

APPROPRIATE ASSESSMENT CONCLUSION STATEMENT

FOR THE

DUBLIN CITY CENTRE TRANSPORT PLAN 2023

for: National Transport Authority/Dublin City Council



by: CAAS Ltd.



JULY 2024

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Section 1 Introduction and Background

1.1 Introduction

This is the Appropriate Assessment (AA) Conclusion Statement for the Dublin City Centre Transport Plan 2023. The obligation to undertake AA derives from Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC as transposed into Irish legislation by, inter alia, the European Communities (Birds and Natural Habitats) Regulations 2011, as amended. AA is a focused and detailed impact assessment of the implications of a strategic action (such as a plan or programme) or project, alone and in combination with other strategic actions and projects, on the integrity of any European Site in view of its conservation objectives. This Statement should be read in conjunction with the Plan and associated documents including the AA Natura Impact Statement (NIS).

1.2 Legislative Requirements in relation to AA

In carrying out the AA for the Plan, Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), as amended, requires, inter alia, that the Authority considers the matters arrayed in the first column on Table 1.1 below. The second column identifies how these issues have been addressed.

Table 1.1 Matters taken into account by the AA

Matter specified by the Regulations	How addressed by AA
(a) the Natura Impact Statement	An AA Natura Impact Statement, including information on European sites, accompanied the Draft Plan on public display.
(b) any other plans or projects that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site (see Section 2)	Submissions received resulted in minor modifications being made to the original Draft Plan. These modifications were subject to screening for AA.
(c) any supplemental information furnished in relation to any such report or statement	
(d) if appropriate, any additional information sought by the authority and furnished by the applicant in relation to a Natura Impact Report	The original AA Natura Impact Statement that's accompanied the Draft Plan on public display was updated as relevant in order to take account of minor modifications made to the Draft Plan that were made on foot of submissions.
(e) any information or advice obtained by the public authority	
(f) if appropriate, any written submissions or observations made to the public authority in relation to the application for consent for proposed plan or project	A final AA Natura Impact Statement was prepared taking into account all of the above. This AA Conclusion Statement accompanies that Natura Impact Statement.
(g) any other relevant information	

In addition to the above, the Regulations require that the Authority makes available for inspection a determination regarding the outcome of the assessment with respect to whether or not the Plan would adversely affect the integrity of a European site (of this determination is provided at Section 4).

1.3 AA Conclusion Statement

Non-Statutory AA guidance (Department of Environment, Heritage and Local Government, 2009) states that (Section 4.14) it *"is recommended that planning authorities include a clear and discrete AA Conclusion Statement as a distinct section in the written statement of the plan separate to the SEA statement."* This guidance recommends that the following issues are addressed by this AA Conclusion Statement:

- Summary of how the findings of the AA were factored into the Plan (see Section 2);
- Reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered as part of the AA process (see Section 3);
- A declaration that the Plan as adopted will not have an adverse effect on the integrity of European Sites (provided at Section 4); and
- The NIS (the AA NIS is accompanied by this AA Conclusion Statement and has informed the AA Determination – see Section 4).

Furthermore, as stated in the "Development Plans Guidelines for Planning Authorities" (Department of Housing, Local Government and Heritage, 2022):

"...There is a similar requirement to publish a determination relating to the AA that may have been undertaken. Under Article 6.3 of the Habitats Directive the determination (often termed an 'AA Conclusion Statement') must state as to whether or not the Draft Plan would adversely affect the integrity of a European site. However as stated in Section 3.5, this determination must have been made prior to the adoption of the Draft Plan."

As recommended, this AA Conclusion Statement addresses the above issues, including the signed AA Determination included at Section 4.

Section 2 How the findings of the AA were factored into the Plan

Table 2.1 and Table 2.2 outline measures that have been incorporated into the Plan, in order to mitigate against potential effects on the ecological integrity of European sites. These measures ensure that there will be no adverse effects on the integrity of any European site from implementation of the Plan.

The Plan was prepared in an iterative manner whereby the Plan and AA documents have informed subsequent versions of the other.

