Proposed Housing Development at Seatown Road, Swords, Co. Dublin

APPROPRIATE ASSESSMENT SCREENING REPORT

Environmental Assessment

Built Environment

Client: **Fingal County Council**

Date: **20 December 2022**

DOCUMENT CONTROL SHEET

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Contents

1 Introduction

1.1 Background

Fingal County Council (FCC) is seeking permission under Part 8[1] of the Planning and Development Regulations 2001-2022 for the development of social housing at two sites on either side of St. Columcille's Drive on Seatown Road, Swords, Co. Dublin (collectively referred to 'the proposed development' hereafter). The proposed development will consist of the demolition of 12 dwellings and the construction of 36no. residential apartment units and associated infrastructure.

Brady Shipman Martin was appointed by the Applicant to prepare a report to assist the Competent Authority, Fingal County Council, in undertaking a screening exercise for Appropriate Assessment (AA). The purpose of the screening exercise is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with other plans or projects, is likely to have a significant effect on the European sites, taking into account their conservation objectives.

This document constitutes an Appropriate Assessment Screening Report ('AA Screening Report') prepared for this purpose.

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

1.2 Expertise and Qualifications

This AA Screening Report has been prepared by Namrata Kaile, Ecologist and Environmental Consultant at Brady Shipman Martin. She holds a Bachelor's Degree (BSc) in Life Sciences from University of Delhi and a Master's Degree (MSc) with distinction in Environmental Sciences from Trinity College Dublin. She is a qualifying member of Chartered Institute of Ecology and Environmental Management (CIEEM) and has been working professionally in the field of environmental consultancy for the last three years. Namrata is experienced in drafting and reviewing AA Screening Reports, EIA Screening Reports as well as in coordination of EIARs.

A technical review of this document has been completed by Senior Ecologist and Associate, Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal Requirement for Appropriate Assessment

European sites make up a network of sites designated for nature conservation under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the "Habitats Directive") and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the "Birds Directive"). The requirements for

[1] Provisions with respect to specified development by, or on behalf of, or in partnership with local authorities

Appropriate Assessment are set out under Article 6 of the Habitats Directive, transposed into Irish law by the European Union (Birds and Natural Habitats) Regulations 2011-2015[2] (the "Birds and Natural Habitats Regulations") and the Planning and Development Act, 2000 - 2022 (the "Planning Acts").

European sites are also known as 'Natura 2000 Sites' (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). As defined in section 177R of the Planning Acts, "European site" means:

(a) a candidate site of Community importance,
(b) a site of Community importance,
(ba) a candidate special area of conservation,
(c) a special area of conservation,
(d) a candidate special protection area and
(e) a special protection area.

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

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

The first test is to establish whether, in relation to a particular plan or project, Appropriate Assessment is required. Sections 177U of the Planning Acts require that the AA screening test must be applied to the proposed development, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

This AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts, the Birds and Natural Habitats Regulations and all relevant legislations.

2 Methodology

2.1 Guidelines

This report takes the aforementioned legislation and the following guidance documents into account:

- Chartered Institute of Ecology and Environmental Management (CIEEM). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine,* September 2018, updated in September 2019 (V1.1), further updated in April 2022 (V1.2);

[2] SI No. 477 of 2011

- Department of Environment, Heritage and Local Government (DoEHLG) (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities;*
- DoEHLG (2010b). *Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities;*
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC;*
- European Commission (2018). *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC;*
- Directorate – General for Environment (European Commission), (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*;
- National Roads Authority (NRA)[3] (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes;*
- Office of the Planning Regulator (OPR) (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management;*
- National Parks and Wildlife Services (NPWS) (2021). *Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.*

2.2 Baseline Data Collection and Field Visits

A desk-based assessment was undertaken in September 2022 of the proposed development site and its environs. The appraisal focussed 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) for European sites. The site was also visited by the authors on 7 September 2022.

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

An examination of available information from Bat Conservation Ireland (BCI), previous data from neighbouring sites was also undertaken to compile a list of most likely species in the overall area in addition to the evaluation of the habitat for bats. There are no bat species listed as Qualifying Interests in any European sites within the Zone of Influence. However, Article 12 of the Habitats Directive requires Member States to take *requisite measures to establish a system of strict protection of animal species listed in Annex IV(a) in their natural range*. The potential impacts of the proposed development on bats and otters (also protected under Article 12 of the Habitats Directive) are assessed in the Environment Impact Assessment Screening that accompanies the planning application.

Information was collated from the organisations and websites listed below:

- Data on European sites and rare and protected plant and animal species contained in the following databases:
  - The National Parks and Wildlife Service (NPWS) of the Department of Housing, Local Government and Heritage (www.NPWS.ie);
  - The National Biodiversity Data Centre (NDBC) (www.biodiversityireland.ie);
  - BirdWatch Ireland (www.birdwatchireland.ie);
  - Bat Conservation Ireland (www.batconservationireland.org).
- Information on land-use zoning from the online mapping of the Department of the Environment, Community and Local Government (http://www.myplan.ie/en/index.html);

[3] Now Transport Infrastructure Ireland (TII).

- Recent and historical OSi mapping and aerial imagery, including www.geohive.ie;
- 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);
- Draft Fingal Development Plan 2023-2029 including the accompanying Appropriate Assessment documentation (Natura Impact Report).

This report takes full account of the design of the proposed development, and a detailed examination of all relevant elements of the proposal as it currently stands, was undertaken.

3 Description of the Proposed Development

3.1 Site Location

The proposed site (refer to Figures 3.1 and 3.2 below) is located on Seatown Road in Swords, Co. Dublin. The proposed development is comprised of two sites, located either side of St. Columcille's Drive in the Swords Village Centre. The proposed development sites are bound to the south by residential dwellings and to the north by Seatown Road. The proposed Site 1 is bounded to the east by 'Aldi' retail store and the proposed Site 2 is bounded to west by Fingal County Council County Hall.

The proposed development site is brownfield and is currently occupied by 12no. residential dwellings. The total area of the site is 0.39 Ha, where Site 1 is 0.21 Ha and Site 2 is 0.18 Ha.

Figure 3.1 The location of the proposed development site at Seatown Road, Swords (red line is indicative, for full details refer to the accompanying documentation)

