Proposed Amendments to Permitted Development at the Royal Liver Retail Park, Dublin 12

Appropriate Assessment Screening Report

BSM Est. 1968 Brady Shipman Martin Built. Environment.

Environmental Assessment **Built Environment**

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1 Introduction

1.1 Background

The Land Development Agency (the Applicant) proposes to apply to Dublin City County Council for permission for amendments to previously permitted development (DCC Reg. Ref.: 4238/19; ABP Ref. PL29S.307804 as amended by DCC Reg. Ref.: 4436/23 and Reg. Ref.: 5050/26) at a site known as Royal Liver Retail Park at Old Naas Road, Inchicore, Dublin 12. Hereafter, the development will be referred to as 'the Proposed Project'.

As a part of the original application, subsequently permitted, an Appropriate Assessment Screening Report was prepared by Ecology Ireland. The Appropriate Assessment Screening report was based on information collected at the time of writing and concluded that the development would not result in any likely significant effects on a European site. The full Appropriate Assessment Process (involving the preparation of a Natura Impact Statement) was not required. This was also the conclusion of Dublin City Council and An Bord Pleanála[1] in their planning reports.

Brady Shipman Martin has now been appointed by the Applicant to prepare a report to assist Dublin City Council in undertaking a screening for Appropriate Assessment (AA). The purpose of the screening is to assess, in view of best scientific knowledge, if the proposed amendments to the permitted development, individually or in combination with other plans or projects, are likely to have any significant effect on European sites taking into account their conservation objectives.

A comprehensive study was undertaken and the potential impacts on European sites, both as a result of the proposed amendments and in-combination with other plans and projects, are appraised in this report.

The following is noted:

- There have been two amendments made to the permitted project since the completion of the initial Appropriate Assessment:
  - Permission for the first amendment was granted in February 2024 and the planning authority concluded that this amendment would not result in likely significant effects on a European Site.
  - Permission for the second amendment was granted in August 2026, and an AA screening prepared for the amendment concluded no likely significant effects would arise as a result of the proposed amendment.
- As confirmed in this report there have been no significant changes to the environmental and scientific data (including both the baseline ecological information at the site, and in the context of the European sites within the zone of influence of the permitted development), that could result in any changes to the conclusions of the previously submitted initial Appropriate Assessment Screening report.
- As confirmed in this report there are no projects that have been undertaken (or are currently in planning) in the vicinity of the site that may, or are likely to, have an impact on the outcomes reached in the original assessments.

1.2 Expertise and Qualifications

This report has been prepared by Jade Schanen, Environmental Consultant at Brady Shipman Martin. She holds of BA (Mod.) in Environmental Science from Trinity College Dublin. She is a graduate member of the Chartered Institution of Water and Environmental Management. Jade has been working professionally in the field for over two years and has experience preparing EIA and AA screenings.

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

[1] Now An Coimisiún Pleanála

master's degree in Ecosystem Conservation and Landscape Management. He has over 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal Requirement for Appropriate Assessment

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

> *"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. Section 177U of the Planning Acts requires that screening for appropriate assessment must be carried out:

- To assess, in view of best scientific knowledge, if the proposed development/proposed amendment, 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 proposed development/proposed amendment, individually or in combination with other plans or projects, will have a significant effect on a European site.

The project 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] SI No. 477 of 2011

2 Methodology

2.1 Guidelines

This report takes the following guidance documents into account:

- Chartered Institute of Ecology and Environmental Management (CIEEM). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine,* September 2018, updated in September 2019 (V1.1), further updated in April 2022 (V1.2) and in September 2024 (V1.3).
- 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.
- 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.
- Directorate – General for Environment (European Commission) (2021). Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive.
- National Roads Authority (NRA)[2] (2009). Guidelines for Assessment of Ecological Impacts of National Road Schemes.
- Office of the Planning Regulator (OPR) (2021). Practice Note PN01 Appropriate Assessment Screening for Development Management.
- National Parks and Wildlife Services (NPWS) (2021). Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.

2.2 Baseline data collection and field visits

Comprehensive biodiversity surveys were undertaken by Ecology Ireland at the site in the preparation of the planning application for the permitted development. Ecologists from Ecology Ireland also undertook surveys at the site more recently, including in August 2025, in order to identify any constraints to the commencement of the permitted development – unrelated to this amendment application.

Building on the surveys undertaken as part of the planning process for the permitted development and subsequently, and in order to provide comprehensive, updated baseline information on the local ecological environment, additional biodiversity surveys were undertaken at the subject site by an ecologist with Brady Shipman Martin, Mr Siddharth Sonny, on 4 February 2026.

A desk-based assessment was undertaken in August and September 2026 of the site and the wider area. This focused on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interest (SCI) (in the case of SPA) in the designations for European Sites.

An assessment of habitat suitability for species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

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

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).
- Dublin City Development Plan 2022 – 2028.

Desk and field-based assessment for this report have been undertaken as per CIEEM's *Guidelines for Ecological Impact Assessment in the UK and Ireland Terrestrial, Freshwater, Coastal and Marine* (2024). Given the nature, scale and location of the proposed amendment on site it has been possible to fully assess the ecological value of the site, and the timing of all survey work is fully valid for this planning application.

The report takes full account of the design of the proposed amendment and a detailed examination of all relevant elements of the proposed amendment was undertaken.

3 Description of the Proposed Amendment to Permitted Development

3.1 Site location

The Royal Liver Retail Park site is located at Inchicore, Dublin. The site is bounded by Kylemore Road (R112) to the west; Old Naas Road to the north; Naas Road (R810) to the south; and the Brooks site, a 2-storey commercial building, to the east (See **Figure 3.1**).

