

Kellystown Road Scheme

Preliminary Review of Screening for Appropriate Assessment

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1 Introduction and Background

Fingal County Council (FCC) proposes to construct a new road, known as the proposed Kellystown Road Scheme, to be delivered under Part 8¹ of the Planning and Development Regulations 2001-2019 (hereafter PDR 2001). The proposed road will run from the Diswellstown Road Extension to the proposed Ongar Barnhill Distributor Road, which was itself granted Part 8 planning permission in April 2007.

The Study Area for the Kellystown Road is located to the south west of the currently developed areas of Clonsilla, Diswellstown/Carpenterstown and Blanchardstown. The area is bordered to the north and west by the Royal Canal and the Dublin-Maynooth rail line (and the Sligo/Longford line also to the north), to the south by the R121 Luttrellstown Road, and to the east by the Porterstown Road/Porterstown Link Road, and it is bisected by the R121 Clonsilla Road. The eastern part of the study area is located within the Kellystown Draft Local Area Plan lands.

Clifton Scannell Emerson Associates (CSEA), was commissioned by FCC to identify the preferred routes for the proposed Project, and if required, to subsequently design the Project deliver the appropriate Statutory Approvals.

Brady Shipman Martin was appointed by FCC to undertake a preliminary screening exercise for Appropriate Assessment (AA). This will determine the effects, if any, on European sites, of the proposed Kellystown Road. This document constitutes a Preliminary Appropriate Assessment Screening Report prepared for this purpose.

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

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

A review of each of the proposed route options, as described in the Kellystown Road Scheme Route Selection Report prepared by CSEA (Final Report (for non-statutory consultation), 4th issue, dated 3rd September 2020), as well as the preferred route, was undertaken.

The Project is currently at Route Selection Report Stage and will go on public display / consultation in September 2020. Full screening for the requirement for AA will be carried out as part of the future design and statutory approvals process.

The work was carried out by Senior Ecologist Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 18 years of experience in ecological and environmental consultancy, across a wide range of sectors. He has prepared numerous reports for AA Screening as well as Natura Impact Statements, for plans and projects of all scales, from small residential developments to nationally important infrastructure projects. 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.

¹ Provisions with respect to certain development by or on behalf of local authorities

2 Methodology

2.1 Baseline data collection and field visit

A desk-based assessment was undertaken between July and September 2020 of the site at Kellystown 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 Interests (SCI) (in the case of SPAs) in the designations for European sites. A site survey was also undertaken, on 19th August 2019. During the surveys an assessment of habitat suitability for bird species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

This report takes the following guidance documents into account:

- *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 NPWS 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting European sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001);
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*. Guidance issued by the European Commission (21st November 2018).

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 Culture, Heritage and the Gaeltacht (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, August 2019);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Fingal Development Plan 2017 – 2023, including the accompanying Appropriate Assessment documentation (Natura Impact Report).

The report has regard to the following legislative instruments:

- Planning and Development, Act 2000, as amended;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- European Communities (Birds and Natural Habitats) Regulations 2011-2015.

The report takes full account of the details of the preferred route and all of the route options as described in the Route Selection Report and a detailed examination of all relevant elements was undertaken.

Given the amount of information available, including from Fingal County Council, the project engineers, NPWS and other sources, it has been possible to gather adequate information on the site and the adjacent area (in particular, the European sites), in order to make an informed, sound judgement as to the potential impacts of the proposed LAP on the qualifying interests of the European sites.

3 Screening for Appropriate Assessment

3.1 Background

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

In accordance with sections 177U and 177V of the Planning and Development Act 2000, as amended, the AA screening test must be applied to the proposed development, as follows:

- [...]to assess, in view of best scientific knowledge, if that Land use plan or proposed 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.

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 for the purposes of 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 (in this case the proposed Kellystown Road), either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

3.2 Potential zone of influence

For the risk of a significant 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 source and the receptor, such as a watercourse that links the construction site to the designated site. Although there may be a risk of an impact it may not necessarily occur, and if it does occur, it may not be significant.

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.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. Rather, for a project NPWS (2010) recommends that ‘Any Natura 2000 sites within the likely zone of impact of the plan or project’ should be appraised. For projects ‘the distance should 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’.

The guidance states that ‘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 case 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.’

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

3.3 Study area and surrounding environment

3.3.1 Site location and European sites

Kellystown is located c.1.5km from Blanchardstown Town Centre, 1.8km from Blanchardstown Main Street and 9.8km from O’Connell Street, Dublin. The study area is situated directly south of the Royal Canal and the Dublin-Maynooth railway line and between Diswellstown Road Extension to the east and the proposed Ongar-Barnhill Road to the west (this scheme was granted Part 8 planning permission in April 2007). The Royal Canal and the Dublin-Maynooth railway line cross through the eastern part of the study area as they curve southwards.