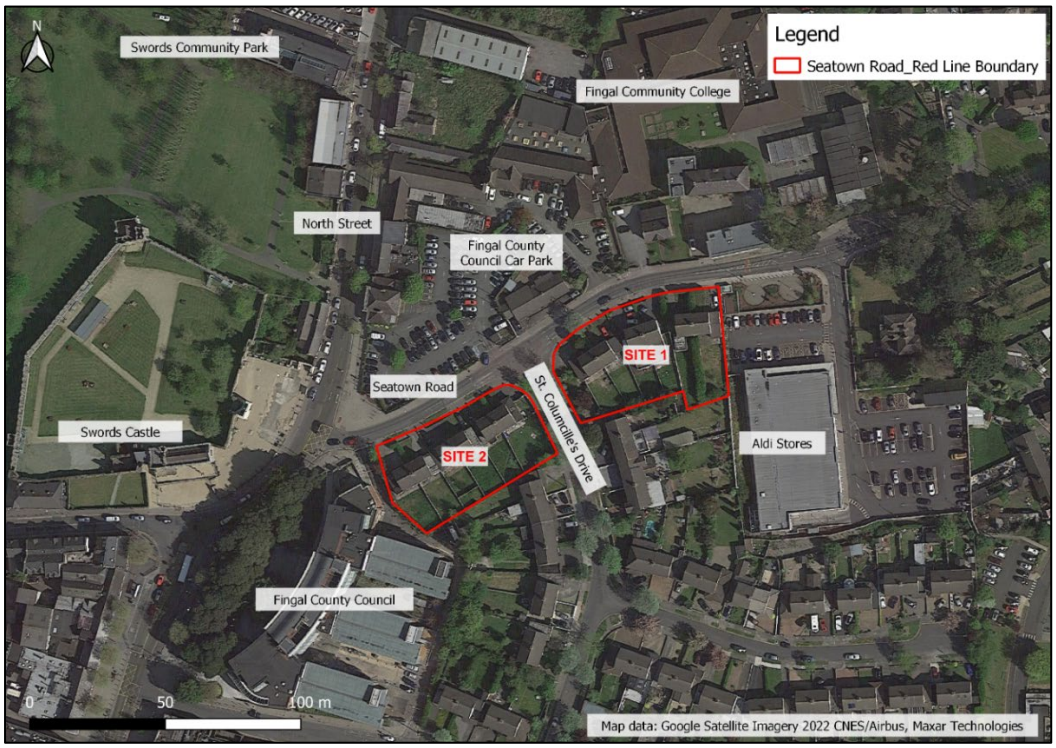


Figure 3.2 Proposed development site layout

3.2 Development Description

The proposed development will comprise the demolition of total 12 no. existing 2-storey semi-detached dwellings on Site 1 (6 no.) & Site 2 (6 no.) and the proposed construction of two no. 4-storey apartment buildings (total 36 units), landscaping works for both sites including boundary walls, SUDS drainage, and all associated site works. Site 1 includes 20 no. 2 bed (4 person) apartments across 4 floors with stairs/lift and external walkway access, hard and soft landscaping, 10 no. car parking spaces, communal bin store, secure bike store and communal open space. Site 2 includes 8 no. 2 bed (4 person) apartments and 8 no. 2 bed (3 person) apartments across 4 floors with stairs/lift and external walkway access, hard and soft landscaping, 8 no. car parking spaces, bin store, secure bike stores and communal open space.

The new apartment blocks will be constructed on two sites, located either side of St. Columcille's Drive in the Swords Village Centre, Co. Dublin (Figures 3.1 and 3.2 above).

For further information refer to the Engineering Service Report and associated drawings prepared by Lohan and Donnelly Consulting Engineers (2022) and submitted as part of the application. site

3.3 Water Infrastructure

3.3.1 Supply

The Engineering Service Report that accompanies the Part 8 application (Lohan and Donnelly Consulting Engineers, 2022) states there is an existing public 6-inch watermain on Seatown Road and a public 4-inch watermain on St. Columcilles Drive. An underground survey has been undertaken to identify the watermain lines and is included in the Engineering Service Report.

It is proposed to provide watermain 80mm (internal diameter) HDPE service connections to the two new apartment blocks. These service connections will connect to the public 4-inch watermain on St. Columcilles Drive. A pre-connection inquiry form has been submitted to Irish Water for this development.

3.3.2 Drainage

3.3.2.1 Surface Water

The Engineering Service Report (Lohan and Donnelly Consulting Engineers, 2022) states there is an existing public 150mm and 225mm surface water sewer and another 225mm surface water sewer on Seatown Road. An underground survey has been undertaken to identify the drainage lines and is included in the Engineering Service Report.

It is proposed to attenuate all surface water from the site to 2.0l/s via hydro-brake manholes and stormtech MC 3500 chambers will be used to provide the required attenuation storage volume. It is proposed to discharge attenuated surface water to the public surface water sewer. The surface water systems have been designed for the 1 in 100 year storm event and include for 20% increase in rainfall intensity to cater for climate change.

It is proposed to use a sustainable urban drainage system (SuDS) approach to stormwater management throughout the site. SuDS are a requirement of Fingal County Council and surface water management for the proposed development will be designed to comply with the 'Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005' and the 2009 OPW Guidelines 'The Planning System and Flood Risk Management'. Interception storage of surface water will be provided by permeable paving to external footpath and car space areas, green sedum surface finish to all the blue roof areas and vegetation external areas.

3.3.2.2 Foul Water

The Engineering Service Report (Lohan and Donnelly Consulting Engineers, 2022) states that there is a public 225mm concrete foul water sewer running down Seatown Road and on St. Columcilles Drive. An underground survey has been undertaken to identify the foul drainage lines and is included in the Engineering Service Report.

All sewers are designed in accordance with IS 752: 2008 and Building Regulations TGD Part H. All drainage works shall be in accordance with the requirements of Irish Water and Fingal County Council. It is proposed that wastewater from the development is to flow via gravity to the existing foul line on St. Columcilles Drive.

Foul water pipe sizing has been derived from wastewater loadings of 150 l/person/day and an allowance of 2.7 people per unit. It is proposed to provide a 150Ø pipe at a gradient of 1/60, a capacity of 21.3 l/s and a flow velocity of 1.21m/s for the proposed 36 apartment units which generates a dry weather flow (1DWF) of 0.168 l/s with a 6DWF of 1.01 l/s.

A pre-connection enquiry form has been submitted to Irish Water for this development.

3.4 Flood Risk Assessment

A Flood Risk Assessment Report has been prepared by Lohan and Donnelly Consulting Engineers (2022) and submitted as part of this application. The assessment identifies no recorded historic flood events in the vicinity of the site and states that there is no envisaged risk from costal, tidal, fluvial, pluvial or

groundwater flooding at the proposed site. Due to this low probability of flooding, the proposed site is within Flood Zone Type C region.

There are no proposed flood alleviation measures as the site is not in an area subject to flooding and there has been no recorded floods at the site location. Surface water from each site will be attenuated to 2.0 l/s. Green roof to the upper roof levels will allow for interception storage of surface water.

4 Screening for Appropriate Assessment

4.1 Background

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

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

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

Screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

Following screening therefore, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment under section 177V of the Planning Acts for the purposes of compliance with Article 6(3) of the Habitats Directive. This means that if the conclusions at the end of the screening exercise are that significant effects on any European sites, as a result of the proposed development, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

4.2 Potential Zone of Influence

This assessment is based on the source-pathway-receptor model, which dictates that, for an effect to occur, there must be a 'source' (such as a construction site); a 'receptor' (such as a designated site for nature conservation); and a 'pathway' between the two (such as a watercourse that links the construction site to the designated site). A construction site or completed development may also create a barrier to movement, for example, by preventing the migration of fauna along a river corridor, or by obstructing the migration of birds.

Identification of a potential effect means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the potential effect and the characteristics of the receptor. Although there may be a risk of an impact, it may not necessarily occur, and if it does occur, it may not be significant.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. In 2010, DoEHLG stated that (pp. 31 – 32):

"The approach to screening is likely to differ somewhat for plans and projects, depending on scale and on the likely effects, but the following should be included:

1. *Any Natura 2000 sites within or adjacent to the plan or project area*
2. *Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects*
3. *Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the cases of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment."*

The 2021 Office of the Planning Regulator (OPR) guidelines, *Practice Note PN01: Appropriate Assessment Screening for Development Management*, state that the Zone of Influence *"should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km)"* (p. 8).

