



Appropriate Assessment Screening Report

prepared for Dún Laoghaire-Rathdown County Council

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1 Introduction

- 1 This report, which contains information required for the competent authority (in this instance Dún Laoghaire-Rathdown County Council) to undertake a screening for Appropriate Assessment (AA), has been prepared by Scott Cawley Ltd. on behalf of the applicant. It provides information on, and assesses the potential for, the proposed development to impact on the Natura 2000 network (hereafter referred to as European sites)¹. The proposed development consists of a 2 bedroom, 2 storey semi-detached house at 37a Rollins Villas, Sallynoggin, Co. Dublin.
- 2 An AA is required if significant effects on European sites arising from a proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development is likely to have significant effects on European sites, either individually or in combination with other plans or projects.

For the reasons set out in detail in this AA Screening Report, an **Appropriate Assessment of the proposed development is not required in this instance** as it can be concluded, on the basis of objective information, that the proposed development, either individually or in combination with other plans or projects, will not have a significant effect on any European sites.

2 Methodology

2.1 Guidance

- 3 This Appropriate Assessment Screening Report has been prepared with regard to the following guidance documents, as relevant:
 - *OPR Practice Note PN01. Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator, 2021)
 - *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010 revision)
 - *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10
 - *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001)
 - *Communication from the Commission on the precautionary principle* (European Commission, 2000), and
 - *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019)

¹ The Natura 2000 network is a European network of important ecological sites, as defined under Article 3 of the Habitats Directive 92/43/EEC, which comprises both special areas of conservation and special protection areas. Special conservation areas are sites hosting the natural habitat types listed in Annex I, and habitats of the species listed in Annex II, of the Habitats Directive, and are established under the Habitats Directive itself. Special protection areas are established under Article 4 of the Birds Directive 2009/147/EC for the protection of endangered species of wild birds. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats.

In Ireland these sites are designed as European sites - defined under the Planning Acts and/or the Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

2.2 Assessment Methodology

- 4 The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if an Appropriate Assessment is required, documented screening is required. Screening identifies the potential for effects on the conservation objectives of European sites, if any, which would arise from a proposed plan or project, either alone or in combination with other plans and projects (i.e. likely significant effects).
- 5 Significant effects on a European site are those that would undermine the conservation objectives supporting the favourable conservation condition of the Qualifying Interest (QI) habitats and/or the QI/Special Conservation Interest (SCI) species of a European site(s).
- 6 Screening for Appropriate Assessment involves the following steps:



- 7 If the conclusions at the end of screening are that there is no likelihood of significant effects occurring on any European sites as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there is no requirement to undertake an Appropriate Assessment.
- 8 In establishing which European sites are potentially at risk (in the absence of mitigation) from the proposed development, a source-pathway-receptor approach was applied. In order for an impact to occur, there must be a risk enabled by having a source (e.g. water abstraction or construction works), a receptor (e.g. a European site or its QI(s) or SCI(s)²), and a pathway between the source and the receptor (e.g. pathway by air for airborne pollution, or a pathway by a watercourse for mobilisation of pollution). For an impact to occur, all three elements must exist; the absence or removal of one of the elements means there is no possibility for the impact to occur.
- 9 The identification of source-pathway-receptor connection(s) between the proposed development and European sites essentially is the process of identifying which European sites are within the Zone of Influence (Zoi) of the proposed development, and therefore potentially at risk of significant effects. The Zoi is the area over which the proposed development could affect the receiving environment such that it could potentially have significant effects on the QI habitats or QI/SCI species of a European site, or on the achievement of their conservation objectives³.
- 10 The identification of a source-pathway-receptor link does not automatically mean that significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. extent and duration of construction works), the characteristics of the pathway (e.g. direction and strength of prevailing winds for airborne pollution) and the characteristics of the receptor (e.g. the sensitivities of the European site and its QIs/SCIs). Where uncertainty exists, the precautionary principle⁴ is applied.

2.3 Desktop Data Review

- 11 The desktop data sources used to inform the assessment presented in this report are as follows (accessed on the 22nd July 2021):
 - Online data available on European sites and protected habitats/species as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie⁵, including conservation objectives documents
 - Online data available on protected species as held by the National Biodiversity Data Centre (NBDC) from www.biodiversityireland.ie

² The term qualifying interest is used when referring to the habitats or species for which an SAC is designated; the term special conservation interest is used when referring to the bird species (or wetland habitats) for which an SPA is designated.

³ As defined in the *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018)

⁴ The precautionary principle is a guiding principle that derives from Article 191 of the Treaty on the Functioning of the European Union and has been developed in the case law of the European Court of Justice (e.g. ECJ case C-127/02 – Waddenzee, Netherlands).

The guidance document *Communication from the Commission on the Precautionary Principle* (European Commission, 2000) notes that the precautionary principle “covers those specific circumstances where scientific evidence is insufficient, inconclusive or uncertain and there are indications through preliminary objective scientific evaluation that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the chosen level of protection”.

Applying the precautionary principle in the context of screening for appropriate assessment requires that where there is uncertainty or doubt about the risk of significant effects on a European site(s), it should be assumed that significant effects are possible and AA must be carried out.

⁵ The following SAC and SPA GIS boundary datasets are the most recently available at the time of writing: SAC_ITM_2019_12 and SPA_ITM_2019_12.

- Information on the surface water network and surface water quality in the area available from www.epa.ie
- Information on groundwater resources and groundwater quality in the area available from www.epa.ie and www.gsi.ie
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie
- Information on the location, nature and design of the proposed development supplied by the applicant's design team

3 Provision of Information for Screening for Appropriate Assessment

- 12 The following sections provide information to facilitate the Appropriate Assessment screening of the proposed development to be undertaken by the competent authority.
- 13 A description of the proposed development and the receiving environment is provided to identify the potential ecological impacts. The environmental baseline conditions are discussed, as relevant to the assessment of ecological impacts where they may highlight potential pathways for impacts associated with the proposed development to affect the receiving ecological environment (e.g. geological, hydrogeological and hydrological data).
- 14 The potential impacts are examined in order to define the potential zone of influence of the proposed development on the receiving environment. This then informs the assessment of whether the proposed development will result in significant effects on any European sites; i.e. affect the conservation objectives supporting the favourable conservation condition of the European site's QIs or SCIs.