The site is located in the Liffey sub-catchment of the Liffey and Dublin Bay catchment. Other than the Royal Canal, which will be crossed by the proposed road scheme, and a lower order tributary of the River Liffey (the Rusk, also known as the Barnhill Stream) that flows along the southern boundary of the western part of the study area, there are no watercourses within the study area itself². At its closest point the River Liffey is approximately 1.5km to the south of the study area. Prior to entering the Liffey, the Barnill Stream flows through a series of man-made ponds within the Luttrellstown Castle Golf Club lands.

Figure 1 shows the Study Area and its relationship to the surrounding road and other infrastructure network.

² <https://gis.epa.ie/EPAMaps/>



Figure 1: Location of the Proposed Kellystown Road Scheme study area

There are 4 European sites located within a 15km radius of the nearest point of the proposed Road Scheme area (see **Figure 2**). These are:

- **Special Areas of Conservation (SAC)**
 - Rye Water Valley/Carton SAC (site code 001398), c.3.4km to the west;
 - Glenasmole Valley SAC (site code 001209), c.13.7km to the south;
 - South Dublin Bay SAC (site code 000210), c.13.8km to the south east;
- **Special Protection Areas (SPA)**
 - South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.13.8km to the east;

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

- North Dublin Bay SAC (site code 000206), c.15.4km to the east;
- Wicklow Mountains (site code 002122), c.15.8km to the south;
- Malahide Estuary SAC (site code 000205), c.16.8km to the north east;
- Baldoyle Bay SAC (site code 000199), c.18.3km to the north east;
- Rogerstown Estuary SAC (site code 000208), c.19.7km to the north east;
- Howth Head SAC (site code 000202), c.21.0km to the east;
- Rockabill to Dalkey Island SAC (site code 003000), c.21.6km to the east;
- Red Bog, Kildare SAC (site code 000397), c.21.6km to the south west;
- Knocksink Wood SAC (site code 000725), c.22.7 to the south east;

- Ireland's Eye SAC (site code 002193), c.23.0km to the east;
- North Bull Island SPA (site code 004006), c.15.5km to the east;
- Broadmeadow/Swords Estuary (Malahide Estuary) SPA (site code 004025), c.16.9km to the north east;
- Wicklow Mountains SPA (site code 004040), c.17.3km to the south;
- Baldoyle Bay SPA (site code 004016), c.18.5km to the north east;
- Rogerstown Estuary SPA (site codes 004015), c.20.4km to the north east;
- Poulaphouca Reservoir SPA (site code 004063), c.22.4km to the south west;
- Ireland's Eye SPA (site code 004117), c.22.8km to the east;
- Howth Head Coast SPA (site code 004113), c.23.8km to the east;
- Dalkey Islands SPA (site code 004172), c.24.0km to the south east.

