# Appropriate Assessment Screening Report

Proposed Variation no. 33

Dublin city development plan 2016-2022

In Accordance With the Requirements Of

**Article 6(3)**

Of The

**EU Habitats Directive**

For The

Dublin City Development Plan 2016-2022 Proposed Variation No. 33: Changes to the Land Use Zoning of lands at Jamestown Road, St Margaret’s Road and McKee Avenue, Finglas, Dublin 11, from Land Use Zoning Objective Z6 to Land Use Zoning Objective Z14; and the designation of a new Strategic Development and Regeneration Area (SDRA).

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# SECTION 1 – INTRODUCTION & TERMS OF REFERENCE

This is an Appropriate Assessment Screening of a proposed Variation of the Dublin City Development Plan 2016-2022 (the Development Plan). The Variation relates to a change in land use zoning of lands at Jamestown Road, St Margaret’s Road and McKee Avenue, Finglas, Dublin 11, from land use zoning objective Z6 to land use zoning objective Z14 and the designation of a new Strategic Development and Regeneration Area (SDRA).

The proposed Variation sits within the framework of the operational Development Plan, which sets the strategic planning policy framework for all projects and development within the City, with all planning decisions being assessed against the policies and objectives of this plan. The Development Plan outlines a range of policies and objectives to safeguard the environment and to ensure that plans and projects facilitated by the Development Plan do not have the potential to result in significant effects on European Sites.

## 1.1 Terms of Reference

In compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011 and Planning and Development Act 2000 (as amended), the potential effects of the policies and objectives of all statutory land use plans and projects on certain sites that are designated for the protection of nature under EU legislation must be assessed as an integral part of the plan process. Changes or amendments to these plans by way of a Variation must also be assessed (in accordance with S.177R of the Planning and Development Act, 2000 (as amended)).

For the purposes of Article 6 Assessments, Natura 2000 network sites or European Sites are those identified as Sites of Community Importance under the Habitats Directive (normally called Special Areas of Conservation) or classified as Special Protection Areas under the EU Birds Directive (79/409/EEC). The principal trigger for undertaking an *‘Appropriate Assessment’* would be if the proposed Variation was likely, either directly or indirectly, to have significant effects on a Natura 2000 Network site.

For the purposes of this report, the proposed Variation is the plan being assessed in compliance with Article 6(3).

This AA Screening assesses, 1) whether the making of the proposed Variation, is directly connected to or necessary for the conservation management of any European site, and 2) whether the proposed Variation, alone or in combination with other plans and projects, is likely[[1]](#footnote-1) to result in significant[[2]](#footnote-2) effects on any European site within the Natura 2000 network in view of its conservation objectives. The purpose of this Screening is to identify whether land use measures facilitated by the proposed Variation will have the potential to adversely affect the conservation objectives of European Sites. Such a conclusion will be arrived at by assessing the nature of current and future land use activities that will be supported by the proposed Variation, the potential for these activities to interact with European Sites occurring within the Variation’s Zone of Influence, and the likely changes that will result from the making of the proposed Variation, in combination with other plans and projects.

Circular Letter SEA 1/08 & NPWS 1/08 issued by the Department of Environment, Heritage and Local Government requires that, as a result of European Court of Justice Case 418/04 EC Commission v Ireland, any draft land use plan (or amendments or variations) proposed under the Planning & Development Act 2000 (as amended), specifically Section 177 of the Planning and Development (Amendment) Act 2010, must be screened for any potential impact on areas designated as Natura 2000 network sites. The results of the Screening should be recorded and made available to the public.

The proposed Variation has been screened to ascertain if it is required to be subject to an *‘Appropriate Assessment’* under the EU Habitats Directive. Based on the *‘Methodological guidance on the provision of Article 6(3) and (4) of the EU Habitats Directive 92/43/EEC*, a *‘Screening Matrix’* and a *‘Finding of No Significant Effects Matrix’* have been completed.

This Screening was undertaken by the Planning and Property Development Department of Dublin City Council. It should be noted that a Strategic Environmental Assessment Screening (SEA) Report has also been prepared for the proposed Variation.

# SECTION 2 – METHODOLOGY

The DoEHLG’s *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (2009, 2010) outlines the stages involved in undertaking a Screening Assessment of a plan or project that has the potential to have likely significant effects on European Sites. The methodology adopted for the Screening of the proposed Variation is informed by this Guidance and was undertaken in the following stages:

1. **Description of the proposed variation** to the 2016-2022 Dublin City Development Plan and the receiving environment, and determination as to whether the plan is directly connected to or **necessary for the conservation management of a European Site(s)**;
2. **Identification of European Sites** occurring within the **Zone of Influence** of the proposed variation;
3. Identification of whether or not there are elements of the proposed variation with **potential to give rise to likely significant effects** – i.e. direct, indirect etc. - on the conservation objectives of European Sites; and,
4. **Identification of other plans or projects** that, in **combination** with the proposed variation, have the **potential to effect** **European Sites**.

## 2.1 The Proposed Variation

It is proposed to make a Variation to the Dublin City Development Plan 2016 – 2022 by **changing** the **Land Use Zoning** Objective of a c. 43.11-hectare land bank situated between Jamestown Road and St Margaret's Road / McKee Avenue, Finglas, Dublin 11,

**from** Land Use Zoning Objective **Z6** (Employment / Enterprise) “To provide for the creation and protection of enterprise and facilitate opportunities for employment creation”

**to** Land Use Zoning Objective **Z14** (Strategic Development and Regeneration Areas): “‘To seek the social, economic and physical development and/or rejuvenation of an area with mixed-use, of which residential and ‘Z6’ would be the predominant uses”.

It is also proposed to designate the lands a **Strategic Development and Regeneration Area (SDRA)**.

The proposed changes to the Dublin City Development Plan 2016-2022 are as follows:

* Land Use Zoning Map Change (Map A) to **Z14 (Strategic Development and Regeneration Areas)** to replace the existing Z6 (Employment / Enterprise) zoning.
* Amend Map K, to include the new **Strategic Development and Regeneration Area** (SDRA).
* Amend Chapter 15, to insert new Strategic Development and Regeneration Area (SDRA) **Guiding Principles** for the subject lands.
* Amend Chapter 2, to include the SDRA lands into the Core Strategy.

It is proposed to include additional text to Section 15.1.1 of the City Development Plan and a new figure in respect of proposed **SDRA 19 Jamestown Road, St Margaret’s Road and McKee Avenue, Finglas**, to include the following:

***Guiding Principles for the SDRA***

A number of guiding principles have been established which will inform the future development of the SDRA lands. These principles include requirements for the following:

* Urban Structure.
* Land Use & Activity.
* Height.
* Design.
* Green Infrastructure.
* Climate Change.

***Requirement for Masterplan***

To ensure that the development of the subject lands occurs in a sustainable and coherent manner, a masterplan shall be prepared for the entire SDRA by all major landowners, which complies with the guiding principles above, to be agreed with the Planning Authority, before the lodgment of any planning application. All planning applications in the SDRA will be required to comply with the Masterplan and the Principles outlined above. Minor deviations will only be considered where the change supports the implementation of the Principles and provides an improved solution.

This Masterplan shall respond to the SDRA guiding principles and will not be limited to, but shall include details on the following:

* Public realm and street design and interface with existing streets.
* Housing Needs Demand Analysis (HNDA).
* Range of housing typologies.
* Green Infrastructure Strategy.
* Integrated Surface Water Management Strategy.
* Mobility Management Strategy.
* Encourage exploration of options for district heating.
* Statement submitted with any planning permission demonstrating how proposals accord with SDRA and Masterplan.
* Development shall occur sequentially and contiguous to existing residential development.
* Phasing plan.
* Delivery of new community facilities.

It is proposed to amend **Chapter 2** by amending table C (page 22) to include the hectage as one of the “other zonings containing residential use”; thus increasing the size from 2043 to 2086 and the associated total from 6509 to 6552.