3.1 Description of the Proposed Development

- 15 Full details of the development are provided in the Part 8 planning application, and are summarised below:
- 16 The development comprises the creation of a 2 bedroom, 2 storey semi-detached house at 37a Rollins Villas, Sallynoggin, Co. Dublin.
- 17 Surface water runoff will arise from the roof space although the front driveway will have permeable paving. Due to the Dún Laoghaire-Rathdown County Council SUDs policies there is a requirement to infiltrate/reuse surface water run-off within the curtilage of the property. It must be noted that any measures within the design to reduce run-off rates have not been taken into account in this screening report in determining whether the proposed development is likely to have a significant effect on any European site(s).
- 18 The foul water from the proposed development will also drain to the existing foul drainage network. From there, foul effluent is transferred via the Irish Water sewer network to Ringsend WWTP for treatment prior to discharge to Dublin Bay. It is estimated that the proposed development will generate a P.E. (population equivalent) loading of 2.6P.E. The most recent information from Irish Water indicates that the plant is operating above its capacity of 1.64 million P.E. (Irish Water, 2017), with a current operational loading of c. 2.2 million P.E. Ringsend WWTP operates under a discharge licence from the EPA (D0034-01) and must comply with the licence conditions.
- 19 There are no proposed changes to the car parking beneath the ground floor, although the lift pit will require structural support. However there are no planned excavation works that would occur beneath the water table.
- 20 The construction period is likely to entail c. 9-12 months.

3.2 Overview of the Receiving Environment

3.2.1 European sites

- 21 The proposed development site is not located within any European site. The nearest sites are the South Dublin Bay and River Tolka Estuary SPA (c. 1.9km to the north) and the South Dublin Bay SAC (c. 2.0km to the north west). The nearest watercourse is the 'Kill of the Grange' Stream, c. 1.2km to the west of the site.

This watercourse flows south east for c. 4.7km and ultimately discharges into the Irish Sea, south of the Dublin Bay area into Killiney Bay. The mouth of the 'Kill of the Grange' Stream is c. 3.0km south west of Dalkey Islands SPA and c. 1.5km west of Rockabill to Dalkey Islands SAC.

- 22 All of the European sites present in the vicinity of the proposed development are shown on Figure 1 below. The QIs/SCIs of the European sites in the vicinity of the proposed development are provided in Appendix I.

Figure 1 *European sites in the vicinity of the proposed development*

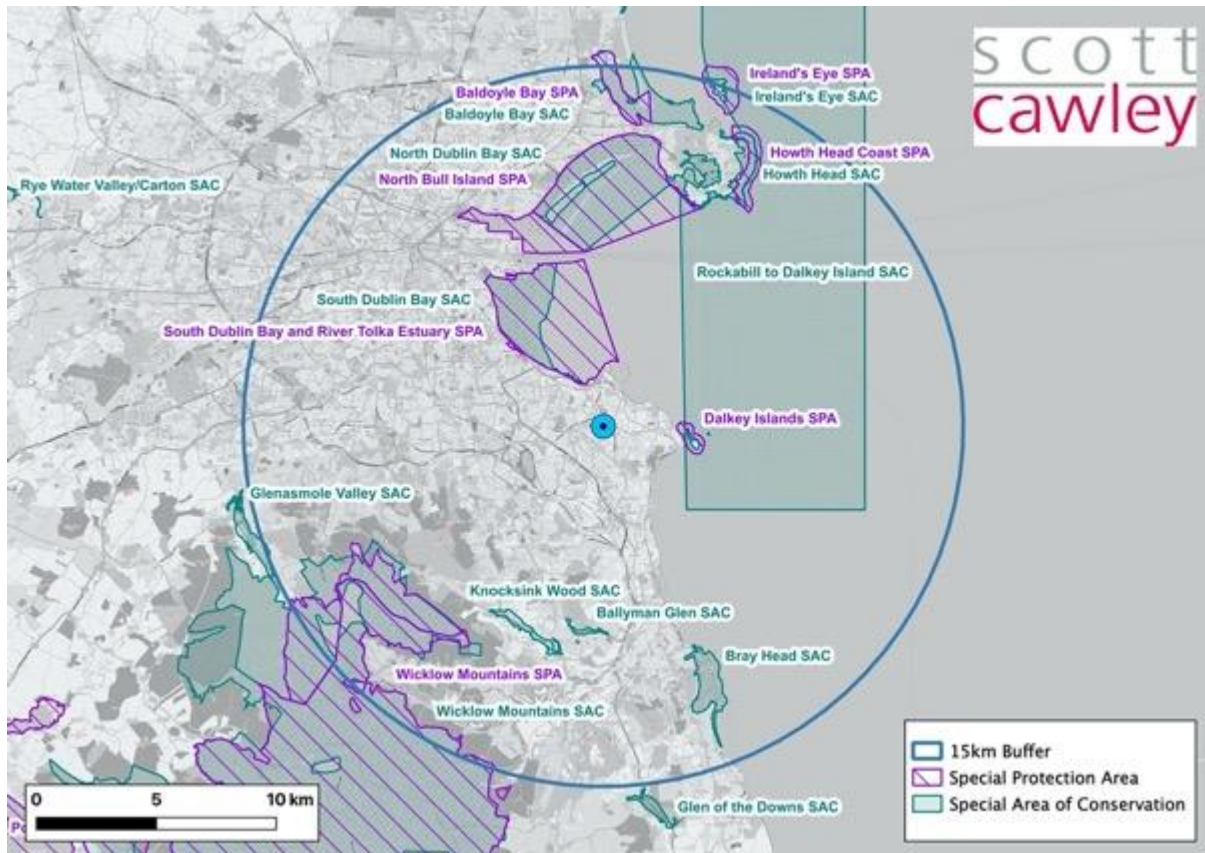
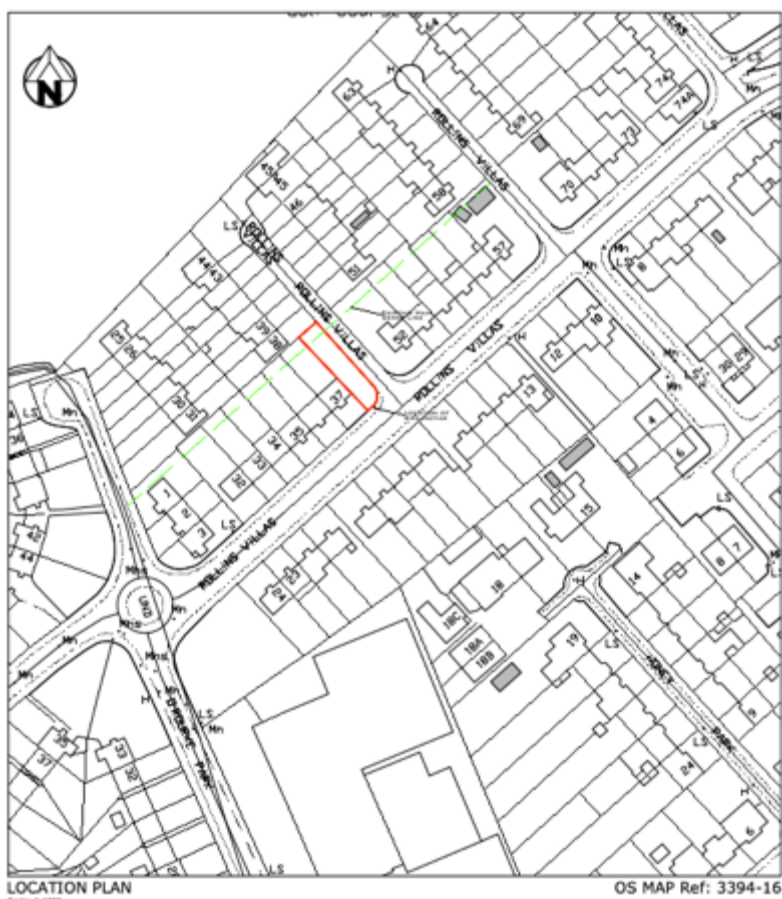