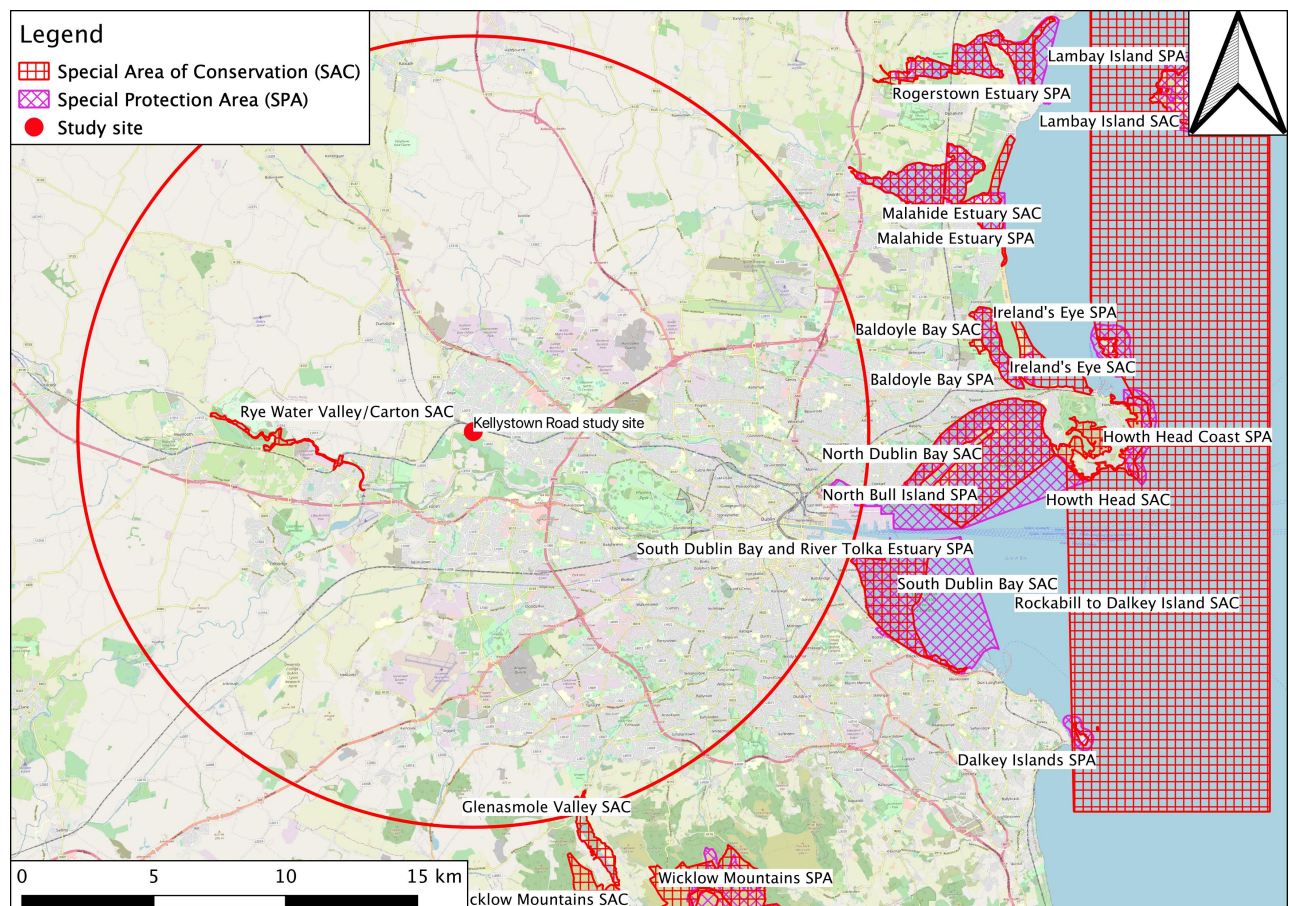


Figure 2: Kellystown Road Scheme study site lands, including a 15km buffer from the centre of the study area, with European sites shown (Source: OpenStreetMap)

3.3.2 Other designated areas (other than European sites)

The nearest site designated for nature conservation, not otherwise designated as a European site, is the Royal Canal proposed Natural Heritage Area (pNHA site code 002103), which is located immediately to the north of the study area (to the north of the Dublin-Maynooth railway line), and which passes through the eastern half of the

site. The Liffey Valley pNHA (site code 000128) is located approximately 200m to the south of Luttrellstown Road (the road forms the southern boundary of the eastern part of the Road Scheme study area). The Grand Canal pNHA (site code 002104) is approximately 5km to the south of the study area.

These are included in this report in order to address their potential to act as supporting sites for the European sites.

4 Proposed Road Scheme Development

4.1 Route Options

As part of the Stage 1 Route Selection assessment process, feasible route options were developed to allow an accurate comparison of the alternative options which could form Kellystown Road. Each option was developed to a sufficient level of detail to ensure that the option is a potentially feasible route. **Figure 3** shows the Study Area with the proposed Route Options.

4.1.1 Do Nothing

An analysis of the Do Nothing scenario was undertaken to set a baseline for route comparison. The Do Nothing options represents an assessment of a non-road alternative. The Fingal Development Plan 2017 - 2023 Objective MT41 seeks to implement the Kellystown Road during the life of the Plan. The road is required to provide access for all modes to the Kellystown LAP lands, and to provide cycle and pedestrian linkage between the development lands, the surrounding network, and the Barnhill lands. In the event of a non-road alternative, there would be no opportunity to access the Kellystown LAP lands, the existing Luttrellstown Road and Barberstown Level crossing would remain as the only access between Clonsilla Road and Barberstown.

4.1.2 Route Option 1 (Red)

Proposed Route Option 1 commences at the existing signalised junction with Portertown Link Road and Diswellstown Road. The route corridor initially follows the alignment of the Kellystown Road shown in the Development Plan before diverting around the back of Greenmount and other residential properties on Clonsilla Road, and crossing Clonsilla Road with a junction in close proximity to the Clonsilla Level Crossing. It then runs through the northern area of the Study Area, parallel to the line of the Maynooth-Dublin rail line before crossing the railway and then canal with two separate bridge structures and tying-in to the existing Barberstown Lane South (which will be upgraded as part of the proposed Ongar Barnhill Road scheme). The approximate length of proposed Route Option 1 is 3.00km.

4.1.3 Route Option 1A (Cyan)

Proposed Route Option 1A follows a similar line to Route Option 1 until it runs south prior to crossing the railway and canal, allowing this option to cross the railway and canal with one bridge structure (using the line of Route Option 3) before it ties-in to the existing Barberstown Lane South (which will be upgraded as part of the proposed Ongar Barnhill Road scheme). The approximate length of proposed Route Option 1A is 3.00km.

4.1.4 Route Option 2 (Green)

Proposed Route Option 2 commences at the existing signalised junction with Portertown Link Road and Diswellstown Road. The route corridor initially follows the alignment of the Kellystown Road shown in the Development Plan before running to the south of Greenmount and other residential properties on Clonsilla Road, and crossing Clonsilla Road with a junction in close proximity to these properties. It then runs to the north of the Beech Park lands, before crossing the railway and then canal with two separate bridge structures and tying-in to the existing Barberstown Lane South (which will be upgraded as part of the proposed Ongar Barnhill Road scheme). The approximate length of proposed Route Option 2 is 3.00km.