It is also proposed to add Finglas SDRA to Table E (page 25) and amend the total so that is reads:

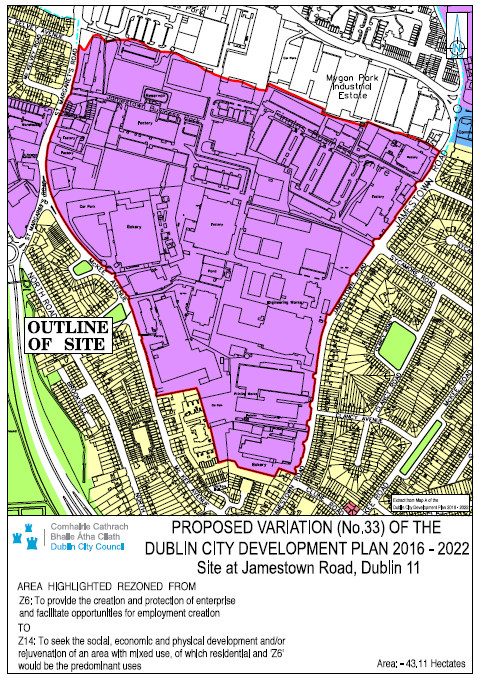
| SDRA 19 | Finglas | 2,200 |
| --- | --- | --- |
|  | Total | 54,500- 54,800. |

## 2.2 Context for Variation Lands

The c. 43.11-hectare land bank is situated to the immediate north of Finglas village and is bound by Jamestown Road to the east, McKee Avenue, and St Margaret’s Road to the west and interfaces with the administrative boundary of Fingal County Council to the north, where the lands are currently characterised by employment/industrial uses. The lands border existing residential dwellings to the south/southwest. Existing residential dwellings are located along Jamestown Road and McKee Avenue, with a mix of commercial and residential uses along St Margaret’s Road. Charlestown Shopping Centre is located to the northwest of the lands and the emerging preferred route option for the proposed Luas extension to Finglas will border the lands, along St Margaret’s Road, terminating at Charlestown. The proposed Core Bus Corridor from Finglas to the City Centre as part of the Bus Connects project will also serve the lands, from the Finglas Road to the west.

The lands contain a number of existing industrial estates and a business park that is characterised by buildings/structures with large footprints with low-intensity employment uses. The area also contains a number of vacant sites and has a poor relationship with the adjoining street network. There is poor permeability through these lands, with private/controlled access to individual premises and across the lands.

**Location Map**



## 2.3 Purpose of the Proposed Variation

The purpose of this proposed variation is to change the land use zoning objective of a c. 43.11-hectare land bank situated between Jamestown Road and St Margaret's Road / McKee Avenue in Finglas, from Land Use Zoning Objective Z6 (Employment/Enterprise) to Z14 (Strategic Development and Regeneration Areas), to fulfil National and Regional planning objectives on responding to climate change, delivering compact development and sustainable urban growth.

### 2.3.1 Policy Context

The **National Planning Framework (NPF)** (Project Ireland 2040) states that at least 50% of all new homes for Dublin City and suburbs are required to be delivered within and adjoining its existing built-up footprint. To achieve this, the NPF identifies the reusing of large and small ‘brownfield’ land/infill sites, and underutilised lands at locations well served by existing and planned public transport. The NPF particularly highlights the need to focus on underutilised lands within the canals and the M50 ring. The proposed variation supports this policy position.

The **Regional Spatial and Economic Strategy (RSES)** for the Eastern and Midlands Region seeks the consolidation and re-intensification of infill, brownfield, and underutilised lands within Dublin City and its suburbs. 50% of all new homes within Dublin City and its suburbs are to be located in the existing built-up area. The RSES identifies a population target increase for Dublin City (DCC’s administrative area) of circa 100,000 people by 2031. To facilitate this growth the RSES also includes a **Metropolitan Area Strategic Plan (MASP)** for Dublin. The MASP directs future growth to identified Strategic Development Areas located on existing and planned strategic transport corridors and anticipates future growth will also be accommodated on brownfield/infill development lands in the city. The proposed variation supports this policy position.

The **National Transport Authority’s Transport Strategy for the Greater Dublin Area 2016-2035** provides a framework for developing a sustainable transport network. Three key public transportation projects for Dublin City include:

* **Finglas** **Luas**– the extension of the green line Luas from Broombridge to Charlestown, to the northwest of the Jamestown Z6 land bank.
* **Bus Connects** – enhancement of Dublin's bus network along with several identified Core Bus Corridors, including Finglas.
* **Metrolink** – proposed rail link from the City Centre to Dublin Airport / Swords. Both the Finglas Luas and Finglas Core Bus Corridor are being designed to integrate and interchange with Metrolink as part of a wider strategic transport network for Dublin.

The Proposed Variation supports and establishes a plan-led approach to maximising the development of the lands in line with significant State investment in the public transport infrastructure of the area.

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### 2.3.2 Background to the Proposed Variation

Following a review of the City’s employment / industrial lands in 2018/19, the Planning Department identified 82 land parcels with the potential to accommodate future housing and more intense land uses, within the existing built fabric of the City. Of these, 20 small to medium land banks were initially proposed for re-zoning by way of a Variation to the Dublin City Development Plan 2016-2022 (Proposed Variations No.’s 8 - 27). At the Dublin City Council monthly meeting held on 2nd March 2020 and continued 10th March 2020 a number of these Proposed Variations were adopted.

The potential of the Jamestown Z6 land bank was identified in the 2018/19 study, having regard to the lands strategic location inside the M50 and adjacent to the proposed Luas extension to Finglas (Finglas Luas). The study recognised that this area represents well-connected but underutilized employment (Z6) zoned brownfield lands within the built-up area of the City with the potential to allow for more varied and intense mixed uses.

Since March 2020, Dublin City Council has been in consultation with Transport Infrastructure Ireland (TII) and there is now greater certainty around the timeline and process for the delivery of the Finglas Luas. Furthermore, there has been ongoing engagement between Dublin City Council and the National Transport Authority (NTA) concerning the Finglas Core Bus Corridor as part of the Bus Connects project which is providing greater clarity in terms of the delivery of this public transport project. Also, there has been increased landowner interest in advancing the development of the lands.

As a result of this change in circumstances and having regard to the significance of the lands in achieving the National and Regional policy objectives set out in the NDF and RSES / MASP, it was considered appropriate to bring forward these lands for re-zoning from Z6 to Z14 subject to the requirement for a Masterplan based on guiding principles established for the SDRA and shown in the Framework Plan (Figure 38A)

Land Use Zoning Objective Z14 of the Dublin City Development Plan endeavours “To seek the social, economic and physical development and/or rejuvenation of an area with mixed-use, of which residential and 'Z6' would be the predominant uses”. Chapter 15 of the Dublin City Development Plan identifies several SDRAs and sets out the guiding principles for their development. SDRAs are capable of delivering significant quanta of homes and employment for the City, with many situated within the existing built environment on underutilised or brownfield sites. Finglas is currently designated a Key District Centre (KDC) in the Dublin City Development Plan. KDCs represent the top-tier of urban centres outside the City Centre and a number of these form part of the larger SDRAs. KDCs act as strong spatial hubs for development in the suburbs.

Therefore, the rationale for this Variation is as follows:

* To provide for more varied and intense mixed uses of these existing low-density mono use brownfield urban lands within the Dublin Metropolitan Area. This Variation supports the National and Regional planning objectives set out in the NPF and RSES / MASP by supporting the area regeneration to deliver a compact and sustainable urban form at this location, to achieve the sustainable use of scarce urban land, and to respond to climate change.
* To maximise the potential of a well-connected but underutilised brownfield low-intensity employment land, situated within the existing built fabric of the City and adjacent to the proposed Luas green line extension to Finglas, and proposed Finglas Core Bus Corridor, as set out in the National and Regional planning objectives in the NPF and RSES / MASP.
* To support the economic revitalisation of Finglas village through the creation of a cohesive urban framework and guiding principles, by way of a new SDRA designation for the proposed Z14 lands, to ensure that the future development of the lands occurs in a coordinated and sustainable manner that can act as a catalyst to regenerate the village.