All mitigation measures apply to all developments resulting from the implementation of the Plan and all European sites, as relevant, to be determined at project level, when the nature, location, size, layout and operational processes associated with individual and combinations of projects are known.

Table 2.1 Measures that will protect European sites and their sustaining resources integrated into the Plan

Sources for adverse effects ¹	Respective Plan Mitigation Measure(s)
Operational phase increase in visitor disturbance	<p>21.3 Corridor and Route Selection Process The following Corridor and Route Selection Process will be undertaken for relevant new infrastructure:</p> <ul style="list-style-type: none"> Stage 1 – Route Corridor Identification, Evaluation and Selection; and, Stage 2 – Route Identification, Evaluation and Selection. <p>In both stages, environmental constraints and opportunities will be key factors and the advice of relevant specialists will be sought. Site-specific field data will also be used. The need to consider other planning and transport matters is also recognised.</p> <p>21.4 Appropriate Assessment All projects and plans arising from this plan will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and subsequent Appropriate Assessment where necessary, that:</p> <ul style="list-style-type: none"> The plan or project will not give rise to adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or The plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or The plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000. <p>21.5 Protection of Natura 2000 Sites No projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects), except as provided for in Article 6(4) of the Habitats Directive, viz. there must be: a) no alternative solution available; b) imperative reasons of overriding public interest for the project to proceed; and c) adequate compensatory measures in place.</p>

¹ The measures generally benefit multiple environmental Sources and/or pathways for potential adverse effects i.e., a measure providing for the protection of water could beneficially impact upon the protection of biodiversity, flora and fauna, for example. All of the measures included in this table would benefit the protection of European sites.

Sources for adverse effects ¹	Respective Plan Mitigation Measure(s)
	<p>21.2 Lower-level Decision Making Lower levels of decision making and environmental assessment should consider the environmental sensitivities identified in Section 4 of the SEA Environmental Report, including the following:</p> <ul style="list-style-type: none"> • Special Areas of Conservation and Special Protection Areas; • Features of the landscape that provide linkages/connectivity to designated sites (e.g., watercourses and areas of semi-natural habitat, such as linear woodlands); • Salmonid Waters; • Shellfish Waters; • Nature Reserves; • Natural Heritage Areas; • Areas likely to contain a habitat listed in Annex 1 of the Habitats Directive; • Entries to the Record of Monuments and Places and Zones of Archaeological Potential; • Entries to the Record of Protected Structures; • Un-designated sites of importance to wintering or breeding bird species of conservation concern; • Architectural Conservation Areas; and • Special Amenity Area Order sites and other relevant landscape designations. <p>21.7 Other SEA and AA Recommendations In implementing the Plan, the City Council will ensure that the measures included in Table 9.2 of the SEA Environmental Report and the Natura Impact Statement are complied with².</p>
Construction phase interactions with water quality, noise and dust	<p>21.4 Appropriate Assessment All projects and plans arising from this plan will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and subsequent Appropriate Assessment where necessary, that:</p> <ul style="list-style-type: none"> • The plan or project will not give rise to adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or • The plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type/and or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or • The plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000. <p>21.5 Protection of Natura 2000 Sites No projects giving rise to adverse effects on the integrity of European sites (cumulatively, directly or indirectly) arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects), except as provided for in Article 6(4) of the Habitats Directive, viz. there must be: a) no alternative solution available; b) imperative reasons of overriding public interest for the project to proceed; and c) adequate compensatory measures in place.</p> <p>21.2 Lower-level Decision Making Lower levels of decision making and environmental assessment should consider the environmental sensitivities identified in Section 4 of the SEA Environmental Report, including the following:</p> <ul style="list-style-type: none"> • Special Areas of Conservation and Special Protection Areas; • Features of the landscape that provide linkages/connectivity to designated sites (e.g., watercourses and areas of semi-natural habitat, such as linear woodlands); • Salmonid Waters; • Shellfish Waters; • Nature Reserves; • Natural Heritage Areas; • Areas likely to contain a habitat listed in Annex 1 of the Habitats Directive; • Entries to the Record of Monuments and Places and Zones of Archaeological Potential; • Entries to the Record of Protected Structures; • Un-designated sites of importance to wintering or breeding bird species of conservation concern;

² These measures include those detailed at Table 2.2.