4.1.5 Route Option 2A (Purple)

Proposed Route Option 2A commences at the existing signalised junction with Portertown Link Road and Diswellstown Road. The route corridor follows the alignment of the Kellystown Road shown in the Development Plan including running between, and in very close proximity, to Greenmount and another residential properties on Clonsilla Road, with a junction between, and in very close proximity, to these properties. It then runs to the north of the Beech Park lands, before crossing the railway and then the canal, on the line of Route 2, with two separate bridge structures and tying-in to the existing Barberstown Lane South (which will be upgraded as part of the proposed Ongar Barnhill Road scheme). The approximate length of proposed Route Option 2A is 2.90km.

4.1.6 Route Option 2B (Mustard)

Proposed Route Option 2B commences at the existing signalised junction with Portertown Link Road and Diswellstown Road, and follows the line of Route Option 2 until after it runs to the north of the Beech Park lands, before it turns south prior to crossing the railway and canal, allowing this option to cross the railway and canal with one bridge structure (using the line of Route Option 3) before it ties-in to the existing Barberstown Lane South (which will be upgraded as part of the proposed Ongar Barnhill Road scheme). The approximate length of proposed Route Option 2B is 3.00km.

4.1.7 Route Option 2C (Blue)

Proposed Route Option 2C commences at the existing signalised junction with Portertown Link Road and Diswellstown Road, and follows the line of Route Option 2 until it runs to the north of Beech Park. It then joins Route Option 1 to run through the northern area of the Study Area, parallel to the line of the Maynooth-Dublin rail line before crossing the railway and then canal with two separate bridge structures and tying-in to the existing Barberstown Lane South. The approximate length of proposed Route Option 2C is 3.00km.

4.1.8 Route Option 3 (Yellow)

Proposed Route Option 3 commences at the existing signalised junction with Portertown Link Road and Diswellstown Road, and initially follows the route of Kellystown Road from the Development Plan before it diverts south to the junction of Luttrellstown Road and Clonsilla Road. This Option then runs along Luttrellstown Road providing an upgrade of the existing road, including pedestrian and cycle facilities. The upgrade of Luttrellstown Road along its existing line is a Do Minimum option for this section of the scheme, with the proposal to upgrade and provide traffic management on the existing road as an alternative to construction of a new road. It then crosses the railway and canal with a single bridge structure before joining the existing upgraded Barberstown Lane South (upgraded as part of the proposed Ongar Barnhill Road scheme). The footpath and cycletrack would be provided behind the existing tree line and hedgerow. Route Option 3 has an approximate length of 2.80km.

4.1.9 Route Option 3A (Moss)

Proposed Route Option 3A commences at the existing signalised junction with Portertown Link Road and Diswellstown Road, and initially follows the route of Kellystown Road from the Development Plan before it diverts south to the junction of Luttrellstown Road and Clonsilla Road. This Option then runs along Luttrellstown Road providing an upgrade of the existing road, including pedestrian and cycle facilities, and diverting stretches of the road into adjoining land in order to achieve sightlines and a vertical alignment that is in line with the DMRB. It would then cross the railway and canal with a single bridge structure before joining the existing upgraded Barberstown Lane South (upgraded as part of the proposed Ongar Barnhill Road scheme). Route Option 3A has an approximate length of 2.90km.

4.1.10 Route Option 3B (Dark Blue)

Proposed Route Option 3B runs along the line of Route Option 3 (or 3A) until it diverts south of Route Option 3 to cross the railway and canal with a shorter bridge crossing before joining the existing upgraded Barberstown Lane South (upgraded as part of the proposed Ongar Barnhill Road scheme). Route Option 3A has an approximate length of 2.90km.

4.2 Preferred Route

Following the detailed appraisal of each of the routes, as per TII's Project Management Guidelines 2010, **Route Option 3** was taken forward as the Preferred Route for the Kellystown Road Scheme. This appraisal, which is fully set out in the Route Selection Report prepared by Clifton Scannell Emerson Associates, was based on a full assessment and comparison of all relevant engineering, environmental and economic parameters.