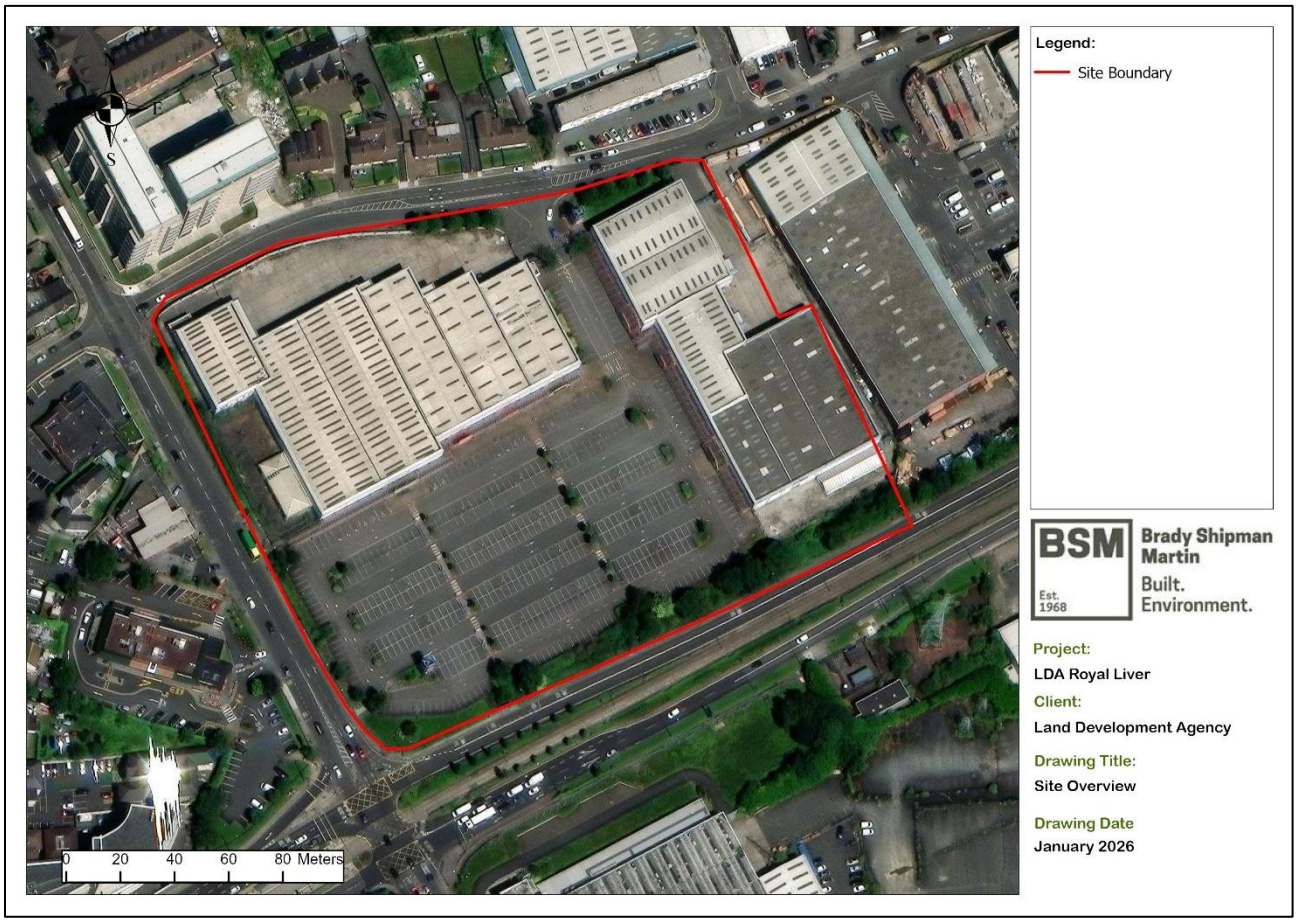


Figure 3.1 The location of the proposed amendment

3.2 Development Description – Proposed Amendment

The Proposed Project comprises amendments to the permitted development at the Royal Liver Assurance Retail Park. The amendments pertain to Blocks B1, B2, C1, C2, D1 and D2. The key changes include for:

- The proposed alterations result in an overall increase of 2 no. units increasing the total overall units from 1196 to 1198. The proposed amended residential development of Block B1, B2, C1, C2, D1 & D2 will consist of a total of 635 no. residential apartments (an increase from 633 no. as permitted), which includes 38 No. Studios, 269 No. 1-Bed, 288 No. 2-Bed- 4-Person and 40 No. 3-Bed- 5-Person, units as follows:
    - Alteration of Block B1 from a permitted 11-12-storey building providing for 90 no. apartment units to a 10-storey building providing for 107 no. apartments.
    - Alteration of Block B2 from a permitted 10 storey building providing for 90 no. apartment units to a 10-storey building providing for 89 no. apartments.
    - Alteration of Block C1 from a permitted 10-storey building providing for 171 no. apartment units to a 10-storey building providing for 144 no. apartments.
    - Alteration of Block C2 from a permitted 10-storey building providing for 89 no. apartment units to a 10-storey building providing for 98 no. apartments.
    - Alteration of Block D1 from a permitted 9-storey building providing for 87 no. apartment units to a 9-storey building providing for 123 no. apartments.
    - Alteration of Block D2 from a permitted 8-storey building providing for 106 no. apartment units to an 8-storey building providing for 74 no. apartments.
- The reconfiguration of internal layouts of each of the blocks has resulted in the minor shift in the block footprints. The permitted podium between Block B2 and Block C1 is removed with additional public realm and

connection to the south proposed. The block amendments result in amendments to permitted communal amenity space with the removal of roof terraces on Blocks C1, C2 and D1 and amendment to roof terraces on Block B1 and B2.

- Façade modifications are proposed to respond to the revised internal layouts including minor relocation of windows, balconies etc. and a revised approach to the Naas Rd frontage.
- Alteration of the permitted uses and facade at ground floor level and removal of permitted BTR tenant amenity spaces located in Blocks B1, B2, C1 & C2 to provide for a ground floor level that includes:
  - Blocks B1-B2: 1 no. retail/café/restaurant unit, 1 no. café unit, 1 no. community unit, a creche (relocated from Block D1) and associated cycle parking, plant areas and entrances.
  - Block C1-C2-D1-D2: 1 no. retail unit, 2 no. retail/cafe/restaurant units, own door residential units, undercroft parking and associated cycle parking, plant areas and entrances.
- Alterations to the permitted undercroft and basement parking areas under Blocks B1, B2, C1, C2, D1 & D2 to include for alterations to permitted layouts of car parking, cycle parking, plant, waste stores and substation locations.
- Amendment of Condition 3 (a) of the parent permission (DCC Reg. Ref.: 4238/19; ABP Ref. PL29S.307804) relating to the Build to Rent (BTR) covenant, and its removal as it relates to Blocks B1, B2, C1, C2 & D1.



Figure 3.2 The permitted scheme. The proposed amendments pertain to Block B1, B2, C1, C2, D1 and D2.

4 Screening for Appropriate Assessment

4.1 Background

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

In accordance with sections 177U of the Planning Acts, the screening for appropriate assessment must be carried out:

- 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.

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 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 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). 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. DoEHLG (2010a, pp. 31 – 32) states that:

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

Therefore, considering the nature, scale and location of the proposed amendment, and in accordance with the source-pathway-receptor model, the Zone of Influence for the proposed amendment is:

- Any site to which there is a pathway from the subject site during either the construction or operational phase of the development as defined in the following sections.

4.2.1 European sites

The site of the entirety of the development, including the area subject to the proposed amendment, is not under any designation for nature conservation and there are no European sites in the immediate vicinity. The nearest such sites are as follows (as shown in **Figure 4.1**):

- **Special Areas of Conservation (SACs)**
  - Glenasmole Valley SAC (site code 001209), c. 7.7km to the south west.
  - South Dublin Bay SAC (site code 000210), c. 8.4km to the east.
  - Wicklow Mountains SAC (site code 002122), c. 10.2km to the south.
  - Rye water Valley/Carton SAC (site code 001398), c.10.4km to the north west.
  - North Dublin Bay SAC (site code 000206), c.11.1km to the north east.
  - Knocksink Wood SAC (site code 000725), c.15.3km to the south east.
  - Baldoyle Bay SAC (site code 000199), c.15.8km to the north east.
  - Rockabill to Dalkey Island SAC (site code 003000), c.16.6km to the south east.
  - Howth Head SAC (site code 000202), c.16.8km to the north east.
  - Malahide Estuary SAC (site code 000205), c.17.6km to the north east.
  - Ballyman Glen SAC (site code 000713), c.17.6km to the south east.
  - Red Bog, Kildare SAC (site code 000397), c.18.9km to the south west.
  - Ireland's Eye SAC (site code 002193), c.19.9km to the north east.
- **Special Protection Areas (SPAs)**

- South Dublin Bay and River Tolka Estuary SPA (site code 004024), c. 8.1km to the east.
- Wicklow Mountains SPA (site code 004040), c. 10.2km to the south.
- North Bull Island SPA (site code 004006), c. 11.1km to the North east.
- North-west Irish Sea SPA (site code 004236), c. 12.8km to the north east.
- Baldoyle Bay SPA (site code 004016), c.16.1km to the north east.
- Dalkey Islands SPA (site code 004172), c.17.1km to the south east.
- Malahide Estuary SPA (site code 004025), c.17.6km to the north east.
- Poulaphouca Reservoir SPA (site code 004063), c.18.8km to the south west.
- Howth Head Coast SPA (site code 004113), c.19.3km to the north east.
- Ireland's Eye SPA (site code 004117), c.19.7km to the north east.

