft Planning Scheme to be read in conjunction with the SEA Environmental Report. The professional opinion of the authors of that report is that the draft Planning Scheme for Clonburris SDZ does not require a full Stage 2 Appropriate Assessment.

Notwithstanding this conclusion, which is based on the assessment of the Draft Scheme in its own right, it is important to acknowledge the “protective” policies and objectives contained within the South Dublin County Development Plan (2016-2022). They are regarded as strategic policies and objectives for the County and the draft Planning Scheme is consistent with these policies and objectives. The draft Planning Scheme sets out principles to protect ecological networks and resources, to help to prevent any adverse effects on European sites (and their supporting networks) which may arise as a result of implementing the Clonburris SDZ.

An Bord Pleanála decided under the provisions of section 169 (7) of the Planning and Development Act, 2000, as amended, to APPROVE the making of the Balgaddy Clonburris SDZ planning scheme

Several objectives are relevant to biodiversity and the Proposed Development in the *South Dublin County Council Development Plan 2022-2028*, which include:

- IE2 Objective 9: To protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains, within the County from inappropriate development. This will include protection buffers in riverine and wetland areas as appropriate (see also Objective G3 Objective 2 – Biodiversity Protection Zone).
- G1 Objective 1: To establish a coherent, integrated and evolving Green Infrastructure network across South Dublin County with parks, open spaces, hedgerows, grasslands, protected areas, and rivers and streams forming the strategic links and to integrate the objectives of the Green Infrastructure Strategy throughout all relevant Council plans, such as Local Area Plans and other approved plans.
- G2 Objective 2: To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.
- G2 Objective 8: To provide for the incorporation of Eco-ducts and/or Green Bridges at ecologically sensitive locations on the County’s road and rail corridors that will facilitate the free movement of people and species through the urban and rural environment.
- G2 Objective 9: To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County by increasing tree canopy coverage using locally native species and by incorporating them within design proposals and supporting their integration into the Green Infrastructure network.
- G2 Objective 11: To incorporate appropriate elements of Green Infrastructure e.g. new tree planting, grass verges, planters etc. into existing areas of hard infrastructure wherever possible, thereby integrating these areas of existing urban

environment into the overall Green Infrastructure network.

- G2 Objective 12: To seek to control and manage non-native invasive species and to develop strategies with relevant stakeholders to assist in the control of these species throughout the County.
- G3 Objective 2: To maintain a biodiversity protection zone of not less than 10 metres from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case-by-case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic Green Routes and Trails identified in the South Dublin Tourism Strategy, 2015; the Greater Dublin Area Strategic Cycle Network; and other government plans or programmes will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments, as these routes increase the accessibility of the Green Infrastructure network.
- G3 Objective 5: To restrict the encroachment of development on watercourses, and provide for protection measures to watercourses and their banks, including but not limited to: the prevention of pollution of the watercourse, the protection of the river bank from erosion, the retention and/or provision of wildlife corridors and the protection from light spill in sensitive locations, including during construction of permitted development.
- G4 Objective 4: To minimise the environmental impact of external lighting at sensitive locations within the Green Infrastructure network to achieve a sustainable balance between the recreational needs of an area, the safety of walking and cycling routes and the protection of light sensitive species such as bats.
- G4 Objective 5: To promote the planting of woodlands, forestry, community gardens, allotments and parkland meadows within the County's open spaces and parks.
- G4 Objective 7: To avoid the cumulative fragmentation and loss of ecologically sensitive areas of the Green Infrastructure network to artificial surfaces and to position recreational facilities that incorporate artificial surfaces at appropriate community-based locations.
- G6 Objective 1: To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.
- G6 Objective 2: To require new development to provide links into the wider Green Infrastructure network, in particular where similar features exist on adjoining sites.
- HCL11 Objective 5: To ensure that development along and adjacent to the Grand Canal protects and incorporates high value natural heritage features including watercourses, wetlands, grasslands, woodlands, mature trees, hedgerows and ditches and includes for an appropriate set-back distance or buffer area from the pNHA boundary to facilitate protected species, biodiversity, and a fully functioning Green Infrastructure network.
- HCL12 Objective 1: To prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the County and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.
- HCL12 Objective 2: To ensure that projects that give rise to significant direct, indirect or secondary impacts on Natura 2000 sites, either individually or in combination with other plans or projects, will not be permitted unless the following is robustly demonstrated in accordance with Article 6(4) of the Habitats Directive and S.177AA of the Planning and Development Act (2000 – 2010) or any superseding legislation:

  1. There are no less damaging alternative solutions available; and

  2. There are imperative reasons of overriding public interest (as defined in the Habitats Directive) requiring the project to proceed; and