Therefore, considering the nature, scale and location of the proposed development and in accordance with the source-pathway-receptor model, the potential Zone of Influence (ZoI) for the proposed development has been defined as follows:

- Any site to which there is a pathway from the proposed development site during either the construction or operational phase of the development.

There are no European sites within the immediate vicinity of the proposed development site at Seatown Road, Swords, Co. Dublin.

The nearest Natura 2000 sites are as follows (as shown in Figure 4.2):

- Special Areas of Conservation (SAC):
  - Malahide Estuary SAC (site code 000205), c. 1.0km to the north-east;
  - Rogerstown Estuary SAC (site code 000208), c. 4.7km to the north-east;
  - Baldoyle Bay SAC (site code 000199), c. 6.8km to the south-east;
  - Rockabill to Dalkey Island SAC (site code 003000), c. 9.7km to the east;
  - North Dublin Bay SAC (site code 000206), c. 10.3km to the south-east;
  - Ireland's Eye SAC (site code 002193), c. 11.5km to the south-east;
  - Lambay Island SAC (site code 000204), c. 12.6km to the east;
  - Howth Head Coast SAC (site code 000202), c. 13.2km to the south-east;
  - South Dublin Bay SAC (site code 000210), c. 14.2km to the south-east.
- Special Protected Areas (SPA):
  - Malahide Estuary SPA (site code 004025), c. 1.0km to the north-east;
  - Rogerstown Estuary SPA (site code 004015), c. 5km to the north-east;
  - Baldoyle Bay SPA (site code 004016), c. 6.9km to the south-east;
  - North Bull Island SPA (site code 004006), c. 9.8km to the south;
  - Ireland's Eye SPA (site code 004117), c. 11.0km to the south-east;
  - Lambay Island SPA (site code 004069), c. 13.2km to the north-east;

- Howth Head Coast SPA (site code 004113), c. 13.3km to the south-east;
- South Dublin Bay and River Tolka Estuary SPA (site code 004024), c. 13.6km to the south.

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

The site of the proposed development is not under any designation for nature conservation. The nearest European site is the Malahide Estuary SAC/SPA, c. 1.0km north-east.

A review of the Environmental Protection Agency (EPA) web-tool indicates that River Ward (IE_EA_08W010610) runs c. 170m to the west of the proposed development site. The River Ward flows northwards and joins Broadmeadow River (IE_EA_08B020800) before entering the Broadmeadow / Malahide Estuary approximately 2km downstream. There is therefore a potential surface water link between the proposed development site and the Malahide Estuary via the Ward River, should surface water arising at the site discharge to the Ward River. Refer to **Figure 4.1**.

A second potential link to coastal European sites is via the emission point of the Swords Wastewater Treatment Plant (WwTP), which will receive foul water flows from the proposed development during its operation. The capacity available at Swords Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of Irish Sea.

Figure 4.1 EPA waterbodies in the proximity of the proposed development (red lines are indicative – refer to the associated engineering drawings for full details)

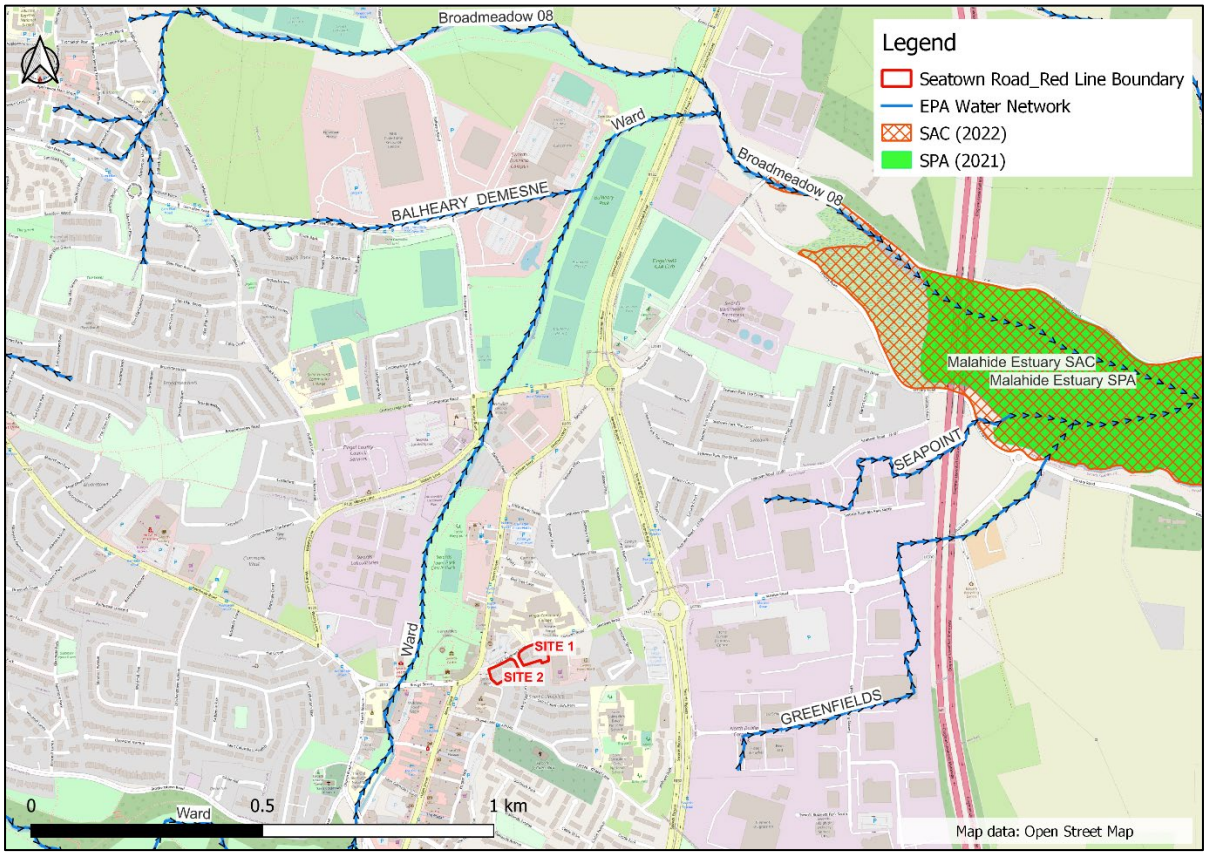
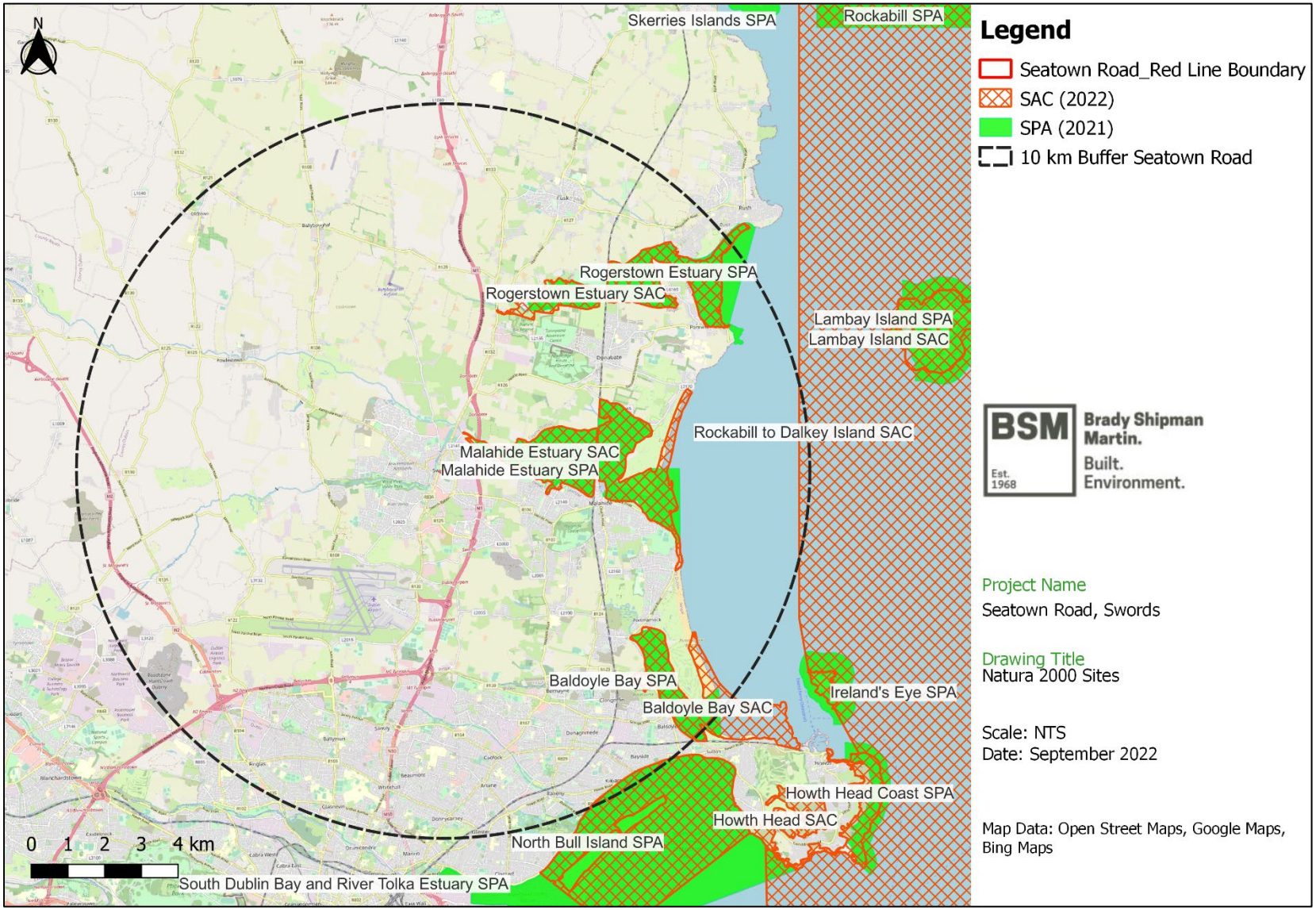