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

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

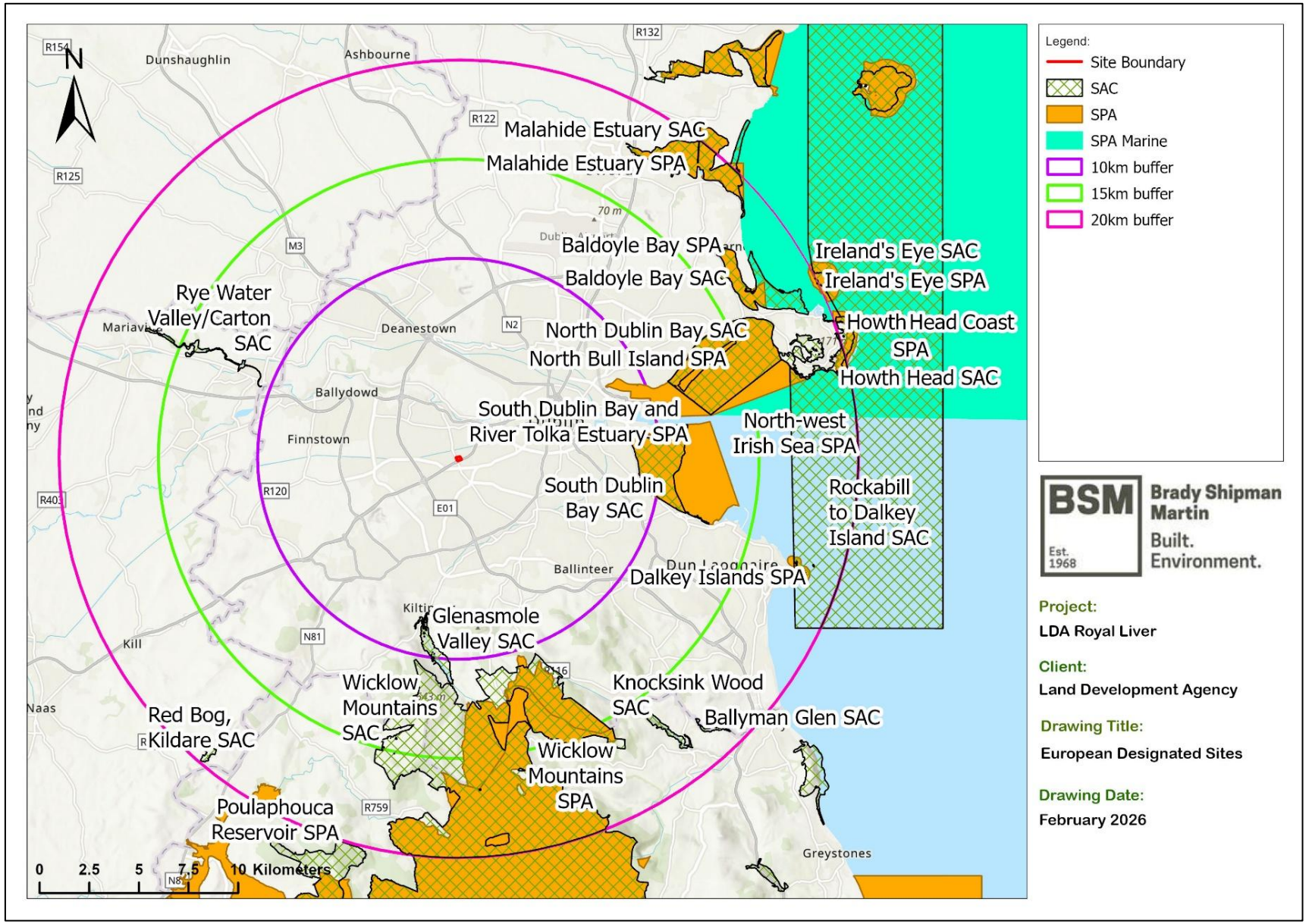


Figure 1.1 European sites within 20km of the subject site. 10, 15 and 20km radii are shown for scale.

4.2.2 Other designated areas (other than European sites)

Designated Sites other than European sites (i.e. Proposed Natural Heritage Areas (pNHAs) and designated Natural Heritage Areas (NHAs)) are included in this assessment in order to address their potential to act as supporting sites for the European sites (see **Figure 4.2**). The pNHAs within the immediate vicinity include:

- **Proposed Natural Heritage Areas (pNHAs):**
  - Grand Canal pNHA (site code 002104), c. 0.4km to the north
  - Liffey Valley pNHA (site code 000128), c. 2.8km to the north west;
  - Dodder Valley pNHA (site code 000991), c. 4.3km to the south.
  - Royal Canal pNHA (site code 002103), c. 5.1km to the north.
  - Lugmore Glen pNHA (site code 001212), c. 7.5km to the south west.
  - Glenasmole Valley pNHA (site code 001209), c. 7.7km to the south west.
  - North Dublin Bay pNHA (site code 000206), c. 7.8km to the north east.
  - South Dublin Bay pNHA (site code 000210), c. 8.4km to the east.
  - Booterstown Marsh pNHA (site code 001205), c. 9.4km to the south east.
  - Fitzsimon's Wood pNHA (Site code 001753), c. 9.4km to the south east.
  - Dolphins, Dublin Docks pNHA (site code 000201), c. 9.6km to the north east.
  - Santry Demesne pNHA (site code 000178), c. 9.7km to the north east.
  - Slade Of Saggart and Crooksling Glen pNHA (site code 000211), c. 9.7km to the south west.
  - Rye Water Valley/Carton pNHA (Site code 001398), c. 10.4km to the north west.
  - Dingle Glen pNHA (site code 001207), c. 14.2km to the south east.
  - Ballybetagh Bog pNHA (site code 001202), c. 14.4km to the south east.
  - Dalkey Coastal Zone And Killiney Hill pNHA (site code 001206), c. 14.5km to the south east.
  - Feltrim Hill pNHA (site code 001208), c.14.5km to the north east.
  - Knocksink Wood pNHA (site code 000725), c.15.3km to the south east.
  - Kilteel Wood pNHA (site code 001394), c.15.9km to the south west.
  - Baldoyle Bay pNHA (site code 000199), c.15.8km to the north east.
  - Glencree Valley pNHA (site code 001755), c.16.0km to the south.
  - Sluice River Marsh pNHA (site code 001763), c.16.3km to the north east.
  - Loughlinstown Woods pNHA (site code 00121), c.16.3km to the south east.
  - Howth Head pNHA (site code 000202), c.16.6km to the north east.
  - Ballyman Glen pNHA (site code 000713), c.17.5km to the south east.
  - Malahide Estuary pNHA (site code 000205), c.17.6km to the north east.
  - Powerscourt Woodland pNHA (site code 001768), c.17.8km to the south east.
  - Red Bog, Kildare pNHA (site code 000397), c.18.9km to the south west.
  - Dargle River Valley pNHA (site code 001754), c.19.9km to the south east.
  - Ireland's Eye pNHA (site code 000203), c.19.9km to the north east.

Note that above distances are as crow flies (i.e. linear distances). No impacts are expected on any pNHA in the zone of influence; there are no pathways between the proposed amendment site and the pNHA.