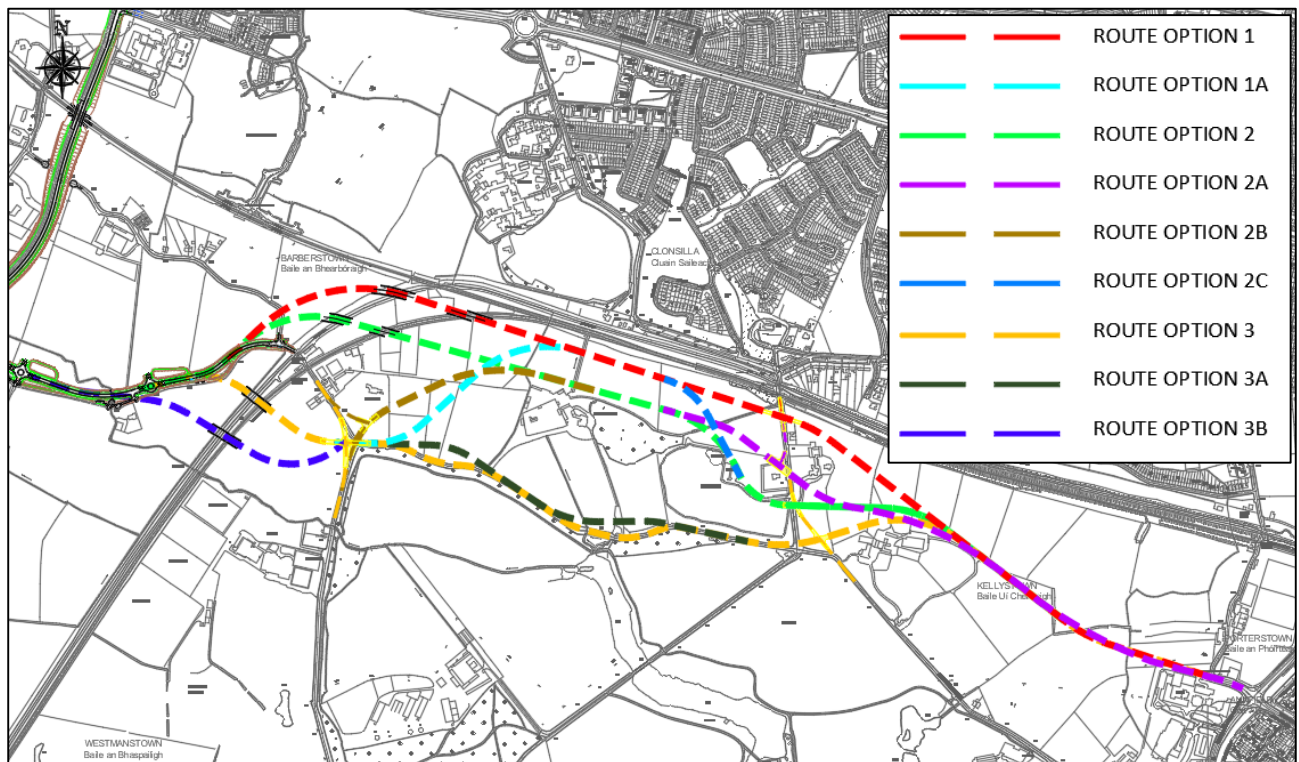


Figure 3: Proposed Kellystown Road Scheme route options (please refer to the Route Selection Report for a high resolution version of the drawing)

5 Potential impacts from the proposed Kellystown Road Scheme, including in-combination effects

5.1 European sites and habitats with links to European sites

With the exception of the Royal Canal, which is a proposed Natural Heritage Area (pNHA) the lands within the study area are not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants* (Curtis & McGough, 1988), the *Flora Protection Order*, 2015 or the *EU Habitats Directive*, are known to occur within the site.

Although a number of the hedgerows, tree lines and other features have local ecological significance, no features of any ecological significance in the context of European sites are present within the Kellystown Road Scheme study area. No evidence of any habitats or species with links to European sites was recorded in the desk study or

during the field surveys undertaken and no ‘reservoir’ type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation Interest species in any European site) are present.

There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the development of the proposed Kellystown Road Scheme. The lands within the Kellystown site do not in any way act as an important *ex-situ* site for any European site (SPA) SCIs.

Other than minor ditches and the Barnhill Stream on the south eastern boundary there are no watercourses within the study area. There is, nevertheless, a potential water pathway, between the proposed Kellystown Road Scheme study area and coastal European sites associated with Dublin Bay (the nearest of which, South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC and South Dublin Bay SAC are all over 13km to the east). There is also a potential groundwater pathway between the study area and the European sites should indirect discharges (i.e. spillages to ground) occur. The potential pathway is via the Royal Canal of the site and the River Liffey, which is located to the south. There is however no pathway between the study area and the nearest European site (Rye Water Valley/Carton SAC). This site is almost 3.5km to the west at its nearest point, and entirely unconnected.

Despite the presence of these theoretical pathways, and regardless of the route option assessed, the risk of contamination of any watercourses or groundwater is extremely low, and even in the event of a pollution incident occurring during the development of the proposed Kellystown Road Scheme that would be significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that **this would not be perceptible in the offshore European sites**, for the following reasons:

- The distance to the European sites – although for example the designated sites of Dublin Bay are within approximately 13km (straight-line distance to the east), there is no direct pathway between the Kellystown Road Scheme study area and these European sites. In order to deliver the preferred route a bridge crossing of the Royal Canal will be required. This bridge will be a clear span structure over both the canal and the railway line, with no piers in, or close to, the canal bank;
- Any pollution entering either the Royal Canal or the Barnhill Stream from the construction site would be so diluted as to be entirely undetectable by the time the water enters the sea;
- The fact that a significant level of dilution and mixing of surface and sea water would occur in any event. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters;
- There is no conceivable pathway between the proposed development site at Kellystown and any other European sites.

There is no possibility of the proposed Kellystown Road Scheme, either as a result of the development of the preferred route or any other option, adversely impacting on the conservation objectives of any of the QIs or SCIs of any European sites in, or associated with, Dublin Bay (currently categorized as “unpolluted” according to the EPA database³) as a result of surface water run-off or discharges.