Figure 4.2 European sites within zone of influence of the proposed development. A 10km radius is shown for scale.



4.2.2 Other Designated Areas (other than European sites)

Designated sites other than European sites (i.e. proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA)) within the potential Zone of Influence have been included in this assessment in order to address their potential to act as supporting sites for European sites. There are no fully designated Natural Heritage Areas (NHA) within the potential Zone of Influence. The pNHAs within the ZoI are as follows:

- Malahide Estuary pNHA (site code 000205), c. 1.0km north-east;
- Rogerstown Estaury pNHA (site code 000208), c. 4.7km north-east;
- Portraine Shore pNHA (site code 001215), c. 7.1km north-east;
- Feltrim Hill pNHA (site code 001208), c. 2.6km south-east;
- Lambay Island pNHA (site code 000204), c. 12.6km east;
- Sluice River Marsh pNHA (site code 001763), c. 5.8km south-east;
- Baldoyle Bay pNHA (site code 000199), c. 6.8km south-east;
- Ireland's Eye pNHA (site code 000203), c. 11.5km south-east;
- Howth Head pNHA (site code 000202), c. 13.2km south-east;
- Santry Demesne pNHA (site code 000178), c. 6.4km south-west;
- North Dublin Bay pNHA (site code 000206), c. 10.3km south;
- Dolphins Dublin Docks pNHA (site code 000201), c. 13.1km south;
- South Dublin Bay pNHA (site code 000210), c. 14.2km south.

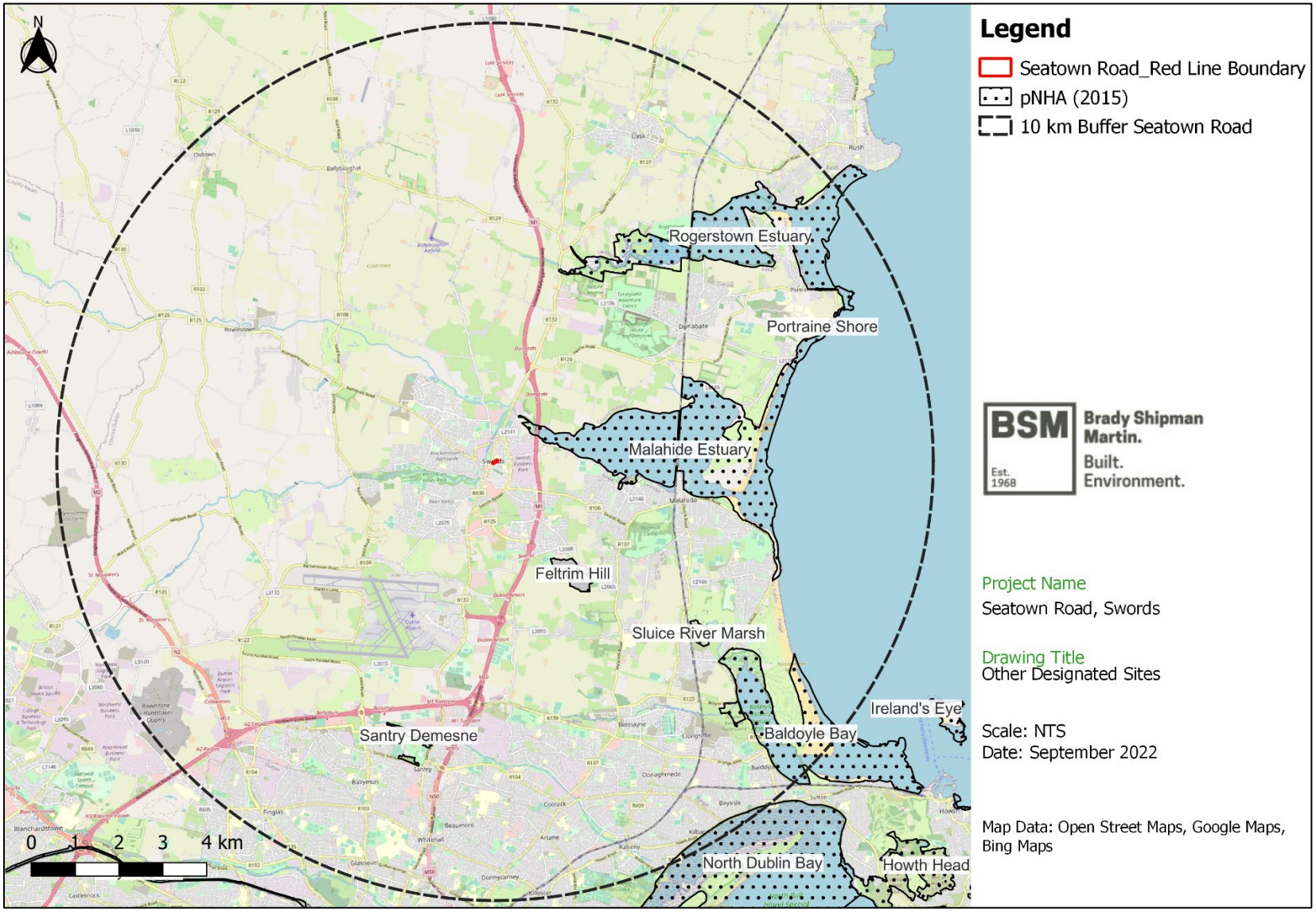
Note that above distances are as crow flies (i.e. linear distances). No impacts are expected on Malahide Estuary pNHA, nor on any other pNHA in the zone of influence.