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

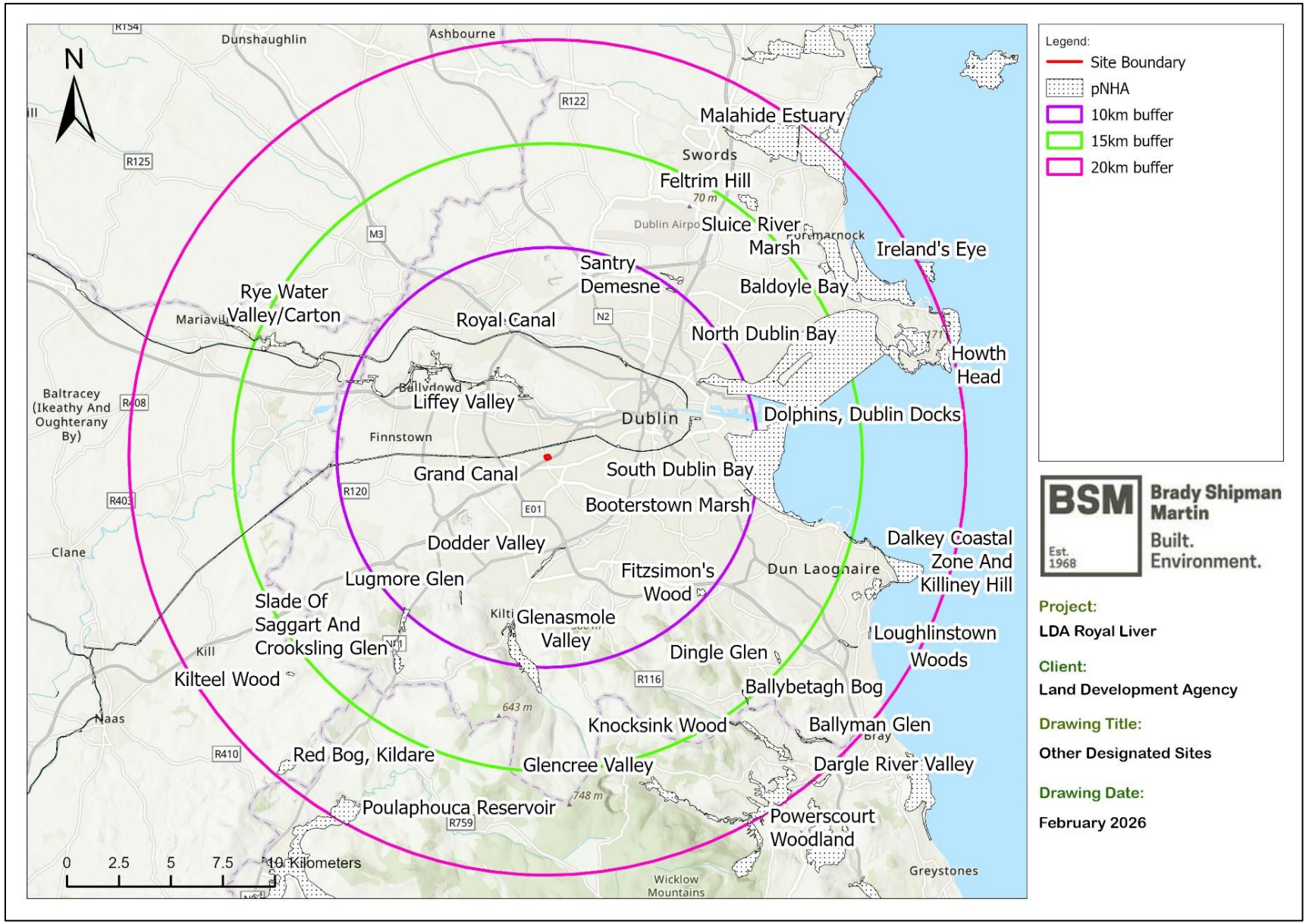


Figure 2.2 pNHA sites within 20km of the subject site. 10, 15 and 20km radii are shown for scale.

4.2.3 Watercourses and pathways to European sites

A review of the Environmental Protection Agency (EPA) web-tool indicates that the subject site lies within the Liffey and Dublin Bay Catchment (WFD Sub-catchments Liffey_SC_090, Code 09_15). There are no mapped watercourses on the subject site. The nearest mapped surface feature is Camac River which is located approximately 100m north west of the proposed amendment site (see **Figure 4.3**). The Grand Canal (c. 400m to the north) is further afield. There are no direct pathways between the site of the proposed amendment and any of these water features.

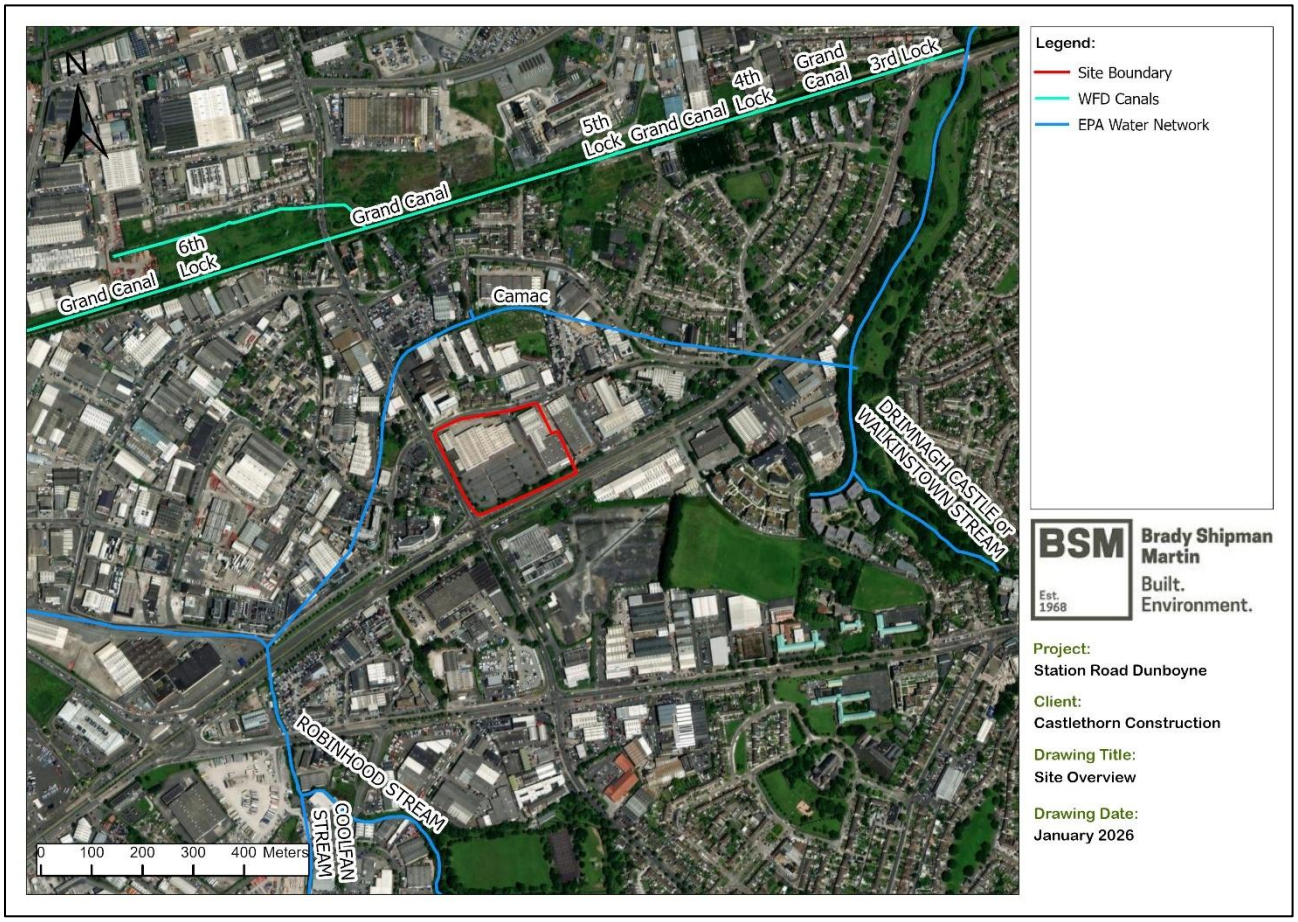


Figure 4.3. EPA waterbodies in the proximity of the proposed amendment[3](site location marked in red).

[3] https://gis.epa.ie/EPAMaps/AAGeoTool

5 Potential impacts from the Proposed Amendments to the Permitted Development, including in-combination effects

5.1 European sites and habitats with links to European sites

The site of the permitted development and the proposed amendments is not subject to any European, national or local (e.g. Dublin City Council) nature conservation designation. No habitats or species listed as Qualifying Interests (QIs) or Special Conservation Interests (SCIs) of any European site occur within the boundary of the proposed amendment area.