Figure 2 Location Plan (source: Dun Laoghaire Rathdown County Council – July 2021)



3.2.2 Habitats

- 23 The proposed development site is situated in an urban built environment dominated by artificial surfaces (BL3). The site itself is categorised as amenity grassland (GA2) with scattered trees (WD5).
- 24 The nearest watercourse is the 'Kill of the Grange' Stream, c. 1.2km to the west of the site. This watercourse flows southeast before discharging into the Irish Sea, south of the Dublin Bay area into Killiney Bay. Other watercourses in the vicinity include the Brewery Stream located c. 1.7km northwest of the proposed development site.

3.2.3 Flora and Fauna Species

- 25 The desktop study found no records of any species or habitats for which European sites are designated within the development site. There are also no records of any species or habitats for which European sites are designated within 100m of the site.
- 26 The desktop study returned records of the following species for which European sites illustrated in Figure 1 and listed in Appendix 1 are designated within c.2km of the development site:
 - Peregrine Falcon (*Falco peregrinus*)
 - Harbour Porpoise (*Phocoena phocoena*)
- 27 The development site is comprised of a relatively narrow strip of typical amenity grassland habitat with scattered trees. Therefore the site and the surrounding area, which is heavily anthropogenically influenced, do not contain any suitable habitat to support the qualifying interest or special conservation interest species of any nearby European Sites (see Appendix 1).

- 28 To the northwest of the site (c. 2.0km) is the boundary for the South Dublin Bay SAC. The QIs for South Dublin Bay SAC are;
- [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
 - [2110] Embryonic shifting dunes
- 29 There are no examples of these habitats within the proposed development site.
- 30 Located c. 1.9km to the north of the site is the boundary for the South Dublin Bay and River Tolka Estuary SPA. The SCIs for this SPA are;
- [A046] Light-bellied Brent Goose (*Branta bernicla hrota*)
 - [A130] Oystercatcher (*Haematopus ostralegus*)
 - [A137] Ringed Plover (*Charadrius hiaticula*)
 - [A141] Grey Plover (*Pluvialis squatarola*)
 - [A141] Knot (*Calidris canutus*)
 - [A144] Sanderling (*Calidris alba*)
 - [A149] Dunlin (*Calidris alpina*)
 - [A157] Bar-tailed Godwit (*Limosa lapponica*)
 - [A162] Redshank (*Tringa totanus*)
 - [A179] Black-headed Gull (*Chroicocephalus ridibundus*)
 - [A192] Roseate Tern (*Sterna dougallii*)
 - [A193] Common Tern (*Sterna hirundo*)
 - [A194] Arctic Tern (*Sterna paradisaea*)
 - [A999] Wetland and Waterbirds
- 31 There are no records of these SCIs within the proposed development site or within 100m of the site. The habitats within and immediately adjoining the proposed development site are unsuitable for the SCIs.
- 32 The desktop study revealed no records of invasive species⁶ within 100m of the proposed development site. Within 2km of the site, there were records of the following Third Schedule invasive species;
- Giant Hogweed (*Heracleum mantegazzianum*)
 - Three-cornered Garlic (*Allium triquetrum*)

3.2.4 Hydrology

- 33 There are no surface water features located within the site. The 'Kill of the Grange' Stream is the closest watercourse to the proposed development site, located c. 1.2km to the west. This watercourse flows for c. 4.7km southeast before it discharges into the Irish Sea, south of the Dublin Bay area into Killiney Bay. Other watercourses in the vicinity include the Brewery Stream located c. 1.7km northwest of the proposed

⁶ S.I. No. 477 of 2011, the European Communities (Birds and Natural Habitats) Regulations 2011, it is an offence to allow or cause to disperse any plant which is included in Part 1 of the Third Schedule of this S.I.

development site. Under the Water Framework Directive (WFD) (2000/60/EC) the Kill of the Grange Stream (Kill of the Grange Stream_010) has a status of 'poor' and is considered 'at risk'.

- 34 According to the EPA Map Viewer, the most recent surface water quality information for the Kill of the Grange Stream downstream of the proposed development site at monitoring point RS10K020200 indicated a Q-value score of 3 indicating 'poor' water quality status.
- 35 The Water Framework Directive (WFD) (2000/60/EC) status 2013-2018 of the 'Southwestern Irish Sea - Killiney Bay' (HA10) Coastal Waterbody is 'High' and is 'Not at Risk' of not meeting the WFD objectives. Water Quality data from 2010-2012 indicate that the coastal waterbody is 'Unpolluted'.

3.2.5 Hydrogeology

- 36 Geological Survey of Ireland (GSI) data indicates that the site is underlain by a "poor aquifer", which is described as "bedrock which is generally unproductive except for local zones".
- 37 The Groundwater Body (GWB) underlying the site is the 'Kilcullen' groundwater body, which is currently classified by the EPA (2013-2018) as having "Good" groundwater status and "Not at Risk" of achieving good status under the Water Framework Directive. The vulnerability rating for the groundwater beneath site is "M" – moderate vulnerability of potential contaminants passing through the bedrock and into the groundwater.
- 38 Geological Survey of Ireland (GSI) data indicates that the bedrock formation on site is 'Type 2p microcline porphyritic (Northern and Upper Liffey Valley Plutons), comprised of Granite with microcline phenocrysts'.