Sources for adverse effects ¹	Respective Plan Mitigation Measure(s)
	<ul style="list-style-type: none"> Architectural Conservation Areas; and Special Amenity Area Order sites and other relevant landscape designations. <p>21.7 Other SEA and AA Recommendations In implementing the Plan, the City Council will ensure that the measures included in Table 9.2 of the SEA Environmental Report and the Natura Impact Statement are complied with³.</p>

Table 2.2 Provisions referred to in the Plan under “Other SEA/AA Recommendations” that will contribute towards the protection of European sites

Provisions, including:
<p>Construction and Environmental Management Plans Construction Environment Management Plans (CEMPs) shall be prepared in advance of the construction of relevant projects and implemented throughout. Such plans shall incorporate relevant mitigation measures which have been integrated into the Plan and any lower tier Environmental Impact Statement or Appropriate Assessment. CEMPs typically provide details of intended construction practice for the proposed development, including:</p> <ol style="list-style-type: none"> location of the sites and materials compound(s) including area(s) identified for the storage of construction refuse, location of areas for construction site offices and staff facilities, details of site security fencing and hoardings, details of on-site car parking facilities for site workers during the course of construction, details of the timing and routing of construction traffic to and from the construction site and associated directional signage, measures to obviate queuing of construction traffic on the adjoining road network, measures to prevent the spillage or deposit of clay, rubble or other debris, alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public right of way during the course of site development works, details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels, containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater, disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, a water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains, details of a water quality monitoring and sampling plan. if peat is encountered - a peat storage, handling and reinstatement management plan. measures adopted during construction to prevent the spread of invasive species (such as Japanese Knotweed). appointment of an ecological clerk of works at site investigation, preparation and construction phases. details of appropriate mitigation measures for lighting specifically designed to minimise impacts to biodiversity and ecological functioning. <p>Protection of Biodiversity including Natura 2000 Network Contribute, as appropriate, towards the protection of designated ecological sites. Contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents):</p> <ul style="list-style-type: none"> EU Directives, including the Habitats Directive (92/43/EEC, as amended)⁴, the Birds Directive (2009/147/EC)⁵, the Environmental Liability Directive (2004/35/EC)⁶, the Environmental Impact Assessment Directive (2011/92/EU, as amended by 2014/52/EC), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC). National legislation, including the Wildlife Acts 1976 and 2010 (as amended), the Planning and Development Act 2000 (as amended) and associated Regulations, Environmental Impact Assessment Regulations, the European Union (Water Policy) Regulations 2003 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended), the European Communities (Environmental Liability) Regulations 2008 (as amended)⁷ and the Flora Protection Order 2015. National policy guidelines (including any clarifying Circulars or superseding versions of same), including the “Landscape and Landscape Assessment” Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010. Catchment and water resource management Plans, including the relevant River Basin Management Plan and Flood Risk Management Plan (including any superseding versions of same). Biodiversity Plans and guidelines, including the 3rd National Biodiversity Plan 2017-2023 (including its measures relating to ecological corridors and any superseding version of same) and the All Ireland Pollinator Plan. Freshwater Pearl Mussel Regulations (S.I. 296 of 2009) (including any associated designated areas or management plans).

³ These measures include those detailed at Table 2.2.

⁴ Including Annex I habitats, Annex II species and their habitats and Annex IV species and their breeding sites and resting places (wherever they occur).

⁵ Including Annex I species and other regularly occurring migratory species, and their habitats (wherever they occur).

⁶ Including protected species and natural habitats.

⁷ Including protected species and natural habitats.