Broadmeadow Estuary Ramsar site (833) is located c. 1.5km to the east of the site. The site includes an estuary cut off the sea by a large sand spit. The site includes well-developed saltmarshes, salt meadows, rocky shores, a well-developed outer dune ridge and sand mudflats exposed at low tide. Vegetation consists of a large bed of eelgrass (*Zostera noltii* and *Zostera angustifolium*) and extensive mats of green algae (Enteromorpha spp., *Ulva lactuca*). The estuary is an important wintering site for numerous species of waterbirds. The Brent goose population is of international importance. The high numbers of diving birds reflects the lagoon-type nature of the inner estuary.

Malahide Shellfish area is c. 7km to the east of the site and 'All Beds' are classified for bivalave mollusc and species of interest include razor clams. The site has seasonal classification and is classified as Class A (August to January) and then reverts to Class B at other times.

Figure 4.3 illustrates all of the pNHA within the potential Zone of Influence (including those which overlap with European sites).

Figure 4.3 pNHA sites within zone of influence of the proposed development. A 10km radius is shown for scale.



4.3 Study Area and Surrounding Environment

4.3.1 Site Location and European Sites

As per the *Fingal Development Plan 2017-2023* and the *Draft Fingal Development Plan 2023-2029*, the proposed site is zoned as *MC- Major Town Centre- 'Protect, provide for and/or improve major town centre facilities.'* The proposed development is comprised of two sites, located either side of St. Columcille's Drive in the Swords Village Centre, Co. Dublin. The site is already developed and in residential use, with 12no. existing houses present. These will be replaced with new, high quality apartments.

As noted in Section 4.2, the Ward River (IE_EA_08W010610) runs c. 170m to the west of the proposed development site. The Ward River flows northwards and joins Broadmeadow River (IE_EA_08B020800) before entering the Broadmeadow / Malahide Estuary approximately 2km downstream. The proposed development site is located within the Nanny-Delvin Catchment, Broadmeadow_SC_010 sub-catchment and Ward_040 sub-basin.

As per the WFD 2013-2018 status, the Ward River and Broadmeadow_040 River is of 'Poor' status and is 'At risk' of failing to achieve its WFD objective / good status by 2027. The third WFD cycle report for the Nanny Delvin catchment notes that the River Ward has 'Poor' ecological status and there is significant pressure on the Ward River due to hydromorphology (due to channelisation), urban run-off and urban waste water. The associated identified significant pressures on the Broadmeadow_040 River (IE_EA_08B020800) are due to agriculture and hydromorphology. As per the EPA maps, the Broadmeadow Estuary (Inner) is classified as a nutrient sensitive estuary (WFD code EA_060_0100) and is 'At risk' of achieving of failing to achieve its WFD objective / good status by 2027. The ecological status of the Estuary has degraded from 'Moderate' in WFD 2010-2015 cycle to 'Poor' in the WFD 2013-2018 cycle.

There are 17no. European sites located within the potential Zone of Influence (**Figure 4.2**):

- Malahide Estuary SAC (site code 000205), c. 1.0km to the north-east;
- Malahide Estuary SPA (site code 004025), c. 1.0km to the north-east;
- Rogerstown Estuary SAC (site code 000208), c. 4.7km to the north-east;
- Rogerstown Estuary SPA (site code 004015), c. 5km to the north-east;
- Baldoyle Bay SAC (site code 000199), c. 6.8km to the south-east;
- Baldoyle Bay SPA (site code 004016), c. 6.9km to the south-east;
- Rockabill to Dalkey Island SAC (site code 003000), c. 9.7km to the east;
- North Bull Island SPA (site code 004006), c. 9.8km to the south;
- North Dublin Bay SAC (site code 000206), c. 10.3km to the south-east;
- Ireland's Eye SPA (site code 004117), c. 11.0km to the south-east;
- Ireland's Eye SAC (site code 002193), c. 11.5km to the south-east;
- Lambay Island SAC (site code 000204), c. 12.6km to the east;
- Lambay Island SPA (site code 004069), c. 13.2km to the north-east;
- Howth Head Coast SAC (site code 000202), c. 13.2km to the south-east;
- Howth Head Coast SPA (site code 004113), c. 13.3km to the south-east;
- South Dublin Bay and River Tolka Estuary SPA (site code 004024), c. 13.6km to the south;
- South Dublin Bay SAC (site code 000210), c. 14.2km to the south-east.

The Conservation Objectives of these Sites are to maintain the favourable conservation condition of the QIs / SCIs in question. Where specific conservation objectives have been set out by the NPWS,

'favourable conservation condition' is defined in respect of specific attributes and targets for the habitat or species in question. For further information, refer to Appendix II.

5 Potential impacts from the proposed development including in-combination effects

5.1 European sites and habitats with links to European sites

The proposed development site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order*, 2022 or the EU Habitats Directive, are known to occur within the site and none were recorded.

No rare habitats or habitats of particularly high ecological value (i.e. International, National, County or Local Importance) are present at the site. No rare plants have been recorded on the site.

No evidence of any habitats or species with links to European sites was recorded during either the field survey or desk study 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. The site is entirely unsuited to use by any bird species listed as Special Conservation Interests in any of the European sites within the potential Zone of Influence.

No evidence of badgers, otters (protected under Article 12 of the Habitats Directive), amphibians or reptiles has been recorded within the proposed development area. There are no mature trees with bat potential on the site, and the existing buildings are of no more than low suitability for roosting bats. Nevertheless, as bats are very small and highly mobile creatures, as a precautionary measure, prior to demolition a bat survey shall be undertaken by a suitably experienced bat specialist.

Overall the development site has no ecological importance as defined by the ecological resource valuations presented in the National Roads Authority / Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

5.1.1 Potential impacts during construction

At any development site, demolition and construction activities pose a potential risk to water as surface / ground water arising at a site may contain contaminants. The main contaminants arising from construction activities may include suspended solids, hydrocarbons and concrete / cement products. If not properly managed, such pollutants could pose a temporary risk to surface water quality in the local surface water network during construction.

No watercourses are present within or connected to the proposed development site at Seatown Road, Swords. The nearest watercourse to the site, the Ward River, flows c. 170m to the west of the site. The Ward River flows northwards, joins the Broadmeadow River near Lissenhall and drains into Malahide Estuary near the M1 motorway, approximately 1.0km to the north-east of the proposed site.

Given the location of the site in relation to the Ward River a theoretical potential surface water pathway exists between the proposed development site and the two European sites associated with Malahide Estuary (i.e. Malahide Estuary SAC and Malahide Estuary SPA).