3.3 Assessment of Effects on European Sites

- 39 This section identifies all the potential impacts associated with the proposed development, examines whether there are any European sites within the ZoI of effects from the proposed development, and assesses whether there is any risk of the proposed development resulting in a significant effect on any European site, either alone or in combination with other plans or projects.
- 40 In assessing the potential for the proposed development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

3.3.1 Habitat loss and fragmentation

- 41 The proposed development does not overlap with the boundary of any European site. Therefore, there are no European sites at risk of direct habitat loss impacts.
- 42 As the proposed development does not traverse any European sites there is no potential for habitat fragmentation to occur.
- 43 The proposed development site does not support populations of any fauna species linked with the QI/SCI populations of any European site(s).
- 44 As the proposed development will not result in habitat loss or habitat fragmentation within any European site, there is no potential for any in combination effects to occur in that regard.

3.3.2 Habitat degradation as a result of hydrological impacts

- 45 Surface water run-off and discharges from the proposed development ultimately drain to the existing local surface water drainage network, prior to discharge into Killiney Bay. It must be noted that any measures within the design to reduce run-off rates have not been taken into account in this screening report in determining whether the proposed development is likely to have a significant effect on any European site(s).
- 46 Foul waters from the proposed development will be discharged to Ringsend WWTP for treatment, via the existing foul water drainage network, prior to discharge into Dublin Bay. Therefore, the Zone of Influence

(Zol) of potential effects on water quality from the proposed development could extend to Dublin Bay and Killiney Bay.

Surface Water

- 47 Surface water run-off and discharges from the proposed development will enter the downstream receiving environment via the existing surface water drainage network.
- 48 Considering the following, the proposed development will not have any measurable effects on water quality in the Southwestern Irish Sea - Killiney Bay:
- The scale and location of the proposed development relative to the receiving surface water network
 - The relatively low volume of any surface water run-off or discharge events from the proposed development site relative to the receiving surface water and marine environments, and
 - The level of mixing, dilution and dispersion of any surface water run-off/discharges from the proposed development site in the receiving watercourses, Killiney Bay and the Irish Sea
- 49 It is an objective of the Greater Dublin Strategic Drainage Study, and the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to incorporate Sustainable Urban Drainage Systems (SUDS) within new developments. The SUDS features associated with the proposed development are not included within the design to avoid or reduce any potential harmful effects to any European sites.
- 50 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Killiney Bay as a result of surface water run-off or discharges.

Foul Water

- 51 Foul water, comprising sewage and industrial effluent (and some surface water run-off), from the Dublin area has historically been, and will continue to be, treated at Ringsend WWTP prior to discharge to Dublin Bay. The most recent information from Irish Water indicates that the plant is operating above its capacity of 1.64 million P.E. (Irish Water, 2017), with a current operational loading of c.2.2 million P.E. Ringsend WWTP operates under a discharge licence from the EPA (D0034-01) and must comply with the licence conditions.
- 52 Despite the capacity issues associated with the Ringsend WWTP, Dublin Bay is currently classified by the EPA as being of “Unpolluted” water quality status⁷. The Liffey Estuary Lower is currently classified by the EPA as being of “Intermediate” water quality status and the Tolka Estuary as “Eutrophic”. The pollutant content of future foul water discharges to Dublin Bay is considered likely to decrease in the long-term for the following reasons:
- An Bord Pleanála granted planning permission for an upgrade to the Ringsend WWTP in April 2019⁸, which will increase capacity at the plant, and
 - There is a commitment in the National Development Plan 2018-2027⁹ to invest in and progress the Greater Dublin Drainage Project which will involve the provision of a new regional wastewater treatment plant at a site in the northern part of the Greater Dublin Area and the provision of a new Orbital Drainage Sewer linking the new plant to the existing regional sewer network, which will enable future connections for identified areas of development within the catchment area. The

⁷ Transitional and Coastal Surface Water Quality data (2018-2020) accessed from the EPA Envision Mapviewer www.gis.epa.ie/Envision (accessed July 2021)

⁸ An Bord Pleanála Case Reference PL29S.301798 – *10-year permission for development of the Ringsend wastewater treatment plant upgrade project including a regional bio solids storage facility*, Available online at www.pleanala.ie/casenum/301798.htm.

⁹ Government of Ireland (2018) *Project Ireland 2040, National Development Plan 2018-2027*.

provision of the Greater Dublin Drainage Project will augment the waste water treatment capacity currently provided by Ringsend WWTP across the Greater Dublin Area.

- 53 It is also an objective of the Greater Dublin Strategic Drainage Study, and all development plans within the catchment of Ringsend WWTP, to include Sustainable Urban Drainage Systems (SUDS) within new developments. The relevant development plans also have protective policies/objectives in place to protect water quality in the receiving freshwater and marine environments, and to implement the Water Framework Directive in achieving good water quality status for Dublin Bay.
- 54 Considering the above, particularly the current unpolluted status of Dublin Bay, and that foul water discharges from the proposed development would equate to a very small percentage of the overall discharge volumes sent to Ringsend WWTP for treatment, it is concluded that the proposed development will not impact on the overall water quality status of Dublin Bay.
- 55 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Dublin Bay as a result of foul water discharges.

In Combination

There is potential for “*in-combination*” effects on water quality in both Dublin Bay and Killiney Bay from any other projects carried out within the functional areas of the *Dublin City Development Plan 2016-2022* (Dublin City Council, 2016), the *Dún Laoghaire-Rathdown County Development Plan 2016-2022* (Dún Laoghaire-Rathdown County Council, 2016), the *Fingal Development Plan 2017-2023* (Fingal County Council, 2017), *South Dublin County Council Development Plan 2016-2022* (South Dublin County Council, 2016), or any other land use plans which could influence conditions in Dublin Bay via rivers and other surface water features.

The Eastern & Midland Regional Assembly, *Regional Spatial & Economic Strategy 2019-2031*¹⁰ (Eastern & Midland Regional Assembly, 2019) includes a range of policy objectives relevant to the protection of European sites and the protection of water quality in Killiney Bay and Dublin Bay, to which the relevant planning authorities must have regard to in the preparation and adoption of their development plans (included in Appendix II).

- 56 The planning authority for the proposed development is Dún Laoghaire-Rathdown County Council. Plans and developments within Dún Laoghaire-Rathdown County Council must comply with the following policy objectives of the *Dún Laoghaire-Rathdown County Development Plan 2016-2022* relevant to the protection of European sites and the protection of water quality:

Policy LHB19: To protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas, candidate Special Areas of Conservation, proposed Natural Heritage Areas and Ramsar sites - as well as non-designated areas of high nature conservation value which serve as ‘Stepping Stones’ for the purposes of Article 10 of the Habitats Directive.

Policy LHB20: It is Council policy to ensure the protection of natural heritage and biodiversity, including European sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.