Provisions, including:

- Ireland's Environment 2020 - An Assessment (EPA, 2020, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

Where developments, arising from this Plan, do not require Environmental Impact Assessment, a non-statutory Ecological Impact Assessment may be required to assess potential impacts on biodiversity.

NPWS & Integrated Management Plans

Article 6(1) of the Habitats Directive requires that Member States establish the necessary conservation measures for European sites involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans. The NPWS's current priority is to identify site specific conservation objectives; management plans may be considered after this is done.

Where Integrated Management Plans are being prepared for European sites (or parts thereof), the National Parks and Wildlife Service shall be engaged with in order to ensure that plans are fully integrated with the Strategy and other plans and programmes, with the intention that such plans are practical, achievable and sustainable and have regard to all relevant ecological, cultural, social and economic considerations, including those of local communities.

Biodiversity and Ecological Networks

Contribute towards the protection and enhancement of biodiversity and ecological connectivity including corridors or stepping stones in the context of Article 10 of the Habitats Directive.

Protection of Riparian Zone and Waterbodies and Watercourses

Help to ensure that waterbodies and watercourses are protected from inappropriate development, including rivers, streams, associated undeveloped riparian strips, wetlands and natural floodplains. This will include the preservation habitat features/structure, such as treeline density, and protection buffers in riverine areas, as appropriate.

Biodiversity including non-designated biodiversity

Ensure the undertaking of appropriately detailed surveying and assessment at project/EIA level and minimisation of loss of biodiversity, including old trees or tree lines or areas of vegetation, as a result of the development of new or widened infrastructure.

Help to ensure the appropriate protection of non-designated habitat features, landscapes and biological diversity. Where possible, to strive to achieve no net loss of these features as a result of new development granted permission under the Plan.

Contribute towards the protection and management of fisheries⁸ as appropriate and take into account Inland Fisheries Ireland's "Planning for Watercourses in the Urban Environments" (2020) for developments along watercourses.

Non-native invasive species

Support, as appropriate, the National Parks and Wildlife Service's efforts to seek to control and manage the spread of non-native invasive species on land and water. Where the presence of non-native invasive species is identified at the site of any proposed development or where the proposed activity has an elevated risk of resulting in the presence of these species, details of how these species will be managed and controlled will be required.

Water Framework Directive and associated legislation

Contribute towards, as appropriate, the protection of existing and potential water resources, and their use by humans and wildlife, in accordance with the requirements and guidance in the EU Water Framework Directive 2000 (2000/60/EC), the European Union (Water Policy) Regulations 2003 (as amended), the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (SI No. 272 of 2009), the Groundwater Directive 2006/118/EC and the European Communities Environmental Objectives (groundwater) Regulations, 2010 (S.I. No. 9 of 2010) and other relevant EU Directives, including associated national legislation and policy guidance (including any superseding versions of same). To support the application and implementation of a catchment planning and management approach to development and conservation, including the implementation of Sustainable Drainage System techniques for new development.

River Basin Management Plan

Support the implementation of the relevant recommendations and measures as outlined in the most up to date River Basin Management Plan, and associated Programme of Measures. Proposed plans, programmes and projects shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands. Also to have cognisance of, where relevant, the EU's Common Implementation Strategy Guidance Document No. 20 and 36 which provide guidance on exemptions to the environmental objectives of the Water Framework Directive.

Surface Water Drainage and Sustainable Drainage Systems (SuDs)

Ensure that new development is adequately serviced with surface water drainage infrastructure and promote the use of Sustainable Drainage Systems as appropriate.

Also see requirements under other heading of water above.

Soil Protection and Contamination

Ensure that adequate soil protection measures are undertaken where appropriate. Adequate and appropriate investigations shall be carried out into the nature and extent of any soil and groundwater contamination and the risks associated with site development work, where brownfield development is proposed.

⁸ Including with regard to water quality, surface water hydrology, fish spawning and nursery areas, passage of migratory fish, ecosystem structure and functioning and sport and commercial fishing and angling resources.

Section 3 Consideration of Alternatives

AA considerations relating to European sites informed the Strategic Environmental Assessment (SEA) process, including the consideration of reasonable alternatives.