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. A site visit undertaken on the 4 February 2026 by Brady Shipman Martin confirmed the absence of invasive alien plant species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended (such as giant hogweed (*Heracleum Mantegazzianum*) or Japanese knotweed (*Reynoutria japonica*).

No evidence of otters (otters, like bats are protected under Article 12 of the Habitats Directive), badgers or other protected large mammals has been recorded on the site, during any of the surveys carried out. The site is comprised entirely of hardstanding, spoil and some pockets of scrub. Presence of fox was confirmed via trail camera footage set up by Ecology Ireland in August 2025. The pre-construction building inspections undertaken in 2025 did not record any evidence of an active or historic bat roost within any of the structures on site. Further pre-commencement bat surveys are proposed, however this is separate to the planning process and unrelated to this amendment application.

No evidence of other protected fauna, including amphibians (e.g. smooth newt or common frog), reptiles (e.g. common lizard) or hedgehogs, was recorded during site visits. The subject site does not provide suitable habitat to support these species.

Bird species recorded at the site during the walkover survey included wren, pied wagtail, hooded crow, magpie and blackbird. Gull species such as herring gull and lesser black-backed gull were observed flying over the site which is common in an urban context.

Overall, the permitted development site comprises predominantly of Buildings and Artificial Surfaces and does not support habitats or species that are functionally linked to any European site within the Zone of Influence. No habitats capable of acting as '*ex situ* supporting habitat' or 'reservoir habitat' for Qualifying Interests or Special Conservation Interests of European sites are present. There is no habitat on the site suitable for use, even on a very occasional basis, by any overwintering birds, including the protected bird species listed as Special Conservation Interest (SCI) species in any SPA.

The site of the proposed amendments contains no features of any ecological significance as defined by the ecological resource valuations presented in the National Roads Authority/Transport Infrastructure Ireland *Guidelines for Assessment of Ecological Impacts of National Road Schemes* (NRA/TII, 2009 (Rev. 2)).

In summary, none of the habitats or features present on the subject site are Qualifying Interests/Special Conservation Interests in any European site within the Zone of Influence and none of these Qualifying Interests/Special Conservation Interests (see column 2 in Table 5.1 in section 5.1.2) are present on the site. No evidence of any habitats or species with links to European sites was recorded during the field surveys or desk study undertaken and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation species in any European site) are present.

- This has been the case since the site was first visited, and an ecological survey was first made, by Ecology Ireland and confirmed in the original planning application (permitted by Dublin City Council and An Bord Pleanála[4] on appeal).
- It remains the case in September 2026.

5.1.1 Potential impacts during construction

The permitted development site is highly urbanised and does not support habitats or species of relevance to the Qualifying Interests (QIs) or Special Conservation Interests (SCIs) of any European site, as outlined in Section 5.1 above. There is no possibility of any QIs or SCIs of European sites within the Potential Zone of Influence occurring within the subject site.

At any construction site, enabling works, demolition, excavation and construction activities have the potential to pose a risk to surface water or groundwater through the generation of silt-laden runoff or accidental release of pollutants (e.g. fuels, oils or construction materials). However, the site of the proposed amendment is located within the existing built environment and there are no watercourses present within or hydrologically connected to the site. There is no direct pathway by which construction-phase emissions or runoff could impact any European site.

Construction activities will be carried out in accordance with the Construction and Environmental Management Plan prepared by DBFL consulting Engineers (2026) and submitted separately. These documents provide for a range of standard best-practice mitigation measures, including control of dust, noise and vibration, sediment and water pollution control plan, Drainage works and Biodiversity Protection Measures. These measures will ensure that any potential for pollution during construction is avoided – noting that these mitigation measures are standard best practice measures, will not be carried out with the intention of reducing impacts on European Sites, and are not required to be relied upon to support the conclusion of the AA screening report that there will be no likely significant effects.

Given the absence of hydrological connectivity, the urban nature of the site, and the implementation of best practice construction management measures unrelated to European sites, there will be no loss, fragmentation, disturbance or other change to any element of any European site during the construction phase. There will be no impacts on *ex-situ* species and no interference with the key relationships that define the structure or function of any European site.

There are no likely direct, indirect or secondary impacts on any European site during the construction phase of the proposed amendments. For example, there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly, there are no anticipated emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site. Construction-related impacts because of the proposed development, on European sites or otherwise, can therefore be excluded.

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

Significant effects arising as a result of the construction of the proposed amendments to the permitted development, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded.

5.1.2 Potential impacts during operation

During the operational phase, no likely significant environmental effects are predicted. As outlined in Section 5.1 above, the proposed amendment site is not hydrologically or ecologically connected to any European site, and no

[4] Now An Coimisiún Pleanála

Qualifying Interests (QIs) or Special Conservation Interests (SCIs) of European sites occur within or adjacent to the site.

Surface water management for the proposed development has been designed in accordance with the Greater Dublin Strategic Drainage Study (GDSDS) and relevant national and regional drainage guidance. As detailed in the Engineering Services Report (DBFL, 2025, submitted separately), a comprehensive Sustainable Drainage Systems (SuDS) strategy will be implemented across the site to manage surface water runoff during the operational phase. These measures will control runoff rates and volumes, improve surface water quality and ensure that post-development runoff characteristics do not exceed those associated with the permitted development scenario.

The SuDS strategy, which is unchanged from that permitted, incorporates a range of source control and attenuation measures, including permeable paving, green roofs, roof bioretention planters, swales, tree pits, petrol interceptors and below-ground attenuation tanks, as described in the Engineering Services Report (DBFL, 2025). These measures will ensure effective treatment and attenuation of surface water prior to discharge to the public drainage network. As a result, no deterioration in surface water quality or hydrological regime is predicted downstream, and no indirect effects on European sites via surface water pathways are anticipated. SuDS measures are an in-built best practice measure that will not be relied upon to conclude that there will be no likely significant effects.

The site will discharge surface water to the public sewer network at two permitted connection points. One catchment will discharge the surface water into the public sewer to the northeast corner of the site on the Old Naas Road and the other catchment will discharge to the public network in the southwest corner on the Naas Road. Foul drainage arrangements will remain consistent with those approved under the existing permission, with minor amendments to accommodate the revised basement layout. As outlined in the Engineering Services Report (DBFL, 2025), the omission of four residential units will result in a small reduction in foul water generation. All foul effluent will be conveyed to the public sewer network and treated at an appropriately licensed wastewater treatment facility prior to discharge.

A Site-Specific Flood Risk Assessment (SSFRA), submitted with the permitted development, remains valid for the proposed amendments. The site lies within Flood Zone C and is not subject to fluvial or tidal flood risk. The proposed amendments will not alter flood risk on-site or off-site and will not affect downstream water-dependent European sites.

Operational waste management will be undertaken in accordance with the Construction and Environmental Management Plan (DBFL, 2026), which provides for appropriate waste segregation, storage and disposal in line with the waste hierarchy. These measures will ensure that operational activities do not give rise to pollution risks or indirect effects on water quality or ecological receptors.

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

For the reasons set out above, no pNHA have the potential to be affected by the proposed amendment in a manner that could directly or indirectly affect any European Sites or their QIs / SCIs, taking into account their Conservation Objectives.

In summary, the operation of the proposed amendments to the permitted development will not result in any likely direct, indirect or secondary impacts on European sites. There will be no likely loss, fragmentation, disturbance or alteration of habitats or species, no changes to supporting ecological processes, and no interference with the structure or function of any European site. Likely significant effects on European sites, either alone or in combination with other plans or projects, can therefore be excluded.

A detailed discussion of the potential impacts of the amendments to the permitted development on individual European sites within the Zone of Influence is presented in **Table 5.1**, below.