Further, there is no possibility of any other potential direct, indirect or secondary impacts on any European site as a result of the proposed Kellystown Road Scheme, from the development of the preferred route or any other option. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction.

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

³ <https://gis.epa.ie/EPAMaps/>

Kellystown Road Scheme

Preliminary Review of Screening for Appropriate Assessment

Details of the potential impacts of the development of the proposed Kellystown Road Scheme on European sites are presented in Table 1.

Kellystown Road Scheme

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Table 1 lists relevant European sites and outlines their Qualifying Interests/Special Conservation Interests and Conservation Objectives*

European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
Rye Water Valley/Carton SAC (site code 001398), c.3.4km to the west	<p>7220 Petrifying springs with tufa formation (Cratoneurion)* Species 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) 1014 Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>)</p> <p>According to this SAC's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), 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.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is over 3km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Glenasmole Valley SAC (site code 001209), c.13.7km to the south	<p>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 (Molinia caerulea) 7220 Petrifying springs with tufa formation (Cratoneurion)</p> <p>According to this SAC's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), 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.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 14km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
South Dublin Bay SAC (site code 000210), c.13.8km to the south east	<p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>The following habitats are listed as Qualifying Interests on the NPWS website, but are not included in the Conservation Objectives document:</p> <p>(1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes)</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during the development of the proposed Kellystown Road Scheme could potentially 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.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the Kellystown Road Scheme study area. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in South Dublin Bay SAC.</p>

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
	According to this SAC's site Conservation Objectives document (Version 1, dated 22 nd August 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat for which the SAC has been selected.	<p>This is due to the significant separation between the Kellystown Road Scheme lands and the European site – it is over 14km (straight line distance) from the SAC. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the development of the proposed Road Scheme.</p>
North Dublin Bay SAC (site code 000206), c.15.4km to the east	<p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1210 Annual vegetation of drift lines</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>2110 Embryonic shifting dunes</p> <p>2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>2190 Humid dune slacks</p> <p>1395 Petalwort (<i>Petalophyllum ralfsii</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 06th November 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during the development of the proposed Kellystown Road Scheme could potentially 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.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the Kellystown Road Scheme study area. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in North Dublin Bay SAC.</p> <p>This is due to the significant separation between the Kellystown Road Scheme lands and the European site – it is over 15km (straight line distance) from the SAC. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the development of the proposed Road Scheme.</p>
Wicklow Mountains SAC (site code 002122), c.15.8km to the south	<p>3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>)</p> <p>3160 Natural dystrophic lakes and ponds</p> <p>4010 Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <p>4030 European dry heaths</p> <p>4060 Alpine and Boreal heaths</p> <p>6130 Calaminarian grasslands of the <i>Violetalia calaminariae</i></p> <p>6230 Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)*</p> <p>7130 Blanket bogs (* if active bog)</p>	<p>There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 16km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.</p>

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
	<p>8110 Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani)</p> <p>8210 Calcareous rocky slopes with chasmophytic vegetation</p> <p>8220 Siliceous rocky slopes with chasmophytic vegetation</p> <p>91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles</p> <p>1355 Otter (<i>Lutra lutra</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 31st July 2017), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>	
Malahide Estuary SAC (site code 000205), c.16.8km to the north east	<p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritima)</p> <p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 27th May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 17km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Baldoye Bay SAC (site code 000199), c.18.3km to the north east	<p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (Glauco-Puccinellietalia maritima)</p> <p>1410 Mediterranean salt meadows (Juncetalia maritimi)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 19th November 2012), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is over 18km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
Rogerstown Estuary SAC (site code 000208), c.19.7km to the north east	<p>1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 14th August 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 20km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Howth Head SAC (site code 000202), c.21.0km to the east	<p>1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 06th December 2016), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitats for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is Approximately 21km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Rockabill to Dalkey Island SAC (site code 003000), c.21.6km to the east;	<p>1170 Reefs 1351 Harbour porpoise (<i>Phocoena phocoena</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 07th May 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during the development of the proposed Kellystown Road Scheme could potentially 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.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the Kellystown Road Scheme study area. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in Rockabill to Dalkey Island SAC.</p>

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
		<p>This is due to the significant separation between the Kellystown Road Scheme lands and the European site – it is almost 22km (straight line distance) from the SAC. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the development of the proposed Road Scheme.</p>
Red Bog, Kildare SAC (site code 000397), c.21.6km to the south west	<p>7140 Transition mires and quaking bogs</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 17th July 2019), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 22km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Knocksink Wood SAC (site code 000725), c.22.7km to the south east	<p>7220 Petrifying springs with tufa formation (Cratoneurion)* 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*</p> <p>According to this SAC's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), 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.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is almost 23km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
Ireland's Eye SAC (site code 002193), c.23km to the east	<p>1220 Perennial vegetation of stony banks 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 27th January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SAC. It is approximately 23km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the development of the proposed Road Scheme.
South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.13.8km to the east	<p>A144 Sanderling (<i>Calidris alba</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A149 Dunlin (<i>Calidris alpina</i>) A162 Redshank (<i>Tringa totanus</i>)</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during the development of the proposed Kellystown Road Scheme could potentially contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such</p>