3.1 Description of Alternatives Considered

Taking into account the objectives and geographical scope of the Plan, alternatives were considered under two tiers as follows:

3.1.1 Tier 1 Alternatives: Overall Approach

Alternative A - Congestion Charging

As a means of reducing the number of cars driving in Dublin City Centre, the introduction of a zone within which motorists would be required to pay a charge to drive.

The zone could encompass the Inner Core or the Study Area as a whole and would be monitored and enforced by means of cameras. The cost of the scheme would be subject to detailed analysis but would be set at a rate to discourage driving.

Specific arrangements would be considered for blue badge holders as would reduced rates for Low and Zero Emissions vehicles.

Alternative B - Traffic Management

As a means of reducing the number of cars driving in Dublin City Centre, introduce a number of traffic management interventions that would reduce the potential for vehicles to travel through the Inner Core, but would facilitate travel into the area, and access to car parks.

3.1.2 Tier 2 Alternatives: Traffic Management

Alternative A - Urban Design/ Planting / Amenity/ Plaza

This approach would provide for the traffic management measures to reduce through traffic alongside significant investment in the public realm in the form of new civic plazas, wider footpaths, high-quality segregated cycle tracks, lighting, greening etc.

It would capitalise on the opportunities provided by the traffic management interventions to deliver a more attractive City Centre.

Alternative B – Minimalist traffic management measures only

This approach would provide for the traffic management measures only and would effectively leave the traffic-free streets and spaces as they are today.

3.2 Summary of Assessment of Alternatives

A strategic multi-criteria analysis under the headings of Economy, Safety, Integration, Accessibility and Social Inclusion and Environment is provided below as is a summary of the assessment.

3.2.1 Tier 1 Alternatives: Overall Approach

Both Tier 1 alternatives (Alternative A “Congestion Charging” and Alternative B “Traffic Management”) would facilitate improvements in sustainable mobility and overall reductions in traffic flows, including a shift from car to more sustainable and non-motorised transport modes. Improvements in sustainable mobility would result in the following significant positive effects:

- Reductions in greenhouse gas emissions and associated achievement of legally binding greenhouse gas emissions targets;

- Reductions in all emissions to air, including noise, and associated achievement of air quality objectives, thereby contributing towards improvement of air quality and protection of human health;
- Reductions in consumption of non-renewable energy sources and achievement of legally binding renewable energy targets; and
- Energy security.

Both Tier 1 alternatives could facilitate significant investment in the public realm in the form of new civic plazas, wider footpaths, high-quality segregated cycle tracks, lighting, greening etc., allowing the opportunities provided by the traffic management interventions to deliver a more attractive City Centre. This enhancement of the public realm would both result in spaces where people wish to congregate and where movement is safer and more convenient and benefit cultural heritage (including archaeological and architectural heritage) and its context. It would also provide for enhanced biodiversity and potentially contributes towards urban climate adaptation objectives.

Both Tier 1 alternatives would contribute towards the achievement of a transport system that is capable of accommodating a significant growth in population. By facilitating a significant growth in population in well serviced, well connected and generally less environmentally sensitive areas, both alternatives would help to facilitate a higher efficiency of land utilisation, increases in sustainable mobility and a reduction in the need to develop areas (including greenfield areas) that are less well serviced, less well connected and generally more environmentally sensitive. This avoids potential significant adverse environmental effects that would otherwise occur beyond the city centre. The reduced need to develop areas that are less well serviced, less well connected and generally more environmentally sensitive would result in lower adverse effects upon environmental components, including air and climatic factors (emissions), ecology, landscape designations, water and soil.

Although there would be an overall reduction in traffic flows and associated interactions with air, noise and human health, there would be potential for displacement of traffic to lead to localised increases in traffic flows and associated localised potential impacts in terms of increased population exposure to air pollutants and/or elevated noise levels, both within the City Centre Transport Plan area and beyond. Potential effects, before mitigation is applied, would have the potential to be less significant under **Alternative A**. Potential effects, before mitigation is applied, would have the potential to be more significant under **Alternative B**.