The lands proposed for re-zoning comprise a total of c. 43.11 hectares. Assuming a target density of 100 units per hectare and assuming that 50% of the land would be in residential use, this land bank has the potential to deliver an indicative c. 2,220 residential units. It is anticipated that the remaining land would be comprised of 30% employment/commercial, 10% public open space, and 10% social/community/education.

In preparing for the proposed change of zoning to allow for such a significant area of potential new residential units, the impact of this variation has been examined in relation to the Core Strategy. Whilst the volume of land proposed provides for approximately 2,200 units, it is not expected that any significant portion of this will be delivered during the lifetime of the current City Development Plan; though it is possible that a number of permission applications will be made within this time.

In analysing the delivery of the sub-areas for residential development (Table E), it is clear that a number of these have yet to reach their full capacity and some are not yet progressed nor likely to be by the end of the life of the current Development Plan.[[3]](#footnote-3) It is therefore considered that the additional zoning provided will remain consistent with the Core Strategy and it’s defining principle of achieving a compact sustainable mixed use growth with the existing envelope of the city, supported by high quality public transport and connectivity.

Delivery of SDRA housing within a brownfield, infill or regeneration context is complex due to its context, and delivery of housing often extends across a series of Development Plans. This variation and other SDRAs are designated within that long term horizon. The capacity provided by these lands will aid the Council in meeting it’s future housing targets in tandem with the other SDRA lands and it will be particularly relevant to the brownfield targets of the NPF.

It is proposed to amend table C (page 22) to include the hectage as one of the “other zonings containing residential use”; thus increasing the size from 2043 to 2086 and the associated total from 6509 to 6552.

It is also proposed to add Finglas SDRA to Table E (page 25) and amend the total so that is reads:

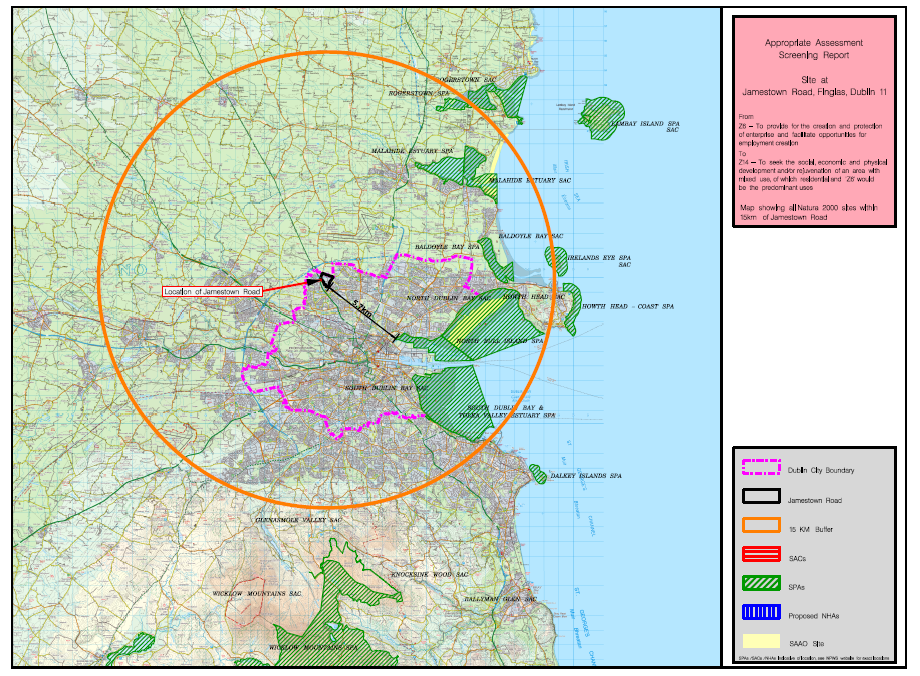
| SDRA 19 | Finglas | 2,200 |
| --- | --- | --- |
|  | Total | 54,500- 54,800. |

## 2.4 Identification of Relevant European Sites within the Zone of Influence of the proposed Variation

In order to identify the European Sites that could potentially be significantly affected by the implementation of the proposed Variation, the Appropriate Assessment Screening of the operational Development Plan was reviewed and those European Sites within a 15 km radius (determined to be the precautionary or potential Zone of Influence (ZOI)) of the Variation area were assessed in accordance with DoEHLG recommended procedures for identifying European Sites. In addition, and in line with the methodology followed in the Development Plan, potential connectivity between designated sites (such as river catchments etc.) were also reviewed to identify potential interactions with the plan area and designated sites outside the 15 km zone. It was found that the 15 km buffer zone captured all potentially significant impacts to European Sites arising from the implementation of the proposed Variation.

### 2.4.1 European Sites within 15km of the Proposed Variation

European Sites within the potential Zone of Influence of the Proposed Variation



In line with the findings of the Development Plan, a total number of 25 no. European Sites, comprising 15 no. SACs and 10 no. SPAs, were identified within a 15km radius of the Development Plan area. 4 no. of these sites are within or directly adjacent to the Dublin City boundary. These European Sites along with their qualifying features of interest are presented in Tables 3 and 4 below, along with their distance from the proposed variation area.

**Table 3: SPECIAL AREAS OF CONSERVATION WITHIN 15KM OF City Development PLan (the potential Zone of Influence)**

|  |  |  |  |
| --- | --- | --- | --- |
| Special Areas of Conservation (SACs) | | | |
| Site Code | **European Site Name** | **Qualifying Features of Interest/Special Conservation Interests** | **Distance from proposed variation** |
| 000199 | Baldoyle Bay SAC | * Mudflats and sandflats not covered by seawater at low tide [1140] * Salicornia and other annuals colonising mud and sand [1310] * Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] * Mediterranean salt meadows (Juncetalia maritimi) [1410] | c.10.8 km |
| 000202 | Howth Head SAC | * Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] * European dry heaths [4030] | c.13.5 km |
| 000204 | Lambay Island SAC | * Reefs [1170] * Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] * Halichoerus grypus (Grey Seal) [1364] * Phoca vitulina (Harbour Seal) [1365] | c. 20.3 km |
| 000205 | Malahide Estuary SAC | * Mudflats and sandflats not covered by seawater at low tide [1140] * Salicornia and other annuals colonising mud and sand [1310] * Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] * Mediterranean salt meadows (Juncetalia maritimi) [1410] * Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] * Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] | c. 9.8 km |
| 000206 | North Dublin Bay SAC | * Mudflats and sandflats not covered by seawater at low tide [1140] * Annual vegetation of drift lines [1210] * Salicornia and other annuals colonising mud and sand [1310] * Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] * Mediterranean salt meadows (Juncetalia maritimi) [1410] * Embryonic shifting dunes [2110] * Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] * Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] * Humid dune slacks [2190] * Petalophyllum ralfsii (Petalwort) [1394] | c. 9 km |
| 000208 | Rogerstown Estuary SAC | * Estuaries [1130] * Mudflats and sandflats not covered by seawater at low tide [1140] * Salicornia and other annuals colonising mud and sand [1310] * Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] * Mediterranean salt meadows (Juncetalia maritimi) [1410] * Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] * Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] | c. 13.7 km |
| 000210 | South Dublin Bay SAC | * Mudflats and sandflats not covered by seawater at low tide [1140] * Annual vegetation of drift lines [1210] * Salicornia and other annuals colonising mud and sand [1310] * Embryonic shifting dunes [2110] | c. 9 km |
| 000713 | Ballyman Glen SAC | * Petrifying springs with tufa formation (Cratoneurion) [7220] * Alkaline fens [7230] | c. 22 km |
| 000725 | Knocksink Wood SAC | * Petrifying springs with tufa formation (Cratoneurion) [7220] * Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0] | c. 21 km |
| 001209 | Glenasmole Valley SAC | * Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) * (\* important orchid sites) [6210] * Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] * Petrifying springs with tufa formation (Cratoneurion) [7220 | c. 16.2 km |
| 002122 | Wicklow Mountains SAC | * Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] * Natural dystrophic lakes and ponds [3160] * Northern Atlantic wet heaths with Erica tetralix [4010] * European dry heaths [4030] * Alpine and Boreal heaths [4060] * Calaminarian grasslands of the Violetalia calaminariae [6130] * Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] * Blanket bogs (\* if active bog) [7130] * Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] * Calcareous rocky slopes with chasmophytic vegetation [8210] * Siliceous rocky slopes with chasmophytic vegetation [8220] * Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] * Lutra (Otter) [1344] | c. 18.4 km |
| 000714 | Bray Head SAC | * Degraded raised bogs still capable of natural regeneration [7120] * Depressions on peat substrates of the Rhynchosporion [7140] * Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] * European dry heaths [4030] | c. 26 km |
| 002193 | Ireland’s Eye SAC | * Perennial vegetation of stony banks [1220] * Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] | c. 15 km |
| 003000 | Rockabill to Dalkey Island SAC | * Reefs [1170] * Phocoena (Harbour Porpoise) [1341] | c. 15 km |
| 001398 | Rye Water/ Carton Valley SAC | * Petrifying springs with tufa formation (Cratoneurion) [7220] * Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] * Vertigo moulinsiana (Desmoulin's Whorl Snail) [1016] | c. 13 km |