Considering the distance to the Ward River, there is no possibility that polluted surface water could be emitted directly to it. There is a possibility that contaminated surface water from the site could enter the municipal surface water drainage network adjacent to the site and be indirectly discharged to surface waters via the drainage network (e.g. during extreme rainfall events and / or high tides), thereby

creating an indirect hydrological pathway linking the proposed development site with European Sites downstream. There is also a potential groundwater pathway between the proposed development site and these European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

However, despite the presence of these indirect pathways, the risk of contamination of any watercourses or groundwater is extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in the offshore European sites, for the following reasons:

- There is a significant distance between the site of the proposed development and the nearest European sites. The nearest such site is the Malahide Estuary SAC/SPA, c.1.0km north-east (straight-line distance) and there is no direct pathway between the proposed development site and these European sites, other than potentially via the surface water drainage network and the Ward River;
- Any pollution from the demolition and construction works would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the estuary. A significant level of dilution and mixing of surface and sea water would occur in any event. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the receiving waters;
- In addition, the construction of the proposed development will take place over a comparatively short period. There is no possibility of long-term impacts arising as a result of the construction elements of the proposed development, given the nature and scale of the proposed development and its location in the centre of a busy town away from the European sites.

During the construction phase, typical environmental effects associated with construction works of this nature and scale are predicted, including potential elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, etc. These effects will be short-term in duration and at most, temporary and reversible. There will also be environmental risks associated with the presence of potential pollutants typically stored and used on-site (e.g. hydrocarbons, solvents, cementitious materials).

There is no possibility of any other potential direct, indirect or secondary impacts on any European site during the construction phase. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly there will be no emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site.

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

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

5.1.2 Potential impacts during operation

During the operational phase, typical environmental effects associated with the presence and operation of a residential apartment development are also predicted, including water consumption, surface and foul water loading to the municipal network, additional traffic volumes and direct and indirect greenhouse gas emissions. Operational phase effects are expected to be permanent in duration.

However, it is noted that the site is located in an existing urban setting (the centre of Swords) and all existing services are readily available. The type of development proposed is appropriate to the site.

As set out in the Engineering Service Report prepared by Lohan and Donnelly Consulting Engineers (2022) and discussed in Section 3.3.2, it is proposed to use a sustainable urban drainage system (SuDS) approach to storm water management throughout the site, in accordance with local and national guidance. It is proposed to attenuate all surface water from the site to 2.0l/s via hydro-brake manholes and stormtech MC 3500 chambers will be used to provide the required attenuation storage volume. It is proposed to discharge attenuated surface water to the public surface water sewer. The surface water systems have been designed for the 1 in 100 year storm event and include for 20% increase in rainfall intensity to cater for climate change. Interception storage of surface water will be provided by permeable paving to external footpath and car space areas, green sedum surface finish to all the blue roof areas and vegetation external areas.

Even in the total absence of any SuDS measures there would be no impacts on any European sites. The significant distances to European sites and the natural characteristics of the receiving waters ensure rapid mixing of water such that there is no possibility of any appreciable effect on water quality in European sites in any event.

The Flood Risk Assessment report by Lohan and Donnelly Consulting Engineers (20200) states that the proposed site is located in a flood zone type C and therefore the probability of experiencing a flood is 'low' and there is no fluvial, coastal, pluvial or groundwater flood risk at the site as per the Office of Public Works (OPW) CFRAM flood studies maps.

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

As per the Engineering Service Report prepared by Lohan and Donnelly Consulting Engineers (2022), there is a public 225mm concrete foul water sewer running down Seatown Road and on St. Columcille's Drive. It is proposed that wastewater from the development is to flow via gravity to the existing foul line on St. Columcilles Drive. A pre-connection enquiry form has been submitted to Irish Water for this development.

As noted in Section 3.3.2.2, once operational foul water flows from the proposed development will be directed to Swords Wastewater Treatment Plant (WwTP). The capacity available at Swords Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of the Irish Sea.

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

There is no possibility of any other potential direct, indirect or secondary impacts on any European site once the proposed development is operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation of the proposed development, and no interference with the key relationships that define the structure or function of any European site.

Operation-related impacts as a result of the proposed development, on European sites or otherwise, can therefore be excluded.

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

Table 5.1 Potential impacts on designated sites in the potential Zone of Influence