In combination with the wider planning framework, the potential construction and operational effects of physical works would be mitigated so that adverse effects would not be significant. Potential effects, before mitigation is applied, would have the potential to be less significant under **Alternative A**, as less physical works would be required under this alternative. Potential effects, before mitigation is applied, would have the potential to be more significant under **Alternative B**, as more physical works would be required under this alternative.

Table 3.1 Comparative Multi-Criteria Analysis of Tier 1 Alternatives

Tier 1 Alternative (selected alternative in bold)	Economy	Safety	Integration	Accessibility and Social Inclusion	Environment (Refer also to text summarising assessment above)
Alternative A – Congestion Charging	Payments could be ring-fenced for better PT and Cycling	Potential reduced collisions due to reduced traffic	Would support wider transport, public realm and environment objectives	May lead to a situation where those who can afford it simply pay it, excluding those who cannot. May be perceived as unjust for people with disabilities who may have to drive.	Reduced air and noise pollution Reduced carbon emissions Potentially enhanced public realm Lower potential for displacement effects and associated interactions as some traffic with no economic or commercial justification for being there more likely to be removed

Tier 1 Alternative (selected alternative in bold)	Economy	Safety	Integration	Accessibility and Social Inclusion	Environment (Refer also to text summarising assessment above)
Alternative B - Traffic Management	Removes traffic with no economic or commercial justification for being there, freeing up the space for those who need to be there. Less impact on retail etc.	Potential reduced collisions due to reduced traffic	Would support wider transport, public realm and environment objectives.	More equitable than congestion charging in that physical traffic measures apply to all motorists equally. Without specific arrangements, it may be perceived as exclusionary for people with disabilities who may have to drive.	Reduced air and noise pollution Reduced carbon emissions Potentially enhanced public realm Higher potential for displacement effects and associated interactions as some traffic with no economic or commercial justification for being there less likely to be removed

3.2.2 Tier 2 Alternatives: Traffic Management

Both Tier 2 alternatives (Alternative A “Urban Design/ Planting / Amenity/ Plaza” and Alternative B “Minimalist traffic management measures only”) would facilitate improvements in sustainable mobility and overall reductions in traffic flows, including a shift from car to more sustainable and non-motorised transport modes. Improvements in sustainable mobility would result in the following significant positive effects:

- Reductions in greenhouse gas emissions and associated achievement of legally binding greenhouse gas emissions targets;
- Reductions in all emissions to air, including noise, and associated achievement of air quality objectives, thereby contributing towards improvement of air quality and protection of human health;
- Reductions in consumption of non-renewable energy sources and achievement of legally binding renewable energy targets; and
- Energy security.

Alternative A would facilitate significant investment in the public realm in the form of new civic plazas, wider footpaths, high-quality segregated cycle tracks, lighting, greening etc., allowing the opportunities provided by the traffic management interventions to deliver a more attractive City Centre. This enhancement of the public realm will both result in spaces where people wish to congregate and where movement is safer and more convenient and benefit cultural heritage (including archaeological and architectural heritage) and its context. It would also provide for enhanced biodiversity and potentially contributes towards urban climate adaptation objectives.

Both Tier 2 alternatives would contribute towards the achievement of a transport system that is capable of accommodating a significant growth in population. By facilitating a significant growth in population in well serviced, well connected and generally less environmentally sensitive areas, both alternatives would help to facilitate a higher efficiency of land utilisation, increases in sustainable mobility and a reduction in the need to develop areas (including greenfield areas) that are less well serviced, less well connected and generally more environmentally sensitive. This avoids potential significant adverse environmental effects that would otherwise occur beyond the city centre. The reduced need to develop areas that are less well serviced, less well connected and generally more environmentally sensitive would result in lower adverse effects upon environmental components, including air and climatic factors (emissions), ecology, landscape designations, water and soil.