**Table 4: SPECIAL PROTECTION AREAS WITHIN 15KM OF City Development Plan (the potential Zone of Influence)**

|  |  |  |  |
| --- | --- | --- | --- |
| Special Protection Areas (SPAs) | | | |
| Site Code | **European Site Name** | **Qualifying Features of Interest/Special Conservation Interests** | **Distance from European Site to Lands Subject to Variation** |
| 004006 | North Bull Island SPA | * Light-bellied Brent Goose (Branta bernicla hrota) * Shelduck (Tadorna tadorna) * Teal (Anas crecca) * Pintail (Anas acuta) * Shoveler (Anas clypeata) * Oystercatcher (Haematopus ostralegus) * Golden Plover (Pluvialis apricaria) * Grey Plover (Pluvialis squatarola) * Knot (Calidris canutus) * Sanderling (Calidris alba) * Dunlin (Calidris alpina) * Black-tailed Godwit (Limosa limosa) * Bar-tailed Godwit (Limosa lapponica) * Curlew (Numenius arquata) * Redshank (Tringa totanus) * Turnstone (Arenaria interpres) * Black-headed Gull (Larus ridibundus) | c. 8 km |
| 004015 | Rogerstown Estuary SPA | * Greylag Goose (Anser anser) [A043] * Light-bellied Brent Goose (Branta bernicla hrota) [A046] * Shelduck (Tadorna tadorna) [A048] * Shoveler (Anas clypeata) [A056] * Oystercatcher (Haematopus ostralegus) [A130] * Ringed Plover (Charadrius hiaticula) [A137] * Grey Plover (Pluvialis squatarola) [A141] * Knot (Calidris canutus) [A143] * Dunlin (Calidris alpina) [A149] * Black-tailed Godwit (Limosa limosa) [A156] * Redshank (Tringa totanus) [A162] * Wetland and Waterbirds [A999] | c. 13.7 km |
| 004016 | Baldoyle Bay SPA | * Light-bellied Brent Goose (Branta bernicla hrota) [A046] * Shelduck (Tadorna tadorna) [A048] * Ringed Plover (Charadrius hiaticula) [A137] * Golden Plover (Pluvialis apricaria) [A140] * Grey Plover (Pluvialis squatarola) [A141] * Bar-tailed Godwit (Limosa lapponica) [A147] * Wetland and Waterbirds [A999] | c.10.8 km |
| 004024 | South Dublin Bay And River Tolka Estuary SPA | * Light-bellied Brent Goose (Branta bernicla hrota) * Oystercatcher (Haematopus ostralegus) * Ringed Plover (Charadrius hiaticula) * Grey Plover (Pluvialis squatarola) * Knot (Calidris canutus) * Sanderling (Calidris alba) * Dunlin (Calidris alpina) * Bar-tailed Godwit (Limosa lapponica) * Black-tailed Godwit (Limosa limosa) * Redshank (Tringa totanus) * Roseate Tern (Sterna dougallii) * Common Tern (Sterna hirundo) * Arctic Tern (Sterna paradisaea) | c. 6.7 km |
| 004025 | Broadmeadow/ Swords Estuary  SPA (Malahide Estuary SPA) | * Light-bellied Brent Goose (Branta bernicla hrota) * Shelduck (Tadorna tadorna) * Pintail (Anas acuta) * Goldeneye (Bucephala clangula) * Red-breasted Merganser (Mergus serrator) * Great Crested Grebe (Podiceps cristatus) * Oystercatcher (Haematopus ostralegus) * Golden Plover (Pluvialis apricaria) * Grey Plover (Pluvialis squatarola) * Knot (Calidris canutus) * Dunlin (Calidris alpina) * Black-tailed Godwit (Limosa limosa) * Bar-tailed Godwit (Limosa lapponica) * Redshank (Tringa totanus) | c. 9.8 km |
| 004069 | Lambay Island SPA | * Fulmar (Fulmarus glacialis) [A009] * Cormorant (Phalacrocorax carbo) [A017] * Shag (Phalacrocorax aristotelis) [A018] * Greylag Goose (Anser anser) [A043] * Lesser Black-backed Gull (Larus fuscus) [A183] * Herring Gull (Larus argentatus) [A184] * Kittiwake (Rissa tridactyla) [A188] * Guillemot (Uria aalge) [A199] * Razorbill (Alca torda) [A200] * Puffin (Fratercula arctica) [A204] | c. 20.3 km |
| 004113 | Howth Head Coast SPA | * Kittiwake (Rissa tridactyla) [A188] | c. 13. 6 km |
| 004117 | Ireland’s Eye SPA | * Cormorant (Phalacrocorax carbo) [A017] * Herring Gull (Larus argentatus) [A184] * Kittiwake (Rissa tridactyla) [A188] * Guillemot (Uria aalge) [A199] * Razorbill (Alca torda) [A200] | c. 15 km |
| 004040 | Wicklow Mountains SPA | * Merlin (Falco columbarius) * Peregrine (Falco peregrinus) | c. 17.6 km |
| 004172 | Dalkey Islands SPA | * Roseate Tern (Sterna dougallii) [A192] * Common Tern (Sterna hirundo) [A193] * Arctic Tern (Sterna paradisaea) [A194] | c. 18.8 km |

In summary, Tables 3 and 4 illustrate that 25 no. European Sites are located within 15km of the potential zone of influence of the Development Plan. Of these, 16 no. sites are located within the 15km potential zone of Influence of the proposed Variation (with 4 no. of these being located within or adjacent to the boundary of Dublin City Council’s plan area - North Dublin Bay SAC, South Dublin Bay SAC, North Bull Island SPA and South Dublin Bay And River Tolka Estuary SPA).

In order to determine if each of these 16 no. European Sites are located in the actual Zone of Influence of the proposed Variation, further consideration needs to be given to:

* Whether there is **connectivity / a pathway** between the European site (Receptor) and the land subject to proposed zoning Variation (Source). This is considered further in Table 5 below.
* If there are elements of the proposed Variation identified as having the potential to result in development/ land use **activities which could result in negative ecological effects** for any European Sites (this is considered further in Section 3).

### 2.4.2 Assessment of connectivity /pathways between European Sites and Proposed Variation

European Sites and their associated qualifying features are identified as occurring in the Zone of Influence of a plan **where pathways establish a link** between the lands subject to that plan and European Sites, or where the lands subject to the plan are likely to play an important role in supporting populations of mobile species (i.e. migratory birds etc.) that are listed as special conservation interests/qualifying species for surrounding European Sites.

This assessment specifically relates to brownfield employment land which is subject to a rezoning proposal.

1. *Hydrological Pathways*

A hydrological pathway (incl. surface water and groundwater) is established where a European Site is located **downstream** of the plan area, or **upstream** of the plan area where qualifying feature of interest of the European Site includes freshwater dependent mobile qualifying species.

1. *Noise Pathway*

A noise disturbance pathway is established where the European Site is located within 500m of the boundary of the plan area. European Sites at a greater distance than **500m** will not be sensitive to noise emissions that could be generated by any land use activities that may arise as a result of the proposed Variation.