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
	<p>A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A143 Knot (<i>Calidris canutus</i>) A192 Roseate Tern (<i>Sterna dougallii</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>) Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 9th March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the Kellystown Road Scheme study area. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in South Dublin Bay and River Tolka Estuary SPA.</p> <p>This is due to the significant separation between the Kellystown Road Scheme lands and the European site – it is over 14km (straight line distance) from the SPA. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of wetland habitat or species, or disturbance to the special conservation interests of this site as a result of the development of the proposed Road Scheme.</p>
North Bull Island SPA (site code 004006), c.15.5km to the east	<p>A160 Curlew (<i>Numenius arquata</i>) A149 Dunlin (<i>Calidris alpina</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A144 Sanderling (<i>Calidris alba</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A143 Knot (<i>Calidris canutus</i>) A169 Turnstone (<i>Arenaria interpres</i>) A054 Pintail (<i>Anas acuta</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A052 Teal (<i>Anas crecca</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A056 Shoveler (<i>Anas clypeata</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 9th March 2015), for each of the listed SCIs, the</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during the development of the proposed Kellystown Road Scheme could potentially 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.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the Kellystown Road Scheme study area. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in North Bull Island Estuary SPA.</p> <p>This is due to the significant separation between the Kellystown Road Scheme lands and the European site – it is over 15km (straight line distance) from the SPA. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of wetland habitat or species, or disturbance to the special conservation interests of this site as a result of the development of the proposed Road Scheme.</p>

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
	Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	
Broadmeadow/Swords Estuary (Malahide Estuary) SPA (site code 004025), c.16.9km to the north east	<p>A048 Shelduck (<i>Tadorna tadorna</i>) A054 Pintail (<i>Anas acuta</i>) A067 Goldeneye (<i>Bucephala clangula</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A162 Redshank (<i>Tringa totanus</i>) A143 Knot (<i>Calidris canutus</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A149 Dunlin (<i>Calidris alpina</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A069 Red-breasted Merganser (<i>Mergus serrator</i>) A005 Great Crested Grebe (<i>Podiceps cristatus</i>) A999 Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 16th August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is almost 17km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Wicklow Mountains SPA (site code 004040), c.17.3km to the south	<p>A098 Merlin (<i>Falco columbarius</i>) A103 Peregrine (<i>Falco peregrinus</i>)</p> <p>According to this SPA's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), for each of the listed SCIs, the Conservation Objectives are to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is over 17km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Baldoyle Bay SPA (site code 004016), c.18.5km to the north east	<p>A137 Ringed Plover (<i>Charadrius hiaticula</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>)</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is almost 19km distant and is completely unconnected. Furthermore there will be

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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
	<p>A141 Grey Plover (<i>Pluvialis squatarola</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A999 Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 27th 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.</p>	no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Rogerstown Estuary SPA (site code 004015), c.20.4km to the north east	<p>A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A043 Greylag Goose (<i>Anser anser</i>) A143 Knot (<i>Calidris canutus</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A056 Shoveler (<i>Anas clypeata</i>) A149 Dunlin (<i>Calidris alpina</i>) A162 Redshank (<i>Tringa totanus</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) Wetlands</p> <p>According to this SPA's site Conservation Objectives document (dated 20th May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is over 20km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Poulaphouca Reservoir SPA (site code 004063), c.22.4km to the south west	<p>A043 Greylag goose (<i>Anser anser</i>) A183 Lesser black-backed gull (<i>Larus fuscus</i>)</p> <p>According to this SPA's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), for the listed SCI, the Conservation Objective is to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is over 22km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.



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European Site	Reasons for designation (information correct as of 17 th August 2020) (*denotes a priority habitat)	Source – Pathway – Receptor link
Ireland's Eye SPA (site code 004117), c.22.8km to the east	<p>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>According to this SPA's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), for each of the listed SCIs, the Conservation Objectives are to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is almost 23km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Howth Head SPA (site code 004113), c.23.8km to the east	<p>A188 Kittiwake (<i>Rissa tridactyla</i>)</p> <p>According to this SPA's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), for the listed SCI, the Conservation Objective is to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is almost 24km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.
Dalkey Islands SPA (site code 004172), c.24.0km to the south east	<p>A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A192 Roseate Tern (<i>Sterna dougallii</i>)</p> <p>According to this SPA's site Generic Conservation Objectives document (Version 7, dated 7th April 2020), for each of the listed SCIs, the Conservation Objectives are to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	There is no hydrological link or any other pathway between the Kellystown Road Scheme study area and this SPA. It is approximately 24km distant and is completely unconnected. Furthermore there will be no loss of wetland habitat or species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the development of the proposed Road Scheme.