Policy LHB22: It is Council policy to protect and preserve areas designated as proposed Natural Heritage Areas, candidate Special Areas of Conservation, and Special Protection Areas. It is Council policy to promote the maintenance and as appropriate, delivery of ‘favourable’ conservation status of habitats and species within these areas.

¹⁰ Eastern & Midland Regional Assembly (2019) *Regional Spatial & Economic Strategy 2019-2031*

Policy EI2: It is Council policy to provide adequate wastewater treatment facilities to serve the existing and future population of the County, subject to complying with the Water Framework Directive and the associated River Basin Management Plan or any updated version of this document, 'Water Quality in Ireland 2007-2009' (EPA 2011) or any updated version of the document, Pollution Reduction Programmes for Designated Shellfish Areas, the Urban Waste Water Treatment Directive and the Habitats Directive.

Policy EI3: It is Council policy to require that a Sustainable Drainage System (SuDS) is applied to any development and that site specific solutions to surface water drainage systems are developed, which meet the requirements of the Water Framework Directive and the associated River Basin Management Plans and 'Water Quality in Ireland 2007-2009' (EPA 2011) or any updated version of the document.

- 57 Plans and developments within the other local authority areas which could influence conditions in Killiney Bay and Dublin Bay via rivers and other surface water features, also must comply with the policies and objectives relevant to the protection of European sites and water quality. These include the *Dublin City Development Plan 2016-2022*, the *Fingal Development Plan 2017-2023*, the *South Dublin County Council Development Plan 2016-2022*, the *Kildare County Development Plan 2017-2023* (Kildare County Council, 2017) and the *Wicklow County Development Plan 2016-2022* (Wicklow County Council, 2016). The relevant policies and objectives in those plans for the protection of European sites and water quality are included in Appendix II.
- 58 In conclusion, there are a number of projects referred to above which will upgrade the capacity of Ringsend WWTP which will, over time, address the capacity issues at Ringsend WWTP referred to above.
- 59 As noted under the foul water section above, Dublin Bay is currently unpolluted and the proposed development will not result in any measurable effect on water quality in Dublin Bay. There are also protective policies and objectives in place at a strategic planning level to protect water quality in Dublin Bay.
- 60 As noted under the surface water section above, Killiney Bay is currently unpolluted and the proposed development will not result in any measurable effect on water quality in Killiney Bay. There are also protective policies and objectives in place at a strategic planning level to protect water quality in Killiney Bay.
- 61 Therefore, and having regard to the policies and objectives referred to under the relevant development plans, it is concluded that the possibility of any other plans or projects acting in combination with the proposed development to give rise to significant effects on any European site in, or associated with, Dublin Bay and Killiney Bay can be excluded.

3.3.3 *Habitat degradation as a result of hydrogeological impacts*

- 62 The proposed development lies within the Kilcullen Groundwater Body (Kilcullen GWB). The only European site within the Kilcullen GWB that is designated for groundwater dependant habitats and/or species is the Glenasmole Valley SAC. Of the QIs of the Glenasmole Valley SAC, the priority Annex I habitat Petrifying springs with tufa formation is dependent upon the existing condition and functioning of the groundwater regime. Based on information published by Geological Survey Ireland (GSI) on the Kilcullen GWB¹¹, 'The general groundwater flow direction in this aquifer is 'towards numerous small springs and streams that discharge flow towards the coast'. As the proposed development will not interact directly with the underlying groundwater body, and lies down gradient of the Glenasmole Valley SAC, it cannot influence groundwater conditions in the European site.

¹¹ https://secure.dccae.gov.ie/GSI_DOWNLOAD/Groundwater/Reports/GWB/KilcullenGWB.pdf

- 63 Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of any European sites, either alone or in combination with any other plans or projects, as a result of hydrogeological effects.

3.3.4 Disturbance and displacement impacts

- 64 Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the proposed development. For mammal species such as otter, disturbance effects would not be expected to extend beyond 150m¹². For birds, disturbance effects would not be expected to extend beyond a distance of c.300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance.¹³ There are no European sites within the disturbance Zol; the next nearest European site to the proposed development is c.15.5km away. There are also no habitat areas within the disturbance Zol of the proposed development that support populations of qualifying/special conservation interest species of any European site.¹⁴
- 65 As the proposed development will not result in the disturbance/displacement of the qualifying/special conservation interest species of any European site, there is no potential for any in combination effects to occur in that regard.

3.3.5 Summary

- 66 The potential impacts associated with the proposed development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the qualifying interest/special conservation interests of any European sites. Therefore, the proposed development is not likely to have significant effects on any European sites.
- 67 As the proposed development itself will not have any effects on the QIs/SCIs or conservation objectives of any European sites, and taking into account the policies and objectives of the statutory plans referred to above, it is concluded that there is no potential for any other plan or project to act in combination with it to result in significant effects on any European sites.
- 68 The potential impacts of the proposed development on the receiving environment, their Zol, and the European sites at risk of significant effects are summarised in Table 1 below. In assessing the potential for the proposed development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

¹² This is consistent with Transport Infrastructure Ireland (TII) guidance (Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes and Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual Zol of construction related disturbance likely to be much less in reality.

¹³ The disturbance zone of influence for waterbirds is based on the relationship between the noise levels generated by general construction traffic/works (BS 5228:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites – Part 1 Noise) and the proximity of those noise levels to birds – as assessed in Cutts, N. Phelps, A. & Burdon, D. (2009) *Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance*, and Wright, M., Goodman, P & Cameron, T. (2010) Exploring Behavioural Responses of Shorebirds to Impulsive Noise. *Wildfowl* (2010) 60: 150–167. At 300m, noise levels are below 60dB or, in most cases, are approaching the 50dB threshold below which no disturbance or displacement effects would arise.

¹⁴ There is a need to consider use of habitat areas outside of an SPA by SCI bird species where they support the SCI populations and the site's conservation objectives. These habitat areas can comprise alternative roosting sites, foraging areas, staging grounds or migration routes and can, but not necessarily exclusively, be situated within the immediate hinterland of the SPA, or in areas ecologically connected to it.