1. *Light Disturbance Pathway*

A light disturbance pathway is established where the European Site is located within 250m of the boundary of the plan area. European Sites at a greater distance than **250m** will not be sensitive to light emissions that could be generated by any land use activities that may arise as a result of the proposed Variation.

1. *General Disturbance Pathway*

A general disturbance (i.e. resulting from human-related terrestrial and other activities) pathway is established where the European Site is located within **500m** of the boundary of the plan area. European Sites at a greater distance than 500m will not be sensitive to human-related activities that may arise as a result of the proposed Variation.

Table 5 below shows those sites deemed to be within the Zone of Influence highlighted in green.

**TABLE 5: ASSESSMENT OF CONNECTIVITY / PATHWAYS BETWEEN EUROPEAN SITES AND PROPOSED VARIATION**

| European Site | Hydrological Pathway | Noise Pathway | Light Pathway | Human-related Disturbance Pathway | Does the European Site occur within the Zone of Influence of the Plan? |
| --- | --- | --- | --- | --- | --- |
| Baldoyle Bay SAC | The variation area is located upstream of this SAC but there is no hydrological pathway connecting the variation area to this SAC. | No. This SAC is located 0.9km from the CDP plan area and c. 10.8 km from the proposed variation site and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 0.9km from the CDP plan area and c. 10.8 km from the proposed variation site and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 0.9km from the CDP plan area and c. 10.8 km from the proposed variation site and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| Howth Head SAC | No. There are no hydrological pathways connecting the plan area to this SAC. | No. This SAC is located 1.5km from the CDP plan area and c. 13.5 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 1.5km from the CDP plan area and c. 13.5 km from the site subject to zoning and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 1.5km from the CDP plan area and c. 13.5 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site |
| Malahide Estuary SAC | No. There are no hydrological pathways connecting the plan area to this SAC. | No. This SAC is located 3.4km from the CDP plan area and c. 9.8 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 3.4km from the CDP plan area and c. 9.8 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 3.4km from the CDP plan area and c. 9.8 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site |
| North Dublin Bay SAC | The plan area is located upstream of this SAC. Given the potential connectivity and physical proximity, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential pathway.  The subject lands have a potential hydrological connection to this SAC via the Finglas River / Claremont Stream which feed the Tolka River. | Yes. Whilst this SAC is located c. 9 km from the site subject to proposed zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential noise pathway. | Yes. Whilst this SAC is located c. 9 km from the site subject to proposed zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential light pathway. | Yes. Whilst this SAC is located c. 9 km from the site subject to proposed zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential for human-related activity disturbance. | Yes |
| Rogerstown Estuary SAC | No. There are no hydrological pathways connecting the plan area to this SAC. | No. This SAC is located 9.7km from the CDP plan area and c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 9.7km from the CDP plan area and c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 9.7km from the CDP plan area and c. c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site |
| South Dublin Bay SAC | The plan area is located upstream of this SAC. Given the potential connectivity and physical proximity, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential pathway.  The subject lands have a potential hydrological connection to this SAC via the Finglas River / Claremont Stream which feed the Tolka River. | Yes. Whilst this SAC is located c. 9km from the site subject to zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential noise pathway. | Yes. Whilst this SAC is located c. 9km from the site subject to zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential light pathway. | Yes. Whilst this SAC is located c. 9km from the site subject to zoning variation, given its physical proximity to the CDP plan area, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential for human-related activity to cause disturbance. | Yes |
| Ireland’s Eye SAC | No. There are no hydrological pathways connecting the plan area to this SAC. | No. This SAC is located 3.6km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 3.6km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 3.6km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| Rockabill to Dalkey Island SAC | No. There are no hydrological pathways connecting the plan area to this SAC. | No. This SAC is located 2.4km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 2.4km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 2.4km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| Rye Water/ Carton Valley SAC | No. This SAC is located upstream of the CDP plan area but not the variation site. | No. This SAC is located 7.2km from the CDP plan area and c. 13 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SAC is located 7.2km from the CDP plan area and c. 13 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SAC is located 7.2km from the CDP plan area and c. 13 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site |
| North Bull Island SPA | The plan area is located upstream of this SPA. Given the potential connectivity and physical proximity, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential pathway.  The subject lands have a potential hydrological connection to this SAC via the Finglas River / Claremont Stream which feed the Tolka River. | Yes. This SPA is located within the CDP plan area and c. 8km from the site subject to zoning variation. On the basis that this SPA is located within the CDP area, there is a potential noise pathway. | Yes. This SPA is located within the CDP plan area and c. 8km from the site subject to zoning variation. On the basis that this SPA is located within the CDP area, there is a potential light pathway. | Yes. This SPA is located within the CDP plan area and c. 8km from the site subject to zoning variation. On the basis that this SPA is located within the CDP area, there is potential for human-related activity to cause disturbance. | Yes |
| Rogerstown Estuary SPA | No. There are no hydrological pathways connecting the plan area to this SPA. | No. This SPA is located 9.7km from the CDP plan area and c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SPA is located 9.7km from the CDP plan area and c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SPA is located 9.7km from the CDP plan area and c. 13.7 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site |
| Baldoyle Bay SPA | The variation area is located upstream of this SPA but there is no hydrological pathway connecting the variation area to this SPA. | No. This SPA is located 0.9km from the CDP plan area and c. 10.8 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SPA is located 0.9km from the CDP plan area and c. 10.8 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SPA is located 0.9km from the CDP plan area and c. 10.8 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| South Dublin Bay And River Tolka Estuary SPA | The plan area is located upstream of this SPA. Given the potential connectivity and physical proximity, and in line with the findings of the AA Screening undertaken on the CDP, there is a potential pathway.  The subject lands have a potential hydrological connection to this SPA via the Finglas River / Claremont Stream which feed the Tolka River. | Yes. This SPA is located within the CDP plan area and c. 6.7 km from the site subject to zoning variation and is on this basis within the Zone of Influence of any undue noise generated within the plan area. | Yes. This SPA is located within the CDP plan area and c. 6.7 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | Yes. This SPA is located within the CDP plan area and c. 6.7 km from the site subject to zoning variation and is on this basis within the Zone of Influence of any human-related activity generated within the plan area. | Yes |
| Broadmeadow/ Swords Estuary  SPA (Malahide Estuary SPA) | No. There are no hydrological pathways connecting the plan area to this SPA. | No. This SPA is located 4.1km from the CDP plan area and c. 9.8 km from the site subject to zoning and is outside the Zone of Influence of any noise generated within the plan area. | No. This SPA is located 4.1km from the CDP plan area and c. 9.8 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SPA is located 4.1km from the CDP plan area and c. 9.8 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| Howth Head Coast SPA | No. There are no hydrological pathways connecting the plan area to this SPA. | No. This SPA is located 3.8km from the CDP plan area and c. 13.6 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SPA is located 3.8km from the CDP plan area and c. 13.6 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SPA is located 3.8km from the CDP plan area and c. 13.6 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |
| Ireland’s Eye SPA | No. There are no hydrological pathways connecting the plan area to this SPA. | No. This SPA is located 3.8km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any noise generated within the plan area. | No. This SPA is located 3.8km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any light generated within the plan area. | No. This SPA is located 3.8km from the CDP plan area and c. 15 km from the site subject to zoning variation and is outside the Zone of Influence of any human-related activity generated within the plan area. | No. This European Site is located outside the Zone of Influence of the proposed Variation due to the absence of any impact pathways between the plan area and this Site. |

Following the precautionary principle, potential hydrological and other pathways between European Sites and the lands subject to the Variation proposal have been highlighted in Table 5 above. However, the existence of a pathway does not automatically equate to the likelihood of a significant effect occurring (i.e. where a pathway exists but the magnitude of the potential impact generated at the source is sufficiently small, the likelihood of the pathway giving rise to a significant effect can be ruled out). This theme is explored further in Section 3 of this report where the potential for the proposed variation to give rise to likely significant effects is assessed.