  3. Adequate compensatory measures have been identified that can be put in place.

Test of Likely Significant Effects

- HCL13 Objective 1: To ensure that any proposal for development within or adjacent to a proposed Natural Heritage Area (pNHA) is designed and sited to minimise its impact on the biodiversity, ecological, geological and landscape value of the pNHA particularly plant and animal species listed under the Wildlife Acts and the Habitats and Birds Directive including their habitats.
- HCL15 Objective 1: To ensure that development does not have a significant adverse impact on rare and threatened species, including those protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992.
- HCL15 Objective 2: To ensure that, where evidence of species that are protected under the Wildlife Acts 1976 and 2000, the Birds Directive 1979 and the Habitats Directive 1992 exists, appropriate avoidance and mitigation measures are incorporated into development proposals as part of any ecological impact assessment.
- HCL15 Objective 3: To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.

This assessment was also prepared with consideration of the policies and objectives of the Clonburris Strategic Development Zone (SDZ) Planning Scheme.

The consideration of Biodiversity and Natural Heritage of the Planning Scheme Framework and includes several Key Principles:

- To seek to protect and enhance natural, built and cultural heritage features, where appropriate, such as the Grand Canal, streams, Protected Structures and barony and townland boundary hedgerows;
- To improve the quality, character and continuity of the Grand Canal (pNHA);
- To avoid or minimise the impact on protected species and their habitats;
- To promote local heritage, the naming of any new residential development should reflect the local and historical context of its siting, and may include the use of the Irish language; and
- Incorporate biodiversity and heritage into new developments.

Furthermore, planning permission was granted for the Southern Link Road within the SDZ which would be located within 500m of the Proposed Development; Planning reference: SDZ20A/0021. This Southern Link Road bisects the Proposed Development. The application was accompanied by a report for AA Screening which concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans ad projects, can be excluded (Scott Cawley, 2020a). There is a current live planning application within the SDZ in subsector S3 Clonburris South West (CSW-S3) for 569 dwellings, creche, open space and innovation hub and that at the time of this report the application is still under consideration with a request for further information requested by the planning authority.

Any new applications for the Proposed Development will be assessed on a case-by-case basis initially by South Dublin County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

Consequently, having regard to the policies and objectives of the relevant development plans and projects, and in particular to the lack of likely significant effects from the Proposed Development itself, **it is concluded that the possibility of any other plans or projects acting in combination with the Proposed Development to give rise to significant effects on any European site can be excluded.**

Conclusion

There is considered to be no potential for likely significant effects on European sites as a result of the Proposed Development. Furthermore, the in-combination assessment concluded that there is no potential for in-combination effects to arise with any other projects or plans.

Therefore, in view of best scientific knowledge and on the basis of objective information, it is concluded that the Proposed Development, whether individually or in combination with other plans or projects, beyond reasonable scientific doubt is not likely to have significant effects on any European site. Consequently, there is considered to be no requirement to proceed to appropriate assessment and, subject to other requirements, the Proposed Development can be authorised.

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Appendix A

Drawing title *Masterplan – Site Plan* for Clonburris Phase One (produced by Metropolitan Workshop)

Figure 1. Location of the Proposed Development and relevant European sites.

Figure 2. Site location

263 Total Units

Key

- Community
- Bungalow
- 2 Storey House
- 3 Storey House
- Apartment
- Duplex
- Parkside Apartment
- Services / Bin Store

N

Site Plan - Ground Floor

1 : 1000

STAGE 2

Revision	Date	Description	Issued	Checked
P1	15.03.2022	Issued for Pre-Part 8 Planning Application	OB	SC
P2	06.04.2022	Issued for Part 8 Coordination	DK	SC

Comhairle Contae Átha Cliath Theas
South Dublin County Council

Notes

Do not scale drawings. All dimensions should be checked on site. Errors to be reported to architect. To be read in conjunction with all relevant architects services and engineers drawings.

Contractors, sub-contractors and suppliers must verify any critical dimensions on site prior to fabrication of any building element. Any discrepancies are to be reported o the architect.

This drawing should be read in conjunction with all relevant specifications, engineers nd specialists consultants information. Any discrepancies must be reported prior to installation.