Table 5.1 - Potential Impacts on European sites in the Zone of Influence

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Glenasmole Valley SAC (site code 001209), c.7.7km to the south west	▪ [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) ▪ [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) ▪ [7220] Petrifying springs with tufa formation (Cratoneurion)* According to this SAC's site Conservation Objectives document (Version 1, dated 10 December 2021), for each of the listed QIs, the Conservation Objective is to restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment and this SAC. It is almost 8km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	No
South Dublin Bay SAC (site code 000210), c.8.4km to the east	▪ [1140] Mudflats and sandflats not covered by seawater at low tide The following habitats are listed as Qualifying Interests on the NPWS website, but are not included in the Conservation Objectives document: (1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes) 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.	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the completion and operation of the permitted development site, including as a result of the proposed amendments could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed amendment, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in South Dublin Bay SAC. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is over 8km distance from the SAC and any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment.	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the completion of the permitted development. No operational impacts on this European site will occur as a result of the completion of the proposed amendment.	
Wicklow Mountains SAC (site code 002122), c. 10.2km to the south	▪ [1355] Otter (*Lutra lutra*) ▪ [3110] Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) ▪ [3130] Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or *Isoeto-Nanojuncetea* ▪ [3160] Natural dystrophic lakes and ponds ▪ [4010] Northern Atlantic wet heaths with Erica tetralix ▪ [4030] European dry heaths ▪ [4060] Alpine and Boreal heaths ▪ [6130] Calaminarian grasslands of the Violetalia calaminariae ▪ [6230] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) ▪ [7130] Blanket bogs (* if active bog) ▪ [8110] Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) ▪ [8210] Calcareous rocky slopes with chasmophytic vegetation ▪ [8220] Siliceous rocky slopes with chasmophytic vegetation ▪ [91A0] Old sessile oak woods with Ilex and Blenchnum in the British Isles According to this SAC's site Conservation Objectives document (Version 1, dated 31 Jul 2017), for the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 10km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	condition of the Annex I and/or the Annex II species for which the SAC has been selected.		
Rye Water Valley/Carton SAC (site code 001398), c.10.4km to the west	▪ [7220] Petrifying springs with tufa formation (*Cratoneurion*) ▪ [1016] Desmoulin's whorl snail (*Vertigo moulinsiana*) ▪ [1014] Narrow-mouthed whorl snail (*Vertigo angustior*) According to this SAC's site Conservation Objectives document (Version 1, dated 22 December 2021), for each of the listed QIs, the Conservation Objectives are 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.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 10km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	No
North Dublin Bay SAC (site code 000206), c.11.1km to the north east	▪ [1140] Mudflats and sandflats not covered by seawater at low tide ▪ [1210] Annual vegetation of drift lines ▪ [1310] Salicornia and other annuals colonising mud and sand ▪ [1330] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) ▪ [1395] Petalwort (*Petalophyllum ralfsii)* ▪ [1410] Mediterranean salt meadows (Juncetalia maritimi) ▪ [2110] Embryonic shifting dunes ▪ [2120] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) ▪ [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)* ▪ [2190] Humid dune slacks 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.	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the completion and operation of the permitted development at site, including as a result of the proposed amendments could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the permitted development, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in North Dublin Bay SAC. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is almost 11km from the SAC and any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment.	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the completion of the proposed amendment. No operational impacts on this European site will occur as a result of the completion of the proposed amendment.	
Knocksink Wood SAC (site code 000725), c. 15.3km to the south east	▪ [7220] Petrifying springs with tufa formation (*Cratoneurion*)* ▪ [91A0] Old sessile oak woods with Ilex and Blechnum in the British Isles ▪ [91E0] Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padin*, *Alnion incanae*, *Salicion albae*)* According to this SAC's site Conservation Objectives document (Version 1, dated 13 Dec 2021), for the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 15km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	**No**
Baldoyle Bay SAC (site code 000199), c.15.8km to the north east	▪ [1140] Mudflats and sandflats not covered by seawater at low tide ▪ [1310] Salicornia and other annuals colonising mud and sand ▪ [1330] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) ▪ [1410] Mediterranean salt meadows (*Juncetalia maritimi*) 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.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 15km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	**No**
Rockabill to Dalkey Island SAC (site code 003000), c.16.6km to the south east	▪ [1170] Reefs ▪ [1351] Harbour porpoise Phocoena Phocoena	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the construction and operation of the proposed amendment site could contain pollutants (foul water, silt,	**No**

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	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 habitats for which the SAC has been selected.	hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in Rockabill to Dalkey Island SAC – as confirmed and explained in Section 5.1.2. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is over 16km distant from the SAC and there is no realistic pathway. Any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment. There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the construction of the proposed development. No operational impacts on this European site will occur as a result of the proposed amendment.	
Howth Head SAC (site code 000202), c.16.8km to the north east	▪ [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts ▪ [4030] European dry heaths 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.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 16km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	**No**
Malahide Estuary SAC (site code	▪ [1140] Mudflats and sandflats not covered by seawater at low tide	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 17km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and	**No**

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
000205), c. 17.6km to the north east	▪ [1310] Salicornia and other annuals colonising mud and sand ▪ [1320] Spartina swards (*Spartinion maritimae*) ▪ [1330] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) ▪ [1410] Mediterranean salt meadows (*Juncetalia maritimi*) ▪ [2120] Shifting dunnes along the shoreline with Ammophila arenaria (white dunes) ▪ [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)* *indicates a priority habitat under the Habitats Directive According to this SAC's site Conservation Objectives document (Version 1, dated 27 May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	
Ballyman Glen SAC (site code 000713), c. 17.6km to the south east	▪ [7220] Petrifying springs with tufa formation (Cratoneurion)* ▪ [7230] Alkaline fens According to this SAC's site Conservation Objectives document (Version 1, dated 17 Jul 2019), for the listed QIs, the Conservation Objective is to restore the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 17km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	**No**
Red Bog, Kildare SAC (site code 000397), c.18.9km to the south west;	▪ [7140] Transition mires and quaking bogs According to this SAC's site Conservation Objectives document (Version 1, dated 17 Jul 2019), for the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 18km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	**No**