Although there would be an overall reduction in traffic flows and associated interactions with air, noise and human health, there would be potential under **both Tier 2 alternatives** for displacement of traffic to lead to localised increases traffic flows and associated localised potential impacts in terms of increased population exposure to air pollutants and/or elevated noise levels, both within the City Centre Transport Plan area and beyond.

In combination with the wider planning framework, the potential construction and operational effects of physical works would be mitigated so that adverse effects would not be significant. Potential effects, before mitigation is applied, would have the potential to be more significant under **Alternative A**, as more physical works would be required under this alternative. Potential effects, before mitigation is applied, would have the potential to be less significant under **Alternative B**, as less physical works would be required under this alternative.

Table 3.2 Comparative Multi-Criteria Analysis of Tier 2 Alternatives

Alternative (selected alternative in bold)	Economy	Safety	Integration	Accessibility and Social Inclusion	Environment (Refer also to text summarising assessment above)
Alternative A - Urban Design/ Planting / Amenity/ Plaza	This would be a higher-cost alternative but, by significantly enhancing the attractiveness of the City Centre, would be likely to draw more people into the area, increasing footfall for retail and hospitality.	Higher levels of pedestrian activity and supporting activities could enhance the perception of the City Centre from a personal security point of view.	Introduction of new spaces, enhanced footpaths etc. would meet a range of urban design and environmental objectives.	The decision to pursue Traffic Management may be perceived as exclusionary for those with disabilities and the relative differences within Tier 2 are not significant.	Provides for enhanced biodiversity and potentially contributes towards urban climate adaptation objectives. Provides for an enhanced public realm, including enhancement of cultural heritage and its context.
Alternative B - Minimalist traffic management measures only	Cheaper to implement but would not provide the attractive environment of Alternative A.	This alternative would still likely attract a higher number of pedestrians but less likely to attract the investment in active land uses, therefore may be less advantageous in terms of safety and personal security.	Built environment would be left unchanged; urban design and environmental objectives would not be significantly be contributed towards.	The decision to pursue Traffic Management may be perceived as exclusionary for those with disabilities and the relative differences within Tier 2 are not significant.	Does not provide for enhanced biodiversity or contribute towards urban climate adaptation objectives. Does not provide for an enhanced public realm, including enhancement of cultural heritage and its context.

3.3 Reasons for Choosing the Selected Alternative in light of Other Reasonable Alternatives Considered

The alternatives selected for the Plan are selected having regard to both:

1. The environmental effects that are identified by the SEA and are summarised above; and
2. Other effects (under the headings of Economy, Safety, Integration and Accessibility and Social Inclusion) that are also summarised above.

Section 4 AA Determination



Appropriate Assessment Determination

under the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended)
for the Dublin City Centre Transport Plan 2023

In order to comply with the requirements of the Habitats Directive and Regulation 42 (11) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477), as amended, this determination is being made as to whether the Dublin City Centre Transport Plan 2023 ('the Plan') to be finalised (incorporating the Draft Plan that was placed on public display and subsequent modifications) would adversely affect the integrity of any European site.

The screening for AA identified sources with likely significant effects resulting from the implementation of the Plan to 4 (no.) European sites¹. Therefore, it could not be excluded, on the basis of objective scientific information following screening that the Plan, individually or in combination with other Plans, will have a significant effect on the above 4 (no.) European sites, and a Natura Impact Statement (NIS) was required.

In carrying out the AA of the Plan, all relevant matters specified under Regulation 42 (12) of the European Communities (Bird and Natural Habitats) Regulations 2011 (as amended) are being taken into account.

The NIS, which considers other plans and projects, has been conducted in view of best scientific knowledge and of the conservation objectives of each European site assessed, and its resultant mitigation measures, reasoning and conclusion agreed with and adopted. The NIS and all accompanying documents of the Plan prepared and submitted during the preparation process for the Plan have been considered in making this AA determination, including the Plan to be finalised and written submissions made on the Draft Plan and associated documents while they were on public display.

It is determined that the risks to the safeguarding and integrity of the Qualifying Interests, Special Conservation Interests and Conservation Objectives