In line with the results of the AA Screening exercise undertaken for the Development Plan, Tables 3, 4 and 5 above illustrate that the proposed Variation could potentially impact, either directly or indirectly, on the following 4 no. European Sites by virtue of their physical proximity/ connectivity:

1. North Dublin Bay SAC

2. South Dublin Bay SAC

3. North Bull Island SPA

4. South Dublin Bay and River Tolka Estuary SPA

## 2.5 Conclusion

In summary, and in line with the findings of the AA Screening carried out on the Development Plan, 4 no. sites have been identified as coming within the Zone of Influence of the proposed Variation.

The next step of this Screening is to examine the nature and extent of the proposed Variation in order to assess its potential to result in likely significant effects on the 4 no. European Sites identified above as occurring within the Zone of Influence of the proposed Variation.

# SECTION 3 – POTENTIAL FOR THE PROPOSED VARIATION TO GIVE RISE TO LIKELY SIGNIFICANT EFFECTS

The proposed Variation sits within the framework of the operational Development Plan. The Development Plan sets the strategic planning policy framework for all projects and development in the City (excluding Strategic Development Zones). All planning proposals are assessed against the policies and objectives of the Development Plan and all lower plans must be consistent with the Development Plan. An Appropriate Assessment was carried out at all stages of the Development Plan in order to ensure that its policies and objectives did not result in significant adverse impacts on the integrity of any of the identified European Sites. The proposed Variation is compatible, and complementary with, the policies and objectives of the operational Development Plan relating to compact urban development and environmental protection.

The individual elements of the proposed Variation that may impact on the European Sites are outlined in detail in Section 2 and relate principally to land use zoning amendments in addition to a textual changes relating to the proposed SDRA designation for the site.

The purpose of this proposed variation is to change the land use zoning objective of a c. 43.11 hectare land bank situated between Jamestown Road and St Margaret’s Road / McKee Avenue in Finglas, from Land Use Zoning Objective Z6 (employment / enterprise) to Z14 (Strategic Development and Regeneration Areas), in order to fulfil National and Regional planning objectives on delivering compact and sustainable urban growth within the existing built fabric of Dublin city and along proposed public transport corridors.

Z6 lands are zoned ‘*To provide for the creation and protection of enterprise and facilitate opportunities for employment creation*’. This zoning accommodates office-based industry and business parks with other land uses including residential, recreational, retail and local services being Open for Consideration but subsidiary to the primary use of these land banks as employment zones for employment generating uses. The Development Plan requires that development proposals on Z6 lands deliver an intensification of employment activity, in terms of employee population and floor space, whilst complying with applicable design standards and policies in respect of green infrastructure, open space, landscape protection, energy efficiency, traffic management and amenity.

The Z6 land bank subject to this proposed variation is underutilised in nature, but is located adjacent to the existing built-up area of the City and along proposed high quality public transport corridors (Luas and Bus Connects). These lands are affected by various issues including vacancy, poor urban design and underutilisation, but have significant potential (subject to their rezoning) to deliver improved amenities and a better relationship with neighbouring lands and streets.

Many of the existing uses on these Z6 lands were long established, with many of the activities predating the application of contemporary Development Plan policies/standards and best practice environmental protections (i.e. in terms of surface water run-off, traffic, waste energy, noise, emissions and light pollution etc.).

The proposed rezoning of the lands would shift their primary focus from employment and enterprise, and facilitate their sustainable redevelopment in accordance with the operational policies, objectives and standards of the Development Plan which already safeguard against activities which may give rise to significant effects on European Sites. The Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner. In addition, and in accordance with the Habitat and Bird Directives, each individual future development proposal in respect of the rezoned Z6 lands will be subject to an Appropriate Assessment Screening determination as part of their respective planning application processes.

It is not anticipated that the change in zoning as proposed would give rise to significant development or land use effects over and above those facilitated by their existing Z6 zoning, in terms of size and scale, land-take, resource/transportation requirements, excavation, emissions, construction, operation etc., on the basis that it could reasonably be assumed, in terms of scale and intensity, that the effects may not be materially different if the lands were developed in accordance with their Z6 zoning. Furthermore, as noted in Section 2, the existence of a pathway does not automatically equate to the likelihood of a significant effect occurring (i.e. where a pathway exists but the magnitude of the potential impact generated at the source is sufficiently small, the likelihood of the pathway giving rise to a significant effect can be ruled out).

The proposed Variation will not have the potential to result in land uses or activities over and above those previously assessed, identified, as part of the Screening for Appropriate Assessment / Appropriate Assessment of the Development Plan. On this basis, there will be no potential for this Variation to result in likely significant effects to European Sites.

# SECTION 4 - IN-COMBINATION EFFECT WITH OTHER PLANS & PROJECTS

As part of the Habitats Directive Article 6(3) assessment process, consideration must be given to the potential for the proposed Variation to combine with other plans or projects to result in cumulative negative effects to European Sites.

The Development Plan sits at the Local Government level of the Spatial Planning Hierarchy in Ireland - below the Regional Assembly and Government levels. The Development Plan sits at the top of the Local Government Level Spatial Planning Hierarchy and it influences Local Area Plans, with the requirement that all lower plans must be consistent with the Development Plan.

In this context, consideration has been given to the proposed Variation’s potential to combine with a number of other plans relevant to the wider surrounding area.

These plans include:

• The National Planning Framework (NPF)

• Regional Spatial and Economic Strategy (RSES)

• Climate Change Action Plan for Dublin City 2019-2024 (CCAP)

• The Transport Strategy for the Greater Dublin Area, 2016-2034

• Water Services Strategic Plan

• Neighbouring County Development Plans

• River Basin District Management Plans

• CFRAMS Study

• Greater Dublin Drainage

Given that the proposed variation, as identified in Sections 2 and 3 above, will not result in significant land use effects or activities that have the potential to result in likely significant effects on European Sites, there will be no potential for the adoption of the proposed variation to combine with the above listed plans and projects, or any other plans or projects to result in likely significant effects to European Sites.

# SECTION 5 - SCREENING MATRIX FOR THE PROPOSED VARIATION

A Screening Matrix, in line with European Commission (2001) Guidelines is provided below in the Table below.

|  |
| --- |
| **Brief Description of Project or Plan (proposed Variation)** |
| It is proposed to vary the Development Plan, by changing the land use zoning of lands at Jamestown Road and St Margaret’s Road / McKee Avenue, Finglas, Dublin 11, from Land Use Zoning Objective Z6 to Land Use Zoning Objective Z14; the designation of a new Strategic Development and Regeneration Area (SDRA), and associated text changes to Section 15.1.1 and new Figure, in respect of new Strategic Development and Regeneration Area (SDRA) designation. |

|  |
| --- |
| **Brief description of the European Sites** |
| 16 no. European Sites were identified within a 15km radius of the proposed Variation area. These European Sites are identified and described in Tables 3 and 4 of Section 2 above. |