Table 1 *Summary of Analysis of Likely Significant Effects on European sites*

Potential Direct, Indirect In Combination Effects and the Zol of the Potential Effects	Are there any European sites within the Zol of the proposed development?
<p>Habitat loss Habitat loss will be confined to the lands within the proposed development boundary.</p>	<p>No There are no European sites within the proposed development boundary</p>
<p>Habitat degradation as a result of hydrological impacts Habitats and species downstream of the proposed development site and the associated surface water drainage discharge points, and downstream of offsite wastewater treatment plants.</p>	<p>No There are no European sites at risk of hydrological effects associated with the proposed development</p>
<p>Habitat degradation as a result of hydrogeological impacts Groundwater-dependant habitats, and the species those habitats support, in the local area that lie downgradient of the proposed development site.</p>	<p>No There are no European sites at risk of hydrogeological effects associated with the proposed development</p>
<p>Disturbance and displacement impacts Potentially up to several hundred metres from the proposed development boundary, dependent upon the predicted levels of noise, vibration and visual disturbance associated with the proposed development, taking into account the sensitivity of the qualifying interest species to disturbance effects</p>	<p>No There are no European sites within the potential zone of influence of disturbance effects associated with the construction or operation of the proposed development</p>

4 Conclusions of Screening Assessment Process

- 69 Following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered.
- 70 Therefore, it is the professional opinion of the authors of this report that the application for consent for the proposed development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

Appendix I

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the proposed development site (see Figure 1)

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
Special Area of Conservation (SAC)	
<p>South Dublin Bay SAC [000210] 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 <i>Salicornia</i> and other annuals colonising mud and sand 2110 Embryonic shifting dunes</p> <p>NPWS (2013) <i>Conservation Objectives: South Dublin Bay SAC 000210</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c. 2.0km northwest of the proposed development</p>
<p>Rockabill to Dalkey Island SAC [003000] 1170 Reefs 1351 Harbour porpoise <i>Phocoena phocaena</i></p> <p>NPWS (2013) <i>Conservation Objectives: Rockabill to Dalkey Island SAC 003000</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c. 3.4km east of the proposed development</p>
<p>North Dublin Bay SAC [000206] 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 <i>Salicornia</i> and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1395 Petalwort <i>Petalophyllum ralfsii</i> 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes) 2190 Humid dune slacks</p> <p>NPWS (2013) <i>Conservation Objectives: North Dublin Bay SAC 000206</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c. 7.3km north of the proposed development</p>
<p>Ballyman Glen SAC [000713] 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)* 7230 Alkaline fens</p> <p>NPWS (2019) <i>Conservation Objectives: Ballyman Glen SAC 000713</i>. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 8.2km south of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>Knocksink Wood SAC [000725] 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)* 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*</p> <p>NPWS (2020) <i>Conservation objectives for Knocksink Wood SAC [000725]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 8.6km southwest of the proposed development</p>
<p>Bray Head SAC [000714] 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths</p> <p>NPWS (2017) <i>Conservation Objectives: Bray Head SAC 000714</i>. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 9.8km southeast of the proposed development</p>
<p>Howth Head SAC [000202] 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths</p> <p>NPWS (2016) <i>Conservation Objectives: Howth Head SAC 000202</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>c. 9.9km northeast of the proposed development</p>
<p>Wicklow Mountains SAC [002122] 3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 <i>Calaminarian</i> grasslands of the <i>Violetalia calaminariae</i> 6230 Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) 8210 Calcareous rocky slopes with chasmophytic vegetation 8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 1355 <i>Lutra lutra</i> (Otter)</p> <p>NPWS (2017) <i>Conservation Objectives: Wicklow Mountains SAC 002122</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>c. 10.1km southwest of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>Baldoyle Bay SAC [000199] 1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonizing mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>NPWS (2012) <i>Conservation Objectives: Baldoyle Bay SAC 000199</i>. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht</p>	<p>c. 12.6km north of the proposed development</p>
<p>Ireland's Eye SAC [002193] 1220 Perennial vegetation of stony banks 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>NPWS (2017) <i>Conservation Objectives: Ireland's Eye SAC 002193</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>c. 14.3km northeast of the proposed development</p>
<p>Glenasmole Valley SAC [001209] 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) 6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)*</p> <p>NPWS (2020) <i>Conservation objectives for Glenasmole Valley SAC [001209]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 14.8km southwest of the proposed development</p>
<p>Special Protection Area (SPA)</p>	
<p>South Dublin Bay and River Tolka Estuary SPA [004024] A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i> A130 Oystercatcher <i>Haematopus ostralegus</i> A137 Ringed Plover <i>Charadrius hiaticula</i> A141 Grey Plover <i>Pluvialis squatarola</i> A143 Knot <i>Calidris canutus</i> A144 Sanderling <i>Calidris alba</i> A149 Dunlin <i>Calidris alpina</i> A157 Bar-tailed Godwit <i>Limosa lapponica</i> A162 Redshank <i>Tringa totanus</i> A179 Black-headed Gull <i>Croicocephalus ridibundus</i> A192 Roseate Tern <i>Sterna dougallii</i> A193 Common Tern <i>Sterna hirundo</i> A194 Arctic Tern <i>Sterna paradisaea</i> A999 Wetland and Waterbirds</p>	<p>c. 1.9km north of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>NPWS (2015) <i>Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Dalkey Islands SPA [004172] A192 Roseate Tern <i>Sterna dougallii</i> A193 Common Tern <i>Sterna hirundo</i> A194 Arctic Tern <i>Sterna paradisaea</i></p> <p>NPWS (2020) <i>Conservation objectives for Dalkey Islands SPA [004172]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 3.1km east of the proposed development</p>
<p>North Bull Island SPA [004006] A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i> A048 Shelduck <i>Tadorna tadorna</i> A052 Teal <i>Anas crecca</i> A054 Pintail <i>Anas acuta</i> A056 Shoveler <i>Anas clypeata</i> A130 Oystercatcher <i>Haematopus ostralegus</i> A140 Golden Plover <i>Pluvialis apricaria</i> A141 Grey Plover <i>Pluvialis squatarola</i> A143 Knot <i>Calidris canutus</i> A144 Sanderling <i>Calidris alba</i> A149 Dunlin <i>Calidris alpina</i> A156 Black-tailed Godwit <i>Limosa limosa</i> A157 Bar-tailed Godwit <i>Limosa lapponica</i> A160 Curlew <i>Numenius arquata</i> A162 Redshank <i>Tringa totanus</i> A169 Turnstone <i>Arenaria interpres</i> A179 Black-headed Gull <i>Croicocephalus ridibundus</i> A999 Wetlands & Waterbirds</p> <p>NPWS (2015) <i>Conservation Objectives: North Bull Island SPA 004006</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c. 7.3km north of the proposed development</p>
<p>Wicklow Mountains SPA [004040] A098 Merlin <i>Falco columbarius</i> A103 Peregrine <i>Falco peregrinus</i></p> <p>NPWS (2020) <i>Conservation objectives for Wicklow Mountains SPA [004040]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 10.3km southwest of the proposed development</p>
<p>Howth Head Coast SPA [004113] A188 Kittiwake <i>Rissa tridactyla</i></p> <p>NPWS (2020) <i>Conservation objectives for Howth Head Coast SPA [004113]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 10.8km northeast of the proposed development</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
<p>Baldoyle Bay SPA [004016] A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i> A048 Shelduck <i>Tadorna tadorna</i> A137 Ringed Plover <i>Charadrius hiaticula</i> A140 Golden Plover <i>Pluvialis apricaria</i> A141 Grey Plover <i>Pluvialis squatarola</i> A157 Bar-tailed Godwit <i>Limosa lapponica</i> A999 Wetland and Waterbirds</p> <p>NPWS (2013) <i>Conservation Objectives: Baldoyle Bay SPA 004016. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>c. 12.6km north of the proposed development</p>
<p>Ireland's Eye SPA [004117] A017 Cormorant <i>Phalacrocorax carbo</i> A184 Herring Gull <i>Larus argentatus</i> A188 Kittiwake <i>Rissa tridactyla</i> A199 Guillemot <i>Uria aalge</i> A200 Razorbill <i>Alca torda</i></p> <p>NPWS (2020) <i>Conservation objectives for Ireland's Eye SPA [004117]. Generic Version 7.0.</i> Department of Culture, Heritage and the Gaeltacht.</p>	<p>c. 14.0km northeast of the proposed development</p>