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Ireland's Eye SAC (site code 002193), c. 19.9km to the north east	▪ [1220] Perennial vegetation of stony banks ▪ [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts According to this SAC's site Conservation Objectives document (Version 1, dated 27 January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SAC. It is over 19km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and therefore on the site's QIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the QIs of this SAC as a result of the proposed amendment.	No
South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.8.1km to the east	▪ [A144] Sanderling (*Calidris alba*) ▪ [A157] Bar-tailed Godwit (*Limosa lapponica)* ▪ [A149] Dunlin (*Calidris alpina*) ▪ [A162] Redshank (*Tringa totanus*) ▪ [A179] Black-headed Gull (*Chroicocephalus ridibundus*) ▪ [A143] Knot (*Calidris canutus*) ▪ [A192] Roseate Tern (*Sterna dougallii*) ▪ [A046] Light-bellied Brent Goose (*Branta bernicla hrota*) ▪ [A141] Grey Plover (*Pluvialis squatarola)* ▪ [A130] Oystercatcher (*Haematopus ostralegus)* ▪ [A194] Arctic Tern (*Sterna paradisaea*) ▪ [A193] Common Tern (*Sterna hirundo*) ▪ [A137] Ringed Plover (*Charadrius hiaticula)* ▪ [A999] Wetlands 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.	No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface/ground water arising during the construction and operation of the proposed amendment could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed amendment, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in South Dublin Bay and River Tolka Estuary SPA– as confirmed and explained in Section 5.1.2. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is over 8km distant from the SPA and there is no realistic pathway. Any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the construction of the proposed amendment. Refer to Section 5.1.1 for details – the subject site is of no value for winter birds. Neither this nor any other European site will be impacted	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		by the proposed amendment, and no SCI species will be impacted by any development at the subject site.	
Wicklow Mountains SPA (site code 004040), c.10.2km to the south	▪ [A098] Merlin (*Falco columbarius*) ▪ [A103] Peregrine (*Falco peregrinus*) According to this SPA's Conservation Objectives document (Version 1.0, 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.	There is no direct hydrological link or any other pathway between the proposed development and this SPA. It is over 10km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed development.	No
North Bull Island SPA (site code 004006), c.11.1km to the north east	▪ [A046] Light-bellied Brent Goose (*Branta bernicla hrota)* ▪ [A048] Shelduck (*Tadorna tadorna*) ▪ [A052] Teal (*Anas crecca*) ▪ [A054] Pintail (*Anas acuta*) ▪ [A056] Shoveler (*Anas clypeata*) ▪ [A130] Oystercatcher (*Haematopus ostralegus)* ▪ [A140] Golden Plover (*Pluvialis apricaria*) ▪ [A141] Grey Plover (*Pluvialis squatarola*) ▪ [A143] Knot (*Calidris canutus*) ▪ [A144] Sanderling (*Calidris alba*) ▪ [A149] Dunlin (*Calidris alpina*) ▪ [A156] Black-tailed Godwit (*Limosa limosa*) ▪ [A157] Bar-tailed Godwit (*Limosa lapponica)* ▪ [A160] Curlew (*Numenius arquata)* ▪ [A162] Redshank (*Tringa totanus)* ▪ [A169] Turnstone (*Arenaria interpres)* ▪ [A179] Black-headed Gull (*Chroicocephalus ridibundus)* ▪ [A999] Wetland 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.	No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface/ground water arising during the construction and operation of the proposed amendment could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in North Bull Island SPA – as confirmed and explained in Section 5.1.2. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is over 11km distant from the SPA and there is no realistic pathway. Any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the construction of the proposed amendment. Refer to Section 5.1.1 for details – the subject site is of no value for winter birds. Neither this nor any other European site will be impacted	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		by the proposed amendment, and no SCI species will be impacted by any development at the subject site. No operational impacts on this European site will occur as a result of the proposed amendment.	
North-West Irish Sea SPA (site code 004236), c. 12.8km to the north east	▪ [A065] Common Scoter (Melanitta nigra) ▪ [A001] Red-throated Diver (Gavia stellata) ▪ [A003] Great Northern Diver (Gavia immer) ▪ [A009] Fulmar (Fulmarus glacialis) ▪ [A013] Manx Shearwater (Puffinus puffinus) ▪ [A018] Shag (Phalacrocorax aristotelis) ▪ [A017] Cormorant (Phalacrocorax carbo) ▪ [A177] Little Gull (Larus minutus) ▪ [A188] Kittiwake (Rissa tridactyla) ▪ [A179] Black-headed Gull (Chroicocephalus ridibundus) ▪ [A182] Common Gull (Larus canus) ▪ [A183] Lesser Black-backed Gull (Larus fuscus) ▪ [A184] Herring Gull (Larus argentatus) ▪ [A187] Great Black-backed Gull (Larus marinus) ▪ [A195] Little Tern (Sterna albifrons) ▪ [A192] Roseate Tern (Sterna dougallii) ▪ [A193] Common Tern (Sterna hirundo) ▪ [A194] Arctic Tern (Sterna paradisaea) ▪ [A204] Puffin (Fratercula arctica) ▪ [A200] Razorbill (Alca torda) ▪ [A199] Guillemot (Uria aalge) According to this SPA's site Conservation Objectives document (Version 1 - dated 19 September 2023), for each of the listed SCIs, the Conservation Objective maintain or restore the favourable conservation condition of the species for which the SPA has been selected.	No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface/ground water arising during the construction and operation of the proposed amendment could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea. There will be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed amendment, as described in Section 5. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality locally, this would not be perceptible in North-West Irish Sea SPA – as confirmed and explained in Section 5.1.2. This is due to the significant separation between the proposed amendment site and the European site – the proposed amendment site is over 12km distant from the SPA and there is no realistic pathway. Any pollution entering any watercourse during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated in the marine environment. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the construction of the proposed development. Refer to Section 5.1.1 for details – the subject site is of no value for winter birds. Neither this nor any other European site will be impacted by the proposed development, and no SCI species will be impacted by any development at the subject site.	No

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		No operational impacts on this European site will occur as a result of the proposed development.	
Baldoyle Bay SPA (site code 004016), c.16.1km to the north east	▪ [A046] Brent Goose (*Branta bernicla hrota)* ▪ [A048] Shelduck (*Tadorna tadorna*) ▪ [A137] Ringed Plover (*Charadrius hiaticula)* ▪ [A140] Golden Plover (*Pluvialis apricaria)* ▪ [A141] Grey Plover (*Pluvialis squatarola)* ▪ [A157] Bar-tailed Godwit (*Limosa lapponica)* ▪ [A999] Wetlands According to this SPA's site Conservation Objectives document (Version 1 - dated 27 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SPA. It is over 16km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed amendment.	**No**
Dalkey Islands SPA (site code 004172), c.17.1km to the south east	▪ [A192] Roseate Tern (*Sterna dougallii*) ▪ [A193] Common Tern (*Sterna Hirundo*) ▪ [A194] Arctic Tern (*Sterna paradisaea*) According to this SPA's site Conservation Objectives document (Version 1 - dated 29 October 2024), for each of the listed SCIs, the Conservation Objective is to maintain or to restore the favourable conservation condition of the species and wetland habitat for which the SPA has been selected	There is no direct hydrological link or any other pathway between the proposed amendment and this SPA. It is over 17km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed amendment.	**No**
Malahide Estuary SPA (site code 004025), c. 17.6km to the north east	▪ [A005] Great Crested Grebe (*Podiceps cristatus)* ▪ [A046] Brent Goose (*Branta bernicla hrota)* ▪ [A048] Shelduck (*Tadorna tadorna)* ▪ [A054] Pintail *(Anas acuta)* ▪ [A067] Goldeneye (*Bucephala clangula)* ▪ [A069] Red-breasted (*Merganser Mergus serrator)* ▪ [A130] Oystercatcher (*Haematopus ostralegus)* ▪ [A140] Golden Plover (*Pluvialis apricaria)* ▪ [A141] Grey Plover (*Pluvialis squatarola)* ▪ [A143] Knot (*Calidris canutus)* ▪ [A149] Dunlin (*Calidris alpina alpina)* ▪ [A156] Black-tailed Godwit (*Limosa limosa)*	There is no direct hydrological link or any other pathway between the proposed amendment site and this SPA. It is over 17km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed amendment.	**No**

Site	Reasons for designation (information correct as of September 2026) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	▪ [A157] Bar-tailed Godwit (*Limosa lapponica)* ▪ [A162] Redshank (*Tringa tetanus)* ▪ [A999] Wetlands 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.		
Poulaphouca Reservoir SPA (site code 004063), c.18.8km to the south west	▪ [A043] Greylag Goose (*Anser answer*) ▪ [A183] Lesser Black-backed Gull (*Larus fuscus*) According to this SPA's site Conservation Objectives document (Version 1, dated 11 June 2024), for each of the listed SCIs, the Conservation Objective is to restore or to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is no direct hydrological link or any other pathway between the proposed amendment site and this SPA. It is over 18km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed amendment.	**No**
Howth Head Coast SPA (site code 004113), c. 19.3km to the north east	▪ [A188] Kittiwake (*Rissa tridactyla*) According to this SPA's Site Conservation Objectives document (Version 1.0, dated 29 October 2024), for the listed SCI, the Conservation Objective is to restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	There is no direct hydrological link or any other pathway between the proposed amendment and this SPA. It is over 19km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed amendment.	**No**
Ireland's Eye SPA (site code 004117), c. 19.7km to the north east	▪ [A017] Cormorant (*Phalacrocorax carbo*) ▪ [A184] Herring Gull (*Larus argentatus*) ▪ [A188] Kittiwake (*Rissa tridactyla*) ▪ [A199] Guillemot (*Uria aalge*) ▪ [A200] Razorbill (*Alca torda*) According to this SPA's Site Conservation Objectives document (Version 1.0, dated 12 November 2024), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	There is no direct hydrological link or any other pathway between the proposed development and this SPA. It is almost 19km distant and is unconnected via surface water or any other pathway. No significant effects on water quality, and no effects on the site's SCIs, are predicted. Furthermore, there will be no loss of species, fragmentation or disturbance to the SCIs of this SPA as a result of the proposed development.	**No**

5.2 Summary of potential impacts of the Proposed Amendments to the Permitted Development

The proposed amendments to the permitted development will not result in land-take from any European site and there will be no resource requirements such as water abstraction. Similarly, there will be no emissions to air from construction vehicles that have the potential to impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site.