|  |
| --- |
| **Assessment Criteria** |
| **Describe the individual elements of the proposed Variation (either alone or in combination with other plans or projects) likely to give rise to impacts on the European Sites.**  The land use implications of the proposed Variation have been assessed in Section 3 of this Screening report and it has been found that the proposed re-zoning and SDRA designation will not have the potential, alone or in-combination with other plans or projects, to result in likely significant effects to European Sites.  **Describe any likely direct, indirect or secondary impacts of the proposed Variation (either alone or in combination with other plans or projects) on the European site by virtue of:**  **Size and scale;**  The size and scale of the area subject to the proposed variation is in keeping with that of the operational Development Plan, with any relevant future/ new development (or intensification of the use of the lands in line with current Development Plan policy) facilitated by the proposed re-zoning to be integrated into the established urban pattern. It is not predicted to have any likely impacts on the conservation function of any European site in respect to its size or scale. The proposed variation will not, either alone or in combination with other plans or project, have any impact on European Sites by virtue of its size and scale.  **Land-take;**  There is not predicted to be additional land-take arising from the implementation of the proposed variation. The proposed variation will not, either alone or in combination with other plans or project, have any impact on European Sites by way of additional land-take.  **Distance from European site or key features of the site;**  Full details are provided in Tables 3 and 4 of Section 2 above.  **Resource requirements (water abstraction etc);**  There are not predicted to be significant additional resource requirements arising from the implementation of the proposed variation. In line with the operational Development Plan, resource supply, including potable water, will be provided from existing municipal infrastructure/established networks in line with NPF and RSES water demand allocations for the Greater Dublin Area. The Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner. The proposed variation will not, either alone or in combination with other plans or projects, have any impact on European Sites by way of resource requirements.  **Emission (disposal to land, water or air);**  There are not predicted to be additional emissions arising from the implementation of the proposed variation. The most likely potential indirect or secondary impact on a European site is by way of effluent discharge from the Ringsend waste water treatment plant which serves the entire Dublin region to Dublin Bay. Any future development proposal will be subject to a planning application which is required to satisfy the requirements of the Development Plan and to be subject to a project specific AA Screening, with any forthcoming planning permissions to be subject to conditions to ensure disposal to land, water and air has no impact on any European site. The operational Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner.  The proposed variation will not, either alone or in combination with other plans or project, have any impact on European Sites by way of emissions (disposal to land, water or air).  **Excavation requirements;**  There is not predicted to be additional excavation requirements arising from the implementation of the proposed Variation. The proposed Variation will not, either alone or in combination with other plans or project, have any impact on European Sites by way of excavation requirements.  **Transportation requirements;**  The subject site is situated within the existing built fabric of Finglas and the built up area of Dublin City, which is served by existing, and will be served by planned, public transport. In line with Development Plan policy, local traffic / mobility assessments may be required in respect of future developments. The proposed Variation will not, either alone or in combination with other plans or project, have any impact on European Sites by way of transportation requirements.  **Duration of construction, operation, decommissioning, etc;**  There are not predicted to be additional construction, operation or decommissioning requirements arising from the implementation of the proposed variation (i.e. over and above what would be allowed under the current zoning). The operational Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner. The proposed variation will not, either alone or in combination with other plans or project, have any impact on European Sites by way of construction, operation or decommissioning requirements.  **Other**  None.  In summary, the proposed variation will not result in land use effects that have the potential, alone or in-combination with other plans or projects, to result in likely significant effects to European Sites.  In light of this conclusion, there will be no potential for the proposed variation to result in direct, indirect or secondary effects to European Sites. |
| **Describe any likely changes to the site arising as a result of:**  **Reduction of habitat area:**  Not applicable.  **Disturbance to key species;**  Not applicable.  **Habitat or species fragmentation;**  Not applicable.  **Reduction in species density;**  Not applicable.  **Changes in key indicators of conservation value**  Not applicable.  **Climate change:**  Not applicable.  In summary, the proposed variation will not result in land use effects that have the potential to result in the: reduction in the extent of qualifying habitats of European Sites in the wider surrounding area; disturb qualifying species of European Sites in the wider surrounding area, or disturb the species that underpin the status of qualifying habitats of European Sites in the wider surrounding area; fragmentation of qualifying habitats or species populations; changes in key indicators of conservation value such as water quality or the attributes that underpin the conservation status of qualifying feature of interest of European Sites in the wider surrounding area; emission of greenhouse gases that could contribute towards climate change. |
| **Describe any likely impacts on the European Sites as a whole in terms of:**  **Interference with the key relationships that define the structure of the site;**  No predicted likely impact on the structure of any European Site.  **Interference with key relationships that define the function of the site;**  No predicted likely impact on the conservation function of any European Site.  In summary, as the proposed variation, alone or in combination with other plans or projects, will not have the potential to interact with any European Sites or their qualifying features of interest, it will not have the potential to interfere with key relationships that define the structure and function of European Sites. |
| **Provide indicators of significance as a result of the identification of effects set out above in terms of:**  **Loss;**  Not applicable.  **Fragmentation;**  Not applicable.  **Disruption;**  Not applicable.  **Disturbance;**  Not applicable.  **Change to key elements of the site (e.g. water quality etc);**  Not applicable.  In summary, as the proposed variation, alone or in combination with other plans or projects, will not have the potential to interact with any European Sites or their qualifying features of interest it will not have the potential to result in the: loss of qualifying habitats or habitats upon which qualifying species rely; fragmentation qualifying habitats or habitats upon which qualifying species rely; disruption qualifying habitats or habitats upon which qualifying species rely; disturbance qualifying habitats, habitats upon which qualifying species rely or qualifying species; and, change to key elements of European Sites (e.g. water quality etc.). |
| **Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts are not known.**  There are no predicted likely impacts on the conservation function of any European Sites arising from the proposed variation in combination with the above plans or projects. |

# SECTION 6 – SCREENING CONCLUSION

The Screening of the proposed variation, as set out in Section 2 and assessed in Sections 3 and 4 above, shows that the land use elements of the proposed variation will not result in land use effects that will have the potential, alone or in-combination with other plans or projects, to result in likely significant effects to European Sites. In light of the findings of this report, it can be concluded by Dublin City Council that the proposed variation to the Development Plan is not likely, alone or in-combination with other plans or projects, to have a significant effect on any European Sites in view of their conservation objectives.

**Finding of No Significant Effects Matrix**

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| **Name of Project or Plan:** | Proposed Variation No. 33 of the Dublin City Development Plan 2016-2022 - CHANGES TO THE LAND USE ZONING OF LANDS AT JAMESTOWN ROAD, ST MARGARET’S ROAD AND MCKEE AVENUE, FINGLAS, DUBLIN 11, FROM LAND USE ZONING OBJECTIVE Z6 TO LAND USE ZONING OBJECTIVE Z14, THE DESIGNATION OF A NEW STRATEGIC DEVELOPMENT AND REGENERATION AREA (SDRA), AND ASSOCIATED TEXT CHANGES TO SECTION 15.1.1 AND NEW FIGURE IN RESPECT OF PROPOSED SDRA DESIGNATION. |
| **Name and location of European Sites:** | European Sites in the wider vicinity of the proposed Variation area are provided in Section 2 above. |
| **Description of the Project or Plan** | As provided in the Screening Matrix in Section 5 above |
| **Is the Project or Plan directly connected with or necessary to the management of the site (provide details)?** | No. See Section 2.1 above |
| **Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?** | No. full details in Section 4 above |