Appendix II

Planning polices/objectives relating to the protection of European sites and water quality

Eastern & Midland Regional Assembly, Regional Spatial & Economic Strategy 2019-2031

Regional Policy Objective 3.4

Ensure that all plans, projects and activities requiring consent arising from the Regional Spatial and Economic Strategy are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate. In addition the future strategic development of settlements throughout the Region will have full cognisance of the legal requirements pertaining to sites of International Nature Conservation Interest.

Regional Policy Objective 7.2

To achieve and maintain 'Good Environmental Status' for marine waters and to ensure the sustainable use of shared marine resources in the Region, and to promote the development of a cross-boundary and cross-border strategic management and stakeholder engagement framework to protect the marine environment.

Regional Policy Objective 7.10

Support the implementation of the Water Framework Directive in achieving and maintaining at least good environmental status for all water bodies in the Region and to ensure alignment between the core objectives of the Water Framework Directive and other relevant Directives, River Basin Management plans and local authority land use plans.

Regional Policy Objective 7.11

For water bodies with 'high ecological status' objectives in the Region, local authorities shall incorporate measures for both their continued protection and to restore those water bodies that have fallen below high ecological status and areas 'At Risk' into the development of local planning policy and decision making any measures for the continued protection of areas with high ecological status in the Region and for mitigation of threats to waterbodies identified as 'At Risk' as part of a catchment based approach in consultation with the relevant agencies. This shall include recognition of the need to deliver efficient wastewater facilities with sufficient capacity and thus contribute to improved water quality in the Region.

Regional Policy Objective 7.12

Future statutory land use plans shall include Strategic Flood Risk Assessment (SFRA) and seek to avoid inappropriate land use zonings and development in areas at risk of flooding and to integrate sustainable water management solutions (such as SuDS, nonporous surfacing and green roofs) to create safe places in accordance with the Planning System and Flood Risk Assessment Guidelines for Local Authorities.

Regional Policy Objective 7.15

Local authorities shall take opportunities to enhance biodiversity and amenities and to ensure the protection of environmentally sensitive sites and habitats, including where flood risk management measures are planned.

Regional Policy Objective 7.16

Support the implementation of the Habitats Directives in achieving an improvement in the conservation status of protected species and habitats in the Region and to ensure alignment between the core objectives of the EU Birds and Habitats Directives and local authority development plans.

Regional Policy Objective 7.22

Local authority development plan and local area plans, shall identify, protect, enhance, provide and manage Green Infrastructure in an integrated and coherent manner and should also have regard to the required targets in relation to the conservation of European sites, other nature conservation sites, ecological networks and protected species.

Regional Policy Objective 10.6

Delivery and phasing of services shall be subject to the required appraisal, planning and environmental assessment processes and shall avoid adverse impacts on the integrity of the Natura 2000 network.

Regional Policy Objective 10.7

Local authority core strategies shall demonstrate compliance with DHPLG Water Services Guidelines for local authorities and demonstrate phased infrastructure – led growth that is commensurate with the carrying

capacity of water services and prevent adverse impacts on the integrity of water dependent habitats and species within the Natura 2000 network.

Regional Policy Objective 10.10

Support Irish Water and the relevant local authorities in the Region to eliminate untreated discharges from settlements in the short term, while planning strategically for long term growth in tandem with Project Ireland 2040 and in increasing compliance with the requirements of the Urban Waste Water Treatment Directive from 39% today to 90% by the end of 2021, to 99% by 2027 and to 100% by 2040.

Regional Policy Objective 10.11

EMRA supports the delivery of the waste water infrastructure set out in Table 10.2, subject to appropriate environmental assessment and the planning process.¹⁵

Regional Policy Objective 10.12

Development plans shall support strategic wastewater treatment infrastructure investment and provide for the separation of foul and surface water networks to accommodate the future growth of the Region.

Regional Policy Objective 10.15

Support the relevant local authorities (and Irish Water where relevant) in the Region to improve storm water infrastructure to improve sustainable drainage and reduce the risk of flooding in the urban environment and in the development and provision at a local level of Sustainable Urban Drainage solutions.

Regional Policy Objective 10.16

Implement policies contained in the Greater Dublin Strategic Drainage Study (GSDSDS), including SuDS.

Regional Policy Objective 10.18

Local authorities shall ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the associated River Basin Management Plans.

Dublin City Development Plan 2016-2022

GI23: To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015.

GI24: To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

GI017: To seek the continued improvement of water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city and to protect the ecology and wildlife of Dublin Bay.

GI20: To seek continued improvement in water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city, having regard to the sensitivities of Dublin Bay and to protect the ecology and wildlife of Dublin Bay.

SI18: To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply:

- The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins
- The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands
- The slow-down of the movement of water.

¹⁵ The Greater Dublin Drainage Project, the Ringsend Wastewater Treatment Plant Project, the Athlone Main Drainage Project and the Upper Liffey Valley Sewerage Scheme

Fingal Development Plan 2017-2023**Objective NH10**

Ensure that the Council takes full account of the requirements of the Habitats and Birds Directives, as they apply both within and without European Sites in the performance of its functions.

Objective NH11

Ensure that the Council, in the performance of its functions, takes full account of the objectives and management practices proposed in any management or related plans for European Sites in and adjacent to Fingal published by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Objective NH15

Strictly protect areas designated or proposed to be designated as Natura 2000 sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); also known as European sites) including any areas that may be proposed for designation or designated during the period of this Plan.