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Malahide Estuary SAC (000205) c. 1.0km to the north-east	▪ 1140 Mudflats and sandflats not covered by seawater at low tide ▪ 1310 Salicornia and other annuals colonising mud and sand ▪ 1320 Spartina swards (Spartinion maritimae) ▪ 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) ▪ 1410 Mediterranean salt meadows (Juncetalia maritimi) ▪ 2120 Shifting dunnes along the shoreline with Ammophila arenaria (white dunes) ▪ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* *indicates a priority habitat under the Habitats Directive According to this SAC's site Conservation Objectives document (Version 1, dated 27 May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the site clearance and demolition, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or to the Ward River and from there, eventually, to Malahide Estuary. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality in the proposed development site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the estuary and would not be perceptible in Malahide Estuary SAC, due to the very small volumes. This is due to the separation between the proposed development site and the European site – the proposed development site is c.1.0km (straight line distance) from the SAC and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the estuary. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		this or any other European site arising as a result of the proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed development. No operational impacts on this European site will occur as a result of the proposed development.	
Malahide Estuary SPA (site code 004025) c. 1.0km to the north-east	■ A005 Great Crested Grebe (*Podiceps cristatus)* ■ A046 Brent Goose (*Branta bernicla hrota)* ■ A048 Shelduck (*Tadorna tadorna)* ■ A054 Pintail *(Anas acuta)* ■ A067 Goldeneye (*Bucephala clangula)* ■ A069 Red-breasted (*Merganser Mergus serrator)* ■ A130 Oystercatcher (*Haematopus ostralegus)* ■ A140 Golden Plover (*Pluvialis apricaria)* ■ A141 Grey Plover (*Pluvialis squatarola)* ■ A143 Knot (*Calidris canutus)* ■ A149 Dunlin (*Calidris alpina alpina)* ■ A156 Black-tailed Godwit (*Limosa limosa)* ■ A157 Bar-tailed Godwit (*Limosa lapponica)* ■ A162 Redshank (*Tringa tetanus)* ■ A999 Wetlands	No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface/ground water arising during the site clearance and demolition, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or to the Ward River and from there, eventually, to Malahide Estuary. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough to impact upon surface/ground water quality in the proposed development site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the estuary and would not be perceptible in Malahide Estuary SPA, due to the very small volumes. This is due to the separation between the proposed development site and the European site – the proposed development site is c. 1.0km (straight line distance) from the SPA and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the estuary. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	According to this SPA's site Conservation Objectives document (Version 1, dated 16 August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed development. No operational impacts on this European site will occur as a result of the proposed development.	
Rogerstown Estuary SAC (site code 000208) c. 4.7km to the north-east	▪ 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 (Glauco-Puccinellietalia maritimae) ▪ 1410 Mediterranean salt meadows (Juncetalia maritimi) ▪ 2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes) ▪ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* *indicates a priority habitat under the Habitats Directive According to this SAC's site Conservation Objectives document (Version 1, dated 14 August 2013), for each of the listed QIs, the	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 4.7km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	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.		
Rogerstown Estuary SPA (site code 004015) c. 5km to the north-east	▪ A043 Greylag Goose (*Anser anser*) ▪ A046 Brent Goose (*Branta bernicla hrota*) ▪ A048 Shelduck (*Tadorna tadorna*) ▪ A056 Shoveler (*Anas clypeata*) ▪ A130 Oystercatcher (*Haematopus ostralegus)* ▪ A137 Ringed Plover (*Charadrius hiaticula)* ▪ A141 Grey Plover (*Pluvialis squatarola)* ▪ A143 Knot (*Calidris canutus*) ▪ A149 Dunlin (*Calidris alpina alpina*) ▪ A156 Black-tailed Godwit (*Limosa limosa)* ▪ A162 Redshank (*Tringa tetanus*) ▪ A999 Wetlands According to this SPA's site Conservation Objectives document (Version 1 - dated 20 May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 5km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	No
Baldoyle Bay SPA (site code 004016) c. 6.9km to the south-east	▪ A046 Brent Goose (*Branta bernicla hrota)* ▪ A048 Shelduck (*Tadorna tadorna*)	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 6.9km distant and is completely unconnected via surface water pathway.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	▪ A137 Ringed Plover (*Charadrius hiaticula)* ▪ A140 Golden Plover (*Pluvialis apricaria)* ▪ A141 Grey Plover (*Pluvialis squatarola)* ▪ A157 Bar-tailed Godwit (*Limosa lapponica)* ▪ A999 Wetlands According to this SPA's site Conservation Objectives document (Version 1 - dated 27 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	
Baldoyle Bay SAC (site code 000199) c. 6.8km to the south-east	▪ 1140 Mudflats and sandflats not covered by seawater at low tide ▪ 1310 Salicornia and other annuals colonising mud and sand ▪ 1330 Atlantic salt meadows (*Glauco-Puccinellietalia maritimae)* ▪ 1410 Mediterranean salt meadows (*Juncetalia maritimi*) According to this SAC's site Conservation Objectives document (Version 1, dated 19 November 2012), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 6.8km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Rockabill to Dalkey Island SAC (site code 003000) c. 9.7km to the east	▪ 1170 Reefs ▪ 1351 Harbour Porpoise *(Phocoena phocoena)* According to this SAC's site Conservation Objectives document (Version 1, dated 07 May 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 9.7km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No
North Bull island SPA (site code 004006) c. 9.8km to the south	▪ A046 Light-bellied Brent Goose (*Branta bernicla hrota)* ▪ A048 Shelduck (*Tadorna tadorna*) ▪ A052 Teal (*Anas crecca*) ▪ A054 Pintail (*Anas acuta*) ▪ A056 Shoveler (*Anas clypeata*) ▪ A130 Oystercatcher (*Haematopus ostralegus)* ▪ A140 Golden Plover (*Pluvialis apricaria*) ▪ A141 Grey Plover (*Pluvialis squatarola*) ▪ A143 Knot (*Calidris canutus*) ▪ A144 Sanderling (*Calidris alba*) ▪ A149 Dunlin (*Calidris alpina*) ▪ A156 Black-tailed Godwit (*Limosa limosa*) ▪ A157 Bar-tailed Godwit (*Limosa lapponica)* ▪ A160 Curlew (*Numenius arquata)*	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 9.8km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	■ A162 Redshank (*Tringa totanus)* ■ A169 Turnstone (*Arenaria interpres)* ■ A179 Black-headed Gull (*Chroicocephalus ridibundus)* ■ A999] Wetland According to this SPA's site Conservation Objectives document (Version 1, dated 9 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.		
North Dublin Bay SAC (site code 000206) c. 10.3km to the south-east	■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1210 Annual vegetation of drift lines ■ 1310 Salicornia and other annuals colonising mud and sand ■ 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) ■ 1395 Petalwort (*Petalophyllum ralfsii)* ■ 1410 Mediterranean salt meadows (Juncetalia maritimi) ■ 2110 Embryonic shifting dunes ■ 2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes) ■ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* ■ 2190 Humid dune slacks	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 10.3km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	According to this SAC's site Conservation Objectives document (Version 1, dated 06 November 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.		
Ireland's Eye SPA (site code 004117) c. 11.0km to the south-east	▪ A017 Cormorant (*Phalacrocorax carbo)* ▪ A184 Herring Gull (*Larus argentatus*) ▪ A188 Kittiwake (*Rissa tridactyla*) ▪ A199 Guillemot (*Uria aalge*) ▪ A200 Razorbill (*Alca torda*) According to this SPA's First Order site-specific Conservation Objectives document (Version 1, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 11.0km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	No
Ireland's Eye SAC (site code 002193) c. 11.5km to the south-east	▪ 1220 Perennial vegetation of stony banks ▪ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts According to this SAC's site Conservation Objectives document (Version 1, dated 27 January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 11.5km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	
Lambay Island SAC (site code 000204) c. 12.6km to the east	▪ 1170 Reefs ▪ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts ▪ 1364 Grey seal (Halichoerus grypus) ▪ 1365 Harbour seal (Phoca vitulina) According to this SAC's site Conservation Objectives document (Version 1, dated 22 July 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.	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 12.6km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No
Lambay Island SPA (site code 004069) c. 13.2km to the north-east	▪ A043 Greylag Goose (*Anser anser*) ▪ A200 Razorbill (*Alca torda*) ▪ A184 Herring Gull (*Larus argenta*tus) ▪ A009 Fulmar (*Fulmarus glacialis*) ▪ A204 Puffin (*Fratercula arctica*) ▪ A183 Lesser Black-backed Gull (*Larus fuscus)* ▪ A188 Kittiwake (*Rissa tridactyla*) ▪ A199 Guillemot (*Uria aalge*) ▪ A018 Shag (*Phalacrocorax aristotelis)* ▪ A017 Cormorant (*Phalacrocorax carbo)* According to this site's First Order site-specific Conservation Objectives document (Version 1, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 13.2km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	conservation condition of the bird species listed as Special Conservation Interests for this SPA.		
Howth Head Coast SAC (site code 000202) c. 13.2km to the south-east	▪ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts ▪ 4030 European dry heaths According to this SAC's site Conservation Objectives document (Version 1, dated 06 December 2016), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitats for which the SAC has been selected.	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 13.2km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	No
Howth Head Coast SPA (site code 004113) c. 13.3km to the south-east	▪ A188 Kittiwake (Rissa tridactyla) According to this SPA's Generic Conservation Objectives document (Version 9, dated 26 January 2022), for the listed SCI, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 13.3km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	No
South Dublin Bay and River Tolka Estuary SPA (site code 004024) c. 13.6km to the south	▪ A144 Sanderling (*Calidris alba*) ▪ A157 Bar-tailed Godwit (*Limosa lapponica)* ▪ A149 Dunlin (*Calidris alpina*) ▪ A162 Redshank (*Tringa totanus*)	There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 13.6km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	▪ A179 Black-headed Gull (*Chroicocephalus ridibundus*) ▪ A143 Knot (*Calidris canutus*) ▪ A192 Roseate Tern (*Sterna dougallii*) ▪ A046 Light-bellied Brent Goose (*Branta bernicla hrota*) ▪ A141 Grey Plover (*Pluvialis squatarola)* ▪ A130 Oystercatcher (*Haematopus ostralegus)* ▪ A194 Arctic Tern (*Sterna paradisaea*) ▪ A193 Common Tern (*Sterna hirundo*) ▪ A137 Ringed Plover (*Charadrius hiaticula)* ▪ A999 Wetlands According to this SPA's site Conservation Objectives document (Version 1, dated 9 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.	
South Dublin Bay SAC (site code 000210) c. 14.2km to the south-east	▪ 1140 Mudflats and sandflats not covered by seawater at low tide The following habitats are listed as Qualifying Interests on the NPWS website, but are not included in the Conservation Objectives document: (1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes)	There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 14.2km distant and is completely unconnected via surface water pathway. There is a potential indirect hydrological pathway between the proposed development and European Sites in Dublin Bay via the municipal wastewater drainage network (which contains overflow arrangements) and the Swords WWTP. However, as detailed above, considering the capacity available at Swords WWTP, and the substantial dilution factor in the sea/bay, , there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway.	No

Site	Reasons for designation (information correct as of 13 September 2022) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	According to this SAC's site Conservation Objectives document (Version 1, dated 22 August 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat for which the SAC has been selected.	Furthermore there will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.	