DRAFT

- Site Boundary
- CIL Link Street Planning Application Boundary
- SDCC Lands
- Plot Boundary
- Existing Accommodation Boundary
- Existing Road Line
- Proposed ESB Substation Locations

Metropolitan Workshop
Tower 2, Fumbally Lane
Dublin
D08 N2N8
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www.metwork.ie

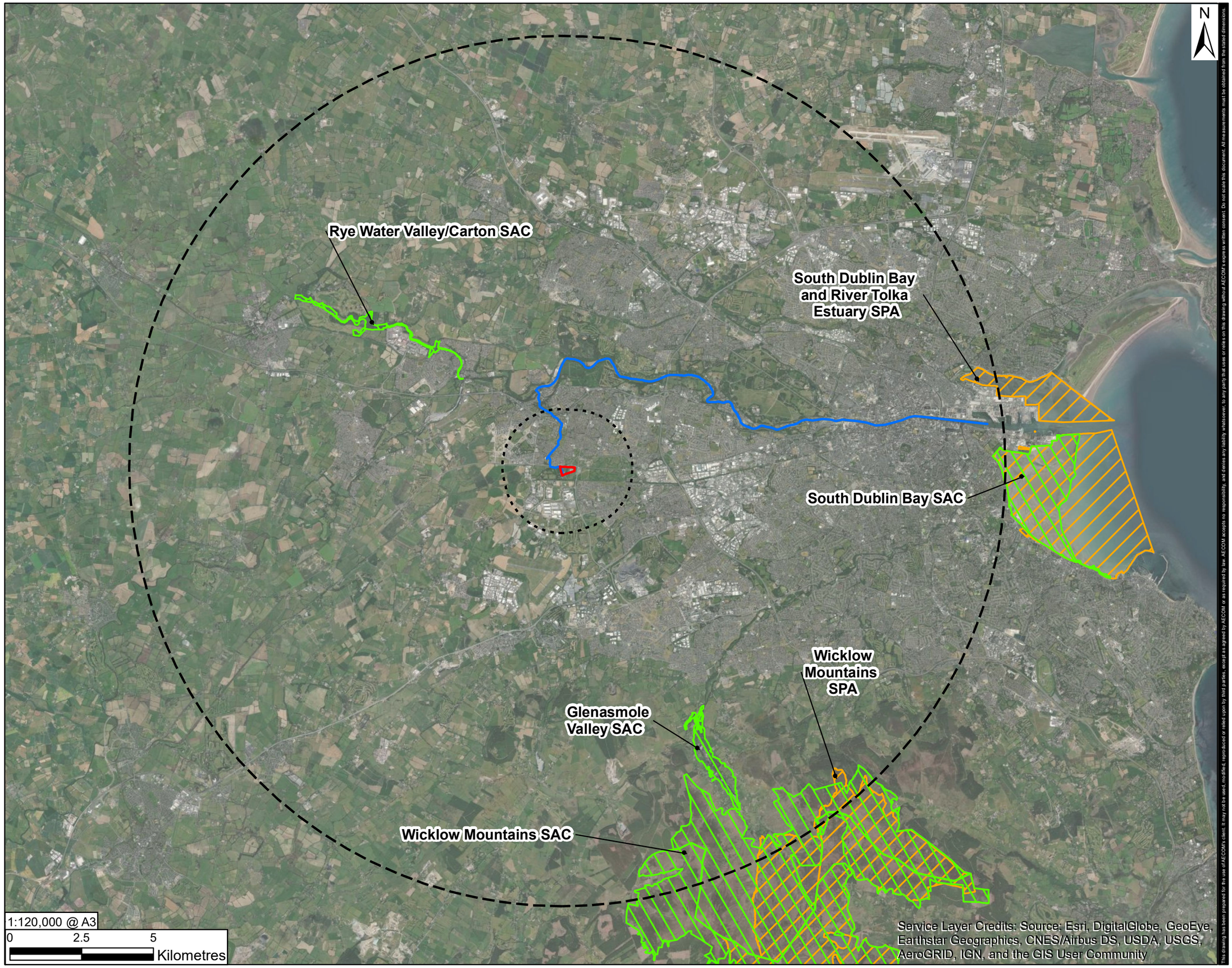
Project:	Clonburris Phase One
Client:	SDCC
Location	Clonburris Co.Dublin
Title:	Masterplan -Site Plan
Current Revision Issue Date:	06.04.2022
Scale:	As indicated @ A1

Drawing Number:	Project	Originator	Volume	Level	Type	Role	Reference	Suitability	Revision
	2015	MET	ZZ	00	DR	A	101101	S2	P2

MW BIM Suitability Codes: A1, A2, An, etc. – Approved and accepted as Stage Complete, B1, B2, Bn, etc. – Partially signed-off, CR – As Construction Record documentation, S0 - Initial status or WIP, S1 - Suitable for Coordination, S2 - Suitable for Information, S3 - Suitable for Review & Comment, S4 - Suitable for Stage Approval, S6 – Suitable for PIM Authorisation (Information Exchanges 1-3), S7 – Suitable for AIM Authorisation (Information Exchange 6)

Drawn: LC Checked: DG Approved: TM Date: 02/09/2021

Revision: 0



AECOM

PROJECT

Clonburris Phase One

CLIENT

South Dublin County Council (SDCC)