*For completeness, this table includes all sites within 25km of the centre of the study area, however, as confirmed in Section 5.1, only the sites associated with Dublin Bay are linked in any way to the proposed development site. None of the other listed sites, and no sites further afield, are remotely linked to the Kellystown Road Scheme site, by virtue of distance, lack of a pathway and the reasons for their designation.



5.2 Summary of potential impacts of the Kellystown Road Scheme

The preferred route (Route Option 3, shown in yellow in Figure 3) is the main subject of this report. Regardless of the route however, there will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the development of the Kellystown Road Scheme. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

In addition there is no possibility of any impacts on water, via either surface or foul water, as a result of the development of the Kellystown Road Scheme, either through the development of the preferred route or any other option.

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

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

6 Other issues

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.

7 Mitigation specific to European sites

In relation to European sites, there will be no impacts as a result of the proposed development of the Kellystown Road Scheme. Therefore no mitigation is necessary or proposed for the protection of European sites or which was intended to avoid or reduce impacts on any European sites.

Accordingly, 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.

8 In-combination effects

It is a requirement of the Part XAB of the *Planning and Development Act 2000* that when considering whether a plan or project will have a significant effect on a European site the assessment must take into account in-combination effects with other current or reasonably foreseeable plans and projects. If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

Fingal County Council is developing a Draft Local Area Plan for the lands in the eastern part of the Kellystown Road Scheme study area. The Draft LAP has been guided by EU Directives, the National Planning Framework, Eastern Regional Spatial and Economic Strategy (RSES) and by the Fingal Development Plan 2017-2023 (including Variations to the Plan), in addition to various Government policy documents and guidelines. Variation No. 2 to

Fingal Development Plan 2017-2023 (adopted June 2020) aligns the Development Plan with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES).

Fingal Development Plan 2017-2023, (including Variations to the Plan), sets out the Council's policies and objectives for the development of the County over the Plan period. It seeks to develop and improve, in a sustainable manner the social, economic, environmental and cultural assets of the County. As with the Kellystown Road Scheme, the Draft LAP has had due regard to all relevant policies and objectives set out in the Development Plan.

The proposed Kellystown Road Scheme is in full compliance with all of the relevant policies and objectives of the Fingal Development Plan, as varied. The Development Plan was itself subject to Appropriate Assessment. No developments are proposed that would, in combination with the Kellystown Road Scheme, give rise to significant effects. This includes the Draft Kellystown LAP and the Ongar to Barnhill Road Scheme.

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

9 Preliminary screening conclusion

The preferred route of the Kellystown Road Scheme, as well as each of the route options as set out and described in the CSEA Route Selection Report, have been reviewed against the Conservation Objectives of the relevant European sites. In this report it is concluded that there is no possibility that the development of the Scheme could result in any likely significant effects on European sites on its own or in combination with other plans and projects.

This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

In view of best scientific knowledge therefore, this Preliminary Review of Screening for Appropriate Assessment report concludes that the Kellystown Road Scheme, individually or in combination with another plan or project, is not likely to have a significant effect on European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives. Nevertheless, full screening for the requirement for AA will be carried out as part of the future design and statutory approvals process.

Appendix I: Background

The European⁴ network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as ‘European Sites’ or ‘Natura 2000 sites’) that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

The main aim of the Habitats Directive is “to contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies”. Any actions taken must be designed to “maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest”. Under Article 6 of the Habitats Directive, an assessment is required where a plan or project may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Importance (SCI) are considered in this process;

Article 6 (paragraphs (3) and (4)) of the Habitats Directive states that:

(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

(4) If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

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

The requirements of the Habitats Directive are transposed into Irish law by means of the *European Communities (Birds and Natural Habitats) Regulations 2011-2015* (hereafter referred to as the *Birds and Habitats Regulations*) 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 (2001)⁵ sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise four distinct stages:

Stage 1: Screening is the process which initially identifies the likely significant effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an Appropriate Assessment. There is European Court of Justice case law to the

⁴ The EU Habitats Directive, Article 3.1, states “A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title European”

⁵ European Commission (2001) *Assessment of Plans and Projects Significantly Affecting European Sites: Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC*

effect that unless the likelihood of a significant effect can be ruled out on the basis of objective information, then an Appropriate Assessment must be made.

Stage 2: Appropriate Assessment is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

Stage 3: Assessment of alternative solutions is the process which examines alternative ways of achieving the objectives of the project or plan that would avoid impacts on the integrity of the European site, should avoidance or mitigation measures be unable to cancel out adverse effects.

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain. At Stage 4 an assessment is made with regard to whether or not the development is necessary for imperative reasons of overriding public interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the European network.

Conservation Objectives of European sites

The conservation objectives for a European Site are intended to represent the aims of the Habitats and Birds Directives in relation to that site. To this end, habitats and species of European Community importance should be maintained or restored to 'favourable conservation status' (FCS), as defined in Article 1 of the Habitats Directive below:

The conservation status of a natural habitat will be taken as 'favourable' when:

- Its natural range and the area it covers within that range are stable or increasing;
- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Guidance from the European Commission⁶ indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

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

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;

Assess the likely significance of any effects on European sites.

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

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