There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the construction or operation of the amendments to the permitted development, no predicted impact on *ex-situ* species and no interference with the key relationships that define the structure or function of any European site.

There will also be no significant effects on any European sites as a result of the proposed works, including from:

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

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

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

6 Mitigation specific to European sites

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

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

The CJEU, in its ruling on this case dated 15 June 2023 clarified issues defining mitigation in the context of European sites[5]. 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.*

[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

In relation to European sites, there will be no impacts (such as pollution events, habitat loss, disturbance or any other impacts) capable of giving rise to any likely significant effects on European sites as a result of the proposed amendments to the permitted development. SuDS measures, the CEMP and planning conditions imposed by An Coimisiún Pleanála have been built-in a design features and not selected as mitigation to any potential impacts on European Site, nor have these measures been relied upon to support the conclusion that there will be no significant effect on any European Sites.

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

7 In-combination effects

It is a requirement of Section 177U of the Planning Acts that, when considering whether a plan or project will have a significant effect on a European site, the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved).[6] If there are identified effects arising from the plan or project, even if they are perceived as minor and not likely to have an effect on a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

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

- Dublin City Council Planning Viewer (September 2026);
- An Coimisiún Pleanála database (www.pleanala.ie – accessed September 2026);
- EIA Portal (www.housinggovie.maps.arcgis.com – September 2026).
- Dublin City Development Plan 2022-2028.

Permitted and proposed projects in the immediate vicinity of the site were considered in terms of the potential for in-combination effects. Plans and projects within the Zone of Influence of the Proposed Project were considered for their potential in-combination effects. A map-based search for application was done in September 2026 on An Coimisiún Pleanála and Dublin City Council Planning Search. The following projects have been identified for potential in-combination effects impacts:

- ACP PL29S.312916: Construction of 5 storey apartment block comprising of 12 residential units, including 24 bicycle spaces and 88 vehicle parking spaces under permitted ref 4637/18. Demolition under 2158/17 and associated site works.
- ACP LH29S.319121: Demolition of buildings, construction of mixed-use student accommodation with 2 blocks comprising of 941 dwellings with all associated site works.
- ACP TA29S.311606: 249 no. apartments and associated site works.
- ACP LH06S.323479: Residential and commercial. 436 apartments community library, creche and 4 commercial units. 2 office/co-working unites medical centre pharmacy and café, and all associated site works. A Natura Impact Statement has been prepared in respect of the proposed development.
- ACP LH29S.317935: LRD - Construction of 128 apartments and all associated site works.
- ACP TA29S.312218: Demolition of the existing structures on site, construction of 545 no. Build to Rent apartments, creche and associated site works. An EIAR was prepared for this submission.

Considering the location of this site in a highly urban setting; the nature and small scale of the Proposed Project (comprising amendments to permitted development); the localised and insignificant nature of any environmental effects predicted to occur as a result of the Proposed Project; and the nature of existing, permitted and proposed development in its environs, it is considered that significant in-combination effects on European sites are not likely to occur.

[6] *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)*

The zoning, policies and objectives set out in the Dublin City Development Plan 2022 – 2028 are intended to protect the environment while encouraging development in appropriate areas. It is considered that the proposed development and the above-listed developments in the vicinity are consistent with the Development Plan's objectives for development in the area, which have themselves been subject to Strategic Environmental Assessment and Appropriate Assessment. The Natura Impact Report for the Development Plan concluded that it would not adversely affect the integrity of European sites. In its conclusions the NIR noted that "the council's commitments to the Habitats Directive and Appropriate Assessment that are presented in the plan will be sufficient to prevent inappropriate development that could result in adverse impacts on the conservation objectives of European sites".

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

- Revised National Planning Framework (April 2025).
- The Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 – 2031 (The Eastern and Midland Regional Assembly).
- The Greater Dublin Strategic Drainage Study (2005).
- Greater Dublin Area Transport Strategy 2022-2042.
- Climate Action Plan 2025 (CAP 25).
- Ireland's 4th National Biodiversity Action Plan 2023 – 2030.

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

8 Screening conclusion

In view of best scientific knowledge this report concludes that the proposed amendments to the development permitted by An Coimisiún Pleanála at Royal Liver Retail Park, Dublin 12, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow the Competent Authority (Dublin City Council) to carry out an Appropriate Assessment Screening under Section 177U of the Planning Acts and reach a determination that the proposed amendments to the permitted development will not have any likely significant effects on European sites in light of their conservation objectives.

9 References

- Chartered Institute of Ecology and Environmental Management (CIEEM) (2024). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (Version 1.3).*
- Chartered Institute of Ecology and Environmental Management (CIEEM) (2019). *Advice Note on the Lifespan of Ecological Reports and Surveys.*
- Dublin City Council (2022). *Dublin City Development Plan 2022-2028.*
- Department of Environment, Heritage and Local Government (DoEHLG) (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities.*
- Department of Environment, Heritage and Local Government (DoEHLG) (2010b). *Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.*
- Department of Housing, Local Government and Heritage (DoHLGH) (2026). *EIA Portal.*
- European Commission (2021). *Assessment of Plans and Projects in Relation to Natura 2000 Sites: Methodological Guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC.*
- European Commission (2018). *Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.*
- European Commission Environment Directorate-General (2021). *Guidance Document on the Strict Protection of Animal Species of Community Interest under the Habitats Directive.*
- National Biodiversity Data Centre (NBDC) (2026). *Biodiversity Maps.*
- National Parks and Wildlife Service (NPWS) (2021). *Guidance for Public Authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to Development/Works Undertaken by or on Behalf of a Public Authority.*
- National Parks and Wildlife Service (NPWS) (2024). *Boundary Data – Special Area of Conservation (SAC).* [Update date: 06/12/2024].
- National Parks and Wildlife Service (NPWS) (2024). *Boundary Data – Special Protection Area (SPA).* [Update date: 11/01/2024].
- National Parks and Wildlife Service (NPWS) (2015). *Boundary Data – Proposed Natural Heritage Area (pNHA).* [Update date: 01/11/2015].
- National Parks and Wildlife Service (NPWS) (2019). *Boundary Data – Natural Heritage Area (NHA).* [Update date: 28/06/2019].
- National Roads Authority (NRA) (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.*
- Office of Public Works (OPW) (2009). *The Planning System and Flood Risk Management: Guidelines for Planning Authorities.*
- Transport Infrastructure Ireland (TII) (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes.*
- Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M., & Wright, M. (2016). *Ireland Red List No. 10: Vascular Plants.* Dublin, Ireland: National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Appendix I: Background

The European[7] 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*)[8] 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)[9] 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":

> **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

[7] 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*"
[8] SI No. 477 of 2011 and subsequent amendments
[9] *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)*

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 below[10]:

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 Commission[11] 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.

[10] https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A01992L0043-20130701
[11] Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission 2019)

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