Objective SW04

Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques where appropriate, for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risks.

Objective WQ01

Strive to achieve 'good status' in all waterbodies in compliance with the Water Framework Directive, the Eastern River Basin District Management Plan 2009-2015 and the associated Programme of Measures (first cycle) and to cooperate with the development and implementation of the second cycle national River Basin Management Plan 2017-2021.

Objective WQ04

Protect existing riverine wetland and coastal habitats and where possible create new habitats to maintain naturally functioning ecosystems whilst ensuring they do not impact negatively on the conservation objectives of any European Sites.

Objective WT01

Liaise with and work in conjunction with Irish Water during the lifetime of the plan for the provision, extension and upgrading of waste water collection and treatment systems in all towns and villages of the County to serve existing populations and facilitate sustainable development of the County, in accordance with the requirements of the Settlement Strategy and associated Core Strategy.

Objective WT02

Liaise with Irish Water to ensure the provision of wastewater treatment systems in order to ensure compliance with existing licences, EU Water Framework Directive, River Basin Management Plans, the Urban Waste Water Directive and the EU Habitats Directive.

South Dublin County Council Development Plan 2016-2022**HCL12 Objective 1**

To prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the County and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.

HCL12 Objective 2

To ensure that projects that give rise to significant direct, indirect or secondary impacts on Natura 2000 sites, either individually or in combination with other plans or projects, will not be permitted unless the following is robustly demonstrated in accordance with Article 6(4) of the Habitats Directive and S.177AA of the Planning and Development Act (2000 – 2010) or any superseding legislation:

1. There are no less damaging alternative solutions available; and
2. There are imperative reasons of overriding public interest (as defined in the Habitats Directive) requiring the project to proceed; and
3. Adequate compensatory measures have been identified that can be put in place.

IE Policy 1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

IE1 Objective 1

To work in conjunction with Irish Water to protect, manage and optimise water supply and foul drainage networks in the County.

IE1 Objective 2

To work in conjunction with Irish Water to facilitate the timely delivery of ongoing upgrades and the expansion of water supply and wastewater services to meet the future needs of the County and the Region.

IE Policy 2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

IE2 Objective 1

To maintain, improve and enhance the environmental and ecological quality of our surface waters and groundwater by implementing the programme of measures set out in the Eastern River Basin District River Basin Management Plan.

IE2 Objective 3

To maintain and enhance existing surface water drainage systems in the County and promote and facilitate the development of Sustainable Urban Drainage Systems (SUDS), including integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.

IE2 Objective 4

To incorporate Sustainable Urban Drainage Systems (SUDS) as part of Local Area Plans, Planning Schemes, Framework Plans and Design Statements to address the potential for Sustainable Urban Drainage at a site and/or district scale, including the potential for wetland facilities.

IE2 Objective 5

To limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SUDS) and avoid the use of underground attenuation and storage tanks.

IE2 Objective 6

To promote and support the retrofitting of Sustainable Urban Drainage Systems (SUDS) in established urban areas, including integrated constructed wetlands.

Kildare County Development Plan 2017-2023

NH 4

Support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and to protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.

NH 5

Prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the county and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.

NH 6

Ensure an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.

WQ 1

Co-operate with the EPA and other authorities in the continued implementation of the EU Water Framework Directive and assist and co-operate with the lead authority for the River Basin Management Plan(s).

WQ 2

Ensure, through the implementation of the River Basin Management Plan(s) and the associated Programmes of Measures and any other associated legislation, the protection and improvement of all drinking water, surface water and ground waters throughout the county.

WQ 6

Protect recognised salmonid water courses in conjunction with Inland Fisheries Ireland such as the Liffey catchment, which are recognised to be exceptional in supporting salmonid fish species.

WW 4

Ensure that adequate wastewater services will be available to service development prior to the granting of planning permission. Applicants who are proposing to connect to the public wastewater network should consult with Irish Water regarding available capacity prior to applying for planning permission.

WW 12

Ensure that existing and permitted private wastewater treatment plants are operated in compliance with their wastewater discharge license, in order to protect water quality.

Wicklow County Development Plan 2016-2022

NH2

No projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects).

Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.

NH3

To contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs). To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents:

- EU Directives, including the Habitats Directive (92/43/EEC, as amended)⁷, the Birds Directive (2009/147/EC)⁸, the Environmental Liability Directive (2004/35/EC)⁹, the Environmental Impact Assessment Directive (85/337/EEC, as amended), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).
- National legislation, including the Wildlife Act 1976¹⁰, the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008¹¹.
- National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010.
- Catchment and water resource management Plans, including Eastern and South Eastern River Basin Management Plan 2009-2015 (including any superseding versions of same).

- Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2nd National Biodiversity Plan (including any superseding version of same).
- Ireland's Environment 2014 (EPA, 2014, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

NH4

All projects and plans arising from this plan¹² (including any associated improvement works or associated infrastructure) will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:

- 1) The Plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or
- 2) The Plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type and / or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or
- 3) The Plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of 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. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.

NH5

To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) and to protect other designated ecological sites in Wicklow.

Along with cSACs, SPAs and pNHA these include Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).

WI2

To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

WI12

Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system.

WI6

In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's Water Services Investment Programme, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes. In particular, to support and facilitate the development of a WWTP in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.

WI7

Permission will be considered for private wastewater treatment plants for single rural houses where:

- the specific ground conditions have been shown to be suitable for the construction of a treatment plant and any associated percolation area;

- the system will not give rise to unacceptable adverse impacts on ground waters / aquifers and the type of treatment proposed has been drawn up in accordance with the appropriate groundwater protection response set out in the Wicklow Groundwater Protection Scheme (2003);
- the proposed method of treatment and disposal complies with Wicklow County Council's Policy for Wastewater Treatment & Disposal Systems for Single Houses (PE ≤ 10) and the Environmental Protection Agency "Waste Water Treatment Manuals"; and
- in all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must definitively demonstrate that the proposed development will not have an adverse impact on water quality standards and requirements set out in EU and national legislation and guidance documents.

WI9

Private wastewater treatment plants for commercial / employment generating development will only be considered where:

- Irish Water has confirmed the site is due to be connected to a future public system in the area⁶ or Irish Water have confirmed there are no plans for a public system in the area;
- it can clearly demonstrated that the proposed system can meet all EPA / Local Authority environmental criteria; and
- an annually renewed contract for the management and maintenance of the system is contracted with a reputable company / person, details of which shall be provided to the Local Authority.