5.2 Summary of potential impacts of the proposed development

There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the proposed development. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

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 (including dust).

6 Mitigation Specific to European Sites

This screening assessment is consistent with the judgment of the European Court in Case C-323/17, People Over Wind & Sweetman v Coillte (Judgment of the Court (Seventh Chamber) of 12 April 2018) and the recent case-law of the High Court, including Heather Hill Management Company CLG v An Bord Pleanála [2019] IEHC 450 and Sweetman v An Bord Pleanála [2020] IEHC 39. It is also consistent with the judgment in Eco Advocacy CLG v An Bord Pleanála [2021] IEHC 265. In that case, Humphreys J confirmed the core legal principle, being that regard should not be had to mitigation measures at AA screening stage. Humphreys J decided in that case that clarification was required from the CJEU on the matter (as it related to the consideration of SUDs and whether these represented mitigation measures) and the decision of the CJEU is currently awaited. Regardless of the outcome of that case, in relation to European sites, there will be no impacts as a result of the proposed development.

As set out in Sections 5.1.1 and 5.1.2 of this report, it is certain that likely significant effects on European sites as a result of both the construction and operation of the proposed development can be excluded. Even if no SuDS measures were to be incorporated into the design there could be no impacts on European sites.

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

7 In-combination Effects

It is a requirement of Section 177U of the Planning Acts that, when considering whether a plan or project will have a significant effect on a European site, the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved)[4]. If there are identified effects arising from the plan or project, even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered in combination with the effects arising from other plans and projects.

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

- Fingal Development Plan 2017-2023 (FCC, 2017);
- Draft Fingal Development Plan 2023-2029 (FCC, 2022);

[4] 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)

- The National Planning Application database (www.myplan.ie - accessed September 2022);
- An Board Pleanála database (www.pleanala.ie - accessed September 2022); and
- EIA Portal (www.housinggovie.maps.arcgis.com - accessed September 2022).

No developments are proposed within the immediate vicinity of the site that would, in combination with the development under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision, such as:

- F22A/0200, Carnegie Court Hotel, North Street, Swords, Co Dublin: Permission was granted in August 2022 for revisions to approved development consisting of internal alterations for the provision of 35 no. bedrooms (Planning F15A/0584). The revised total number of additional guest rooms to the proposed conversion is to be reduced from 35 no. to 8 no. in total. Planning permission was also sought as in previously approved for minor external elevational changes to the northern elevation southern courtyard elevation to premises;
- SHD/002/20, Fostertown North, Dublin Road/R132, Swords, Co Dublin: A decision is pending for Strategic Housing Development of 645 no. residential units (comprising 208 no. 1 bedroom units, 410 no. 2 bedroom units, and 27 no. 3 bedroom units), in 10 no. apartment buildings, with heights ranging from 4 no. storeys to 10 no. storeys, including undercroft / basement levels (for 6 no. of the buildings). The proposals include 1 no. community facility in Block 1, 1 no. childcare facility in Block 3, and 5 no. commercial units (for Class 1-Shop, or Class 2- Office / Professional Services or Class 11- Gym or Restaurant / Café use, including ancillary takeaway use) in Blocks 4 and 8;
- Swords Cultural Centre: Fingal County Council has prepared a Part 8 plan to develop a Cultural Quarter in the centre of Swords, County Dublin, in proximity to the offices of Fingal County Hall and Swords Castle. The application was approved by the Members of Fingal County Council on 12 September 2022;
- A further Part 8 submission for 13no. residential apartments at North Street, Swords, c. 100m north to the proposed site is being brought forward at the same time as this application.

The Fingal County Development Plan 2017-2023 has a series of objectives intended to protect and enhance the natural environment. For example the plan includes policies for the protection of the county's flood plains, to prevent development in flood plains without satisfying the appropriate justification test and to require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving in order to reduce the potential impact of existing and predicted flooding risks.

The proposed development will not impact on the flow of water through the area, nor increase potential flood impacts. It is in compliance with all of the relevant Plan objectives.

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

- National Planning Framework;
- Regional Spatial and Economic Strategy;
- Greater Dublin Strategic Drainage Study;
- Greater Dublin Transport Strategy;
- Climate Action and Mitigation Plan;
- National Biodiversity Plan; and
- River Basin Management Plan.

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

8 Screening Conclusion

In view of best scientific knowledge, this report concludes that the proposed residential apartment development at Seatown Road, Swords, Co. Dublin; individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow Fingal County Council to carry out an Appropriate Assessment Screening, and reach a determination that the proposed development will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.

9 References

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- NPWS (2013). *Conservation objectives for Rockabill to Dalkey Island SAC [003000] (Version 1)*.
- NPWS (2015). *Conservation objectives for North Bull Island SPA [004006] (Version 1)*.
- NPWS (2013). *Conservation objectives for North Dublin Bay SAC [000206] (Version 1)*.
- NPWS (2022). *Conservation objectives for Ireland's Eye SPA [004117] (Version 9).*
- NPWS (2017). *Conservation objectives for Ireland's Eye SAC [002193] (Version 1).*
- NPWS (2013). *Conservation objectives for Lambay Island SAC [000204] (Version 1).*
- NPWS (2022). *Conservation objectives for Lambay Island SPA [004069] (Version 9).*
- NPWS (2016). *Conservation objectives for Howth Head Coast SAC [000202] (Version 1).*
- NPWS (2022). *Conservation objectives for Howth Head Coast SPA [004113] (Version 9).*
- NPWS (2015). *Conservation objectives for South Dublin Bay and River Tolka Estuary SPA 004024 (Version 1)*.
- NPWS (2013). *Conservation objectives for South Dublin Bay SAC 000210 (Version 1)*.
- NRA[5] (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes.*
- OPR (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management.*

[5] Now Transport Infrastructure Ireland (TII).

- Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M. & Wright, M. (2016). *Ireland Red List No. 10: Vascular Plants.* Dublin Ireland: NPWS, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Appendix I: Background

The European[6] 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 Union (Birds and Natural Habitats) Regulations 2011-2015* (hereafter referred to as the *Birds and Habitats Regulations*)[7] and by the *Planning and Development Act 2000*, as amended.

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

Stages in the Assessment

[6] The EU Habitats Directive, Article 3.1, states "A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title European"
[7] SI No. 477 of 2011 and subsequent amendments

European Commission guidance (2021)[8] sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise 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 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.

[8] European Commission (2021) *Assessment of Plans and Projects in relation to Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

Appendix II: Conservation Objectives of European Sites

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

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 Commission[9] 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.

[9] Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission November 2018)

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