CONSULTANT

AECOM Limited
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T: +353-012383100

LEGEND

- Clonburris Phase One boundary (Site)
- 2 km radius around Site
- 15 km radius around Site
- Special Areas of Conservation
- Special Protection Areas
- Watercourses downstream of Site

PROJECT NUMBER

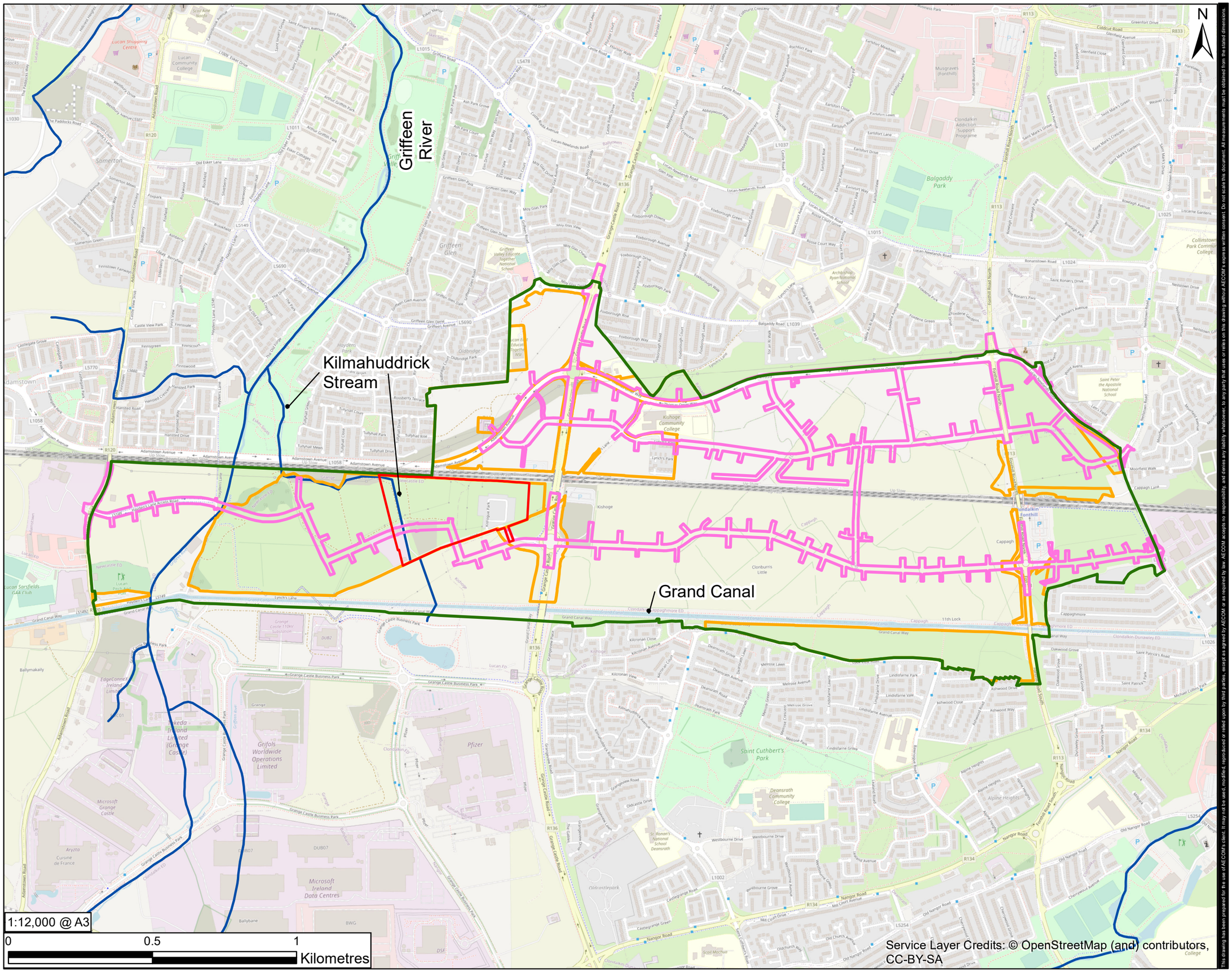
60650394

FIGURE NUMBER

Figure 1

Drawn: LC Checked: DG Approved: TM Date: 21/09/2021

Revision: 0



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LEGEND

- Clonburris Phase One boundary (Site)
- Clonburris Strategic Development Zone (SDZ) boundary
- Clonburris Road Infrastructure Development
- South Dublin County Council (SDCC) Masterplan Area
- Watercourses

PROJECT NUMBER

60650394

FIGURE NUMBER

Figure 2