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| **The Assessment of Significance of Effects** | |
| **Describe how the project or plan (alone or in combination) is likely to affect the European Sites:** | No predicted likely impact on the conservation function of any European Sites. |
| **Explain why these effects are not considered significant:** | The proposed Variation provides for sustainable development in accordance with the Development Plan and the principles of proper planning and sustainable development.  Section 3 examines the proposed variation in detail and concludes that it will not have the potential to result in land use activities over and above those previously assessed, identified (and mitigated against) as part of the Appropriate Assessment (Screening and NIS) of the Development Plan, and on this basis, there are not predicted likely impacts on the conservation structure or function of any European Sites arising from the proposed Variation.  The land subject to this rezoning proposal is brownfield in nature and accommodates a range of low intensity, low density uses – with some sites exhibiting underuse, vacancy and dereliction.  Taking into consideration the unused and underused nature of the subject lands at present, the proximity of the lands to the established district centre of Finglas village, established residential areas and the projected requirements for significant additional housing provision over the coming years, the proposed rezoning from Z6 to Z14 will facilitate a more appropriate use for these lands.  There are not predicted to be additional requirements arising from the proposed Variation in terms of:   * size and scale * land-take * resources * excavation * emissions * transportation * construction, operation or decommissioning   On this basis, it is concluded that there are not likely to be changes to the sites habitats or species arising as a result of:   * loss * fragmentation * disruption * disturbance * changes to other key indicators of significance |
| **List of Agencies Consulted: Provide contact name and telephone or email address:** | The Manager, Development Applications Unit, Department of Housing, Local Government and Heritage.  Email: [sea@environ.ie](mailto:sea@environ.ie)  Email: [margaret.killeen@environ.ie](mailto:margaret.killeen@environ.ie)  Tadhg O’Mahony, Environmental Protection Agency, Regional Inspectorate, Iniscarra, County Cork.  Email: [t.omahony@epa.ie](mailto:t.omahony@epa.ie)  Email: [sea@epa.ie](mailto:sea@epa.ie)  Gerry Clerkin, Department of Environment, Climate and Communications.  Email: [Gerry.clerkin@dcenr.gov.ie](mailto:Gerry.clerkin@dcenr.gov.ie)  Email: [CorporateSupport.Unit@dcenr.gov.ie](mailto:CorporateSupport.Unit@dcenr.gov.ie)  Email: [corporatesupport.unit@dccae.gov.ie](mailto:corporatesupport.unit@dccae.gov.ie)  The Manager, Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media  Email: [Manager.DAU@ahg.gov.ie](mailto:Manager.DAU@ahg.gov.ie)  Email: [nationamonuments@chg.gov.ie](mailto:nationamonuments@chg.gov.ie)  Damian Clarke, Assistant Principal Officer, Department of Agriculture, Food and the Marine.  Email: [damien.clarke@agriculture.gov.ie](mailto:damien.clarke@agriculture.gov.ie)  Forward Planning, Fingal County Council  Email: [planning@fingal.ie](mailto:planning@fingal.ie)  Forward Planning, South Dublin County Council  Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)  Email: [ecolgan@SDUBLINCOCO.ie](mailto:ecolgan@SDUBLINCOCO.ie)  Forward Planning, Dun Laoghaire Rathdown County Council  Email: [planning@dlrcoco.ie](mailto:planning@dlrcoco.ie)  Email: [planningsecretariat@dlrcoco.ie](mailto:planningsecretariat@dlrcoco.ie)  Inland Fisheries Ireland  Email: [info@fisheriesireland.ie](mailto:info@fisheriesireland.ie) |
| **Response to Consultation** | The following observations were received in response to the SEA and AA Screening Notice.   * Environmental Protection Agency (EPA) * Department of Environment, Climate and Communications (Waste Policy and Resource Efficiency Division) * Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)   The **EPA** made the following comments:   * The Planning Authority’s determination that SEA is not required for the Variation is noted. * Recommended to take the guidance document ‘[*SEA of Local Authority Land Use Plans – EPA Recommendations and Resources*](https://scanner.topsec.com/?t=979834e3b1c3f1b654a4b258a4699507cf79132f&d=1962&u=http%3A%2F%2Fwww.epa.ie%2Fpubs%2Fadvice%2Fea%2Fseaoflanduseplans-eparecommendationsandresources.html)’ into account and incorporating any recommendations as relevant and appropriate to the Variation. * Dublin City Council should ensure that the Variation is consistent with the need for proper planning and sustainable development. Adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Variation. * In considering the Variation, Dublin City Council should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans. * Dublin City Council should also ensure that the Variation aligns with key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy. * The relevant aspects of the Key Actions identified in the EPA’s State of Environment Report *Ireland’s Environment - An Assessment 2020* (EPA, 2020) and the UN Sustainable Development Goals (SDGs) should be taken into account in preparing the Variation to ensure that it aligns with and contributes to achieving Ireland’s sustainable development and environmental protection ambitions. * The AA GeoTool application developed in partnership with the NPWS available on the EPA website provides information relating to European Sites. * Under the SEA Regulations, prior to making a SEA determination the following Environmental Authorities should be consulted with: Environmental Protection Agency; Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (formerly Minister for Culture, Heritage and the Gaeltacht (functions transferred from Minister for Environment, Heritage and Local Government/ Minister for Housing, Planning and Local Government to Minister for Culture, Heritage and the Gaeltacht by S.I. 192 of 2011); Minister for Environment, Climate and Communications (formerly Minister of Communications, Climate Change and the Environment); Minister for Agriculture, Food and the Marine; and any adjoining planning authority whose area is contiguous to the area of a planning authority which prepared a draft plan, proposed variation or local area plan. * As soon as practicable after making a determination as to whether SEA is required or not, a copy of the decision, including, as appropriate, the reasons for not requiring an environmental assessment, should be made available for public inspection in the Council’s offices and website and a copy of this determination sent to the relevant environmental authoritiesconsulted.   The **Department of Environment, Climate and Communications (Waste Policy and Resource Efficiency Division)** made the following comments:   * In respect of waste in the within documentation, the Division would be obliged if the Local Authority would consult directly with their respective Regional Waste Management Planning Office regarding the development of the final plans.   The **Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit)** made the following heritage related observations:   * The Department notes that the area of the proposed re-zoning is proposed to be designated a Strategic Development and Regeneration Area (SDRA), which includes the requirement for a Green Infrastructure Strategy to be incorporated into a Masterplan for the area. * The Department appreciates and welcomes that a Green Infrastructure Strategy will include provision for the deculverting of the branch of the Finglas Stream which drains the subject lands and the establishment of riparian zones along its banks. * It is stated that this approach should significantly improve the water quality of this stream and enhance the biodiversity of the re-zoned area. * It is requested that further communications be sent to the Development Applications Unit.   The observations received have been considered by the Planning Authority in making a final determination on the requirement for AA, pursuant to proposed Variation No. 33 of the Dublin City Development Plan 2016-2022. |

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| **Data Collected to Carry out the Assessment** | |
| **Who carried out the Assessment?** | Planning and Property Development Department  Dublin City Council |
| **Sources of Data** | Existing data  As part of the Appropriate Assessment Screening process for the proposed Variation, particular reference has been made to the following documents/ data sources:   * *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities*. Department of Environment, Heritage and Local Government (2009) * *Appropriate Assessment Screening Report of Proposed Variation No. 4 of South Dublin County Council Development Plan 2016-2022* (2019) * *Assessment of plans and projects significantly affecting Natura 2000 sites Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. (2002) Natura 2000 Commission (2001) * Circular letter SEA 1/08 and NPWS 1/08. Department of the Environment Heritage and Local Government (DoEHLG, February 2008) * Department of the Environment Heritage and Local Government (DoEHLG) Circular letter NPWS 1/10 and PSSP 2/10 (March 2010) * *Dublin City Council Climate Change Action Plan 2019-2024* (2019) * *Dublin City Council Climate Change Action Plan 2019-2024 – Appropriate Assessment Conclusion Statement* (2019) * *Dublin City Council Climate Change Action Plan 2019-2024 – Final Natura Impact Statement* (2019) * *Dublin City Council Climate Change Action Plan 2019-2024 – Appropriate Assessment Determination* (2019) * Dublin City Development Plan 2016-2022. (incl. Appropriate Assessment (Volume 6) (2016) * SEA Screening Report for Proposed Variation No.’s 8-27 of Dublin City Development Plan 2016-2022 (2019) * Draft SEA Screening Report for Proposed Variation No. 7 of Dublin City Development Plan 2016-2022 (2019) * Existing NPWS Data. (Source: https://www.npws.ie/) * *Managing Natura 2000 sites. The provisions of Article 6, of the ‘Habitats’ Directive* 92/43/EEC. (2000) * *OSI Map Viewe*r *http://map.geohive.ie/mapviewer.html* * Regional Spatial & Economic Strategy for the Eastern & Midlands Region (incl. AA Screening and NIS) * The National Planning Framework (NPF) (Project Ireland 2040) (incl. AA Screening and NIS) |
| **Level of Assessment Completed** | Desktop study. |
| **Where can the full results of the assessment be accessed and viewed** | This document contains the full results of the Appropriate Assessment Screening exercise and will be placed on display with the proposed Variation. |
| **Overall Conclusion** | Stage 1 Screening indicates that the proposed Variation will not have any significant cumulative, direct or indirect impacts upon any of the Natura 2000 network sites. Therefore it is not considered necessary to undertake any further stages of the Appropriate Assessment process. |

1. “likely” meaning any effect that may be reasonably predicted [↑](#footnote-ref-1)
2. “significant” meaning not trivial or inconsequential but an effect that is potentially relevant to the Site’s conservation objectives (i.e. any effect, which would compromise the functioning and viability of a Site and interfere with achieving the conservation objectives of the Site would constitute a significant effect) [↑](#footnote-ref-2)
3. Including but not exclusively SDRA 17 (650-700), SDRA 12 (over half of 800-1,000), SDRA 4 (LAP had reduced this area, less than half likely of 2,000) to be implemented during the Plan lifetime. Also taken into account are Variations 8-22 which added just under 35 ha of residential and mixed use lands across a range of smaller infill sites. [↑](#footnote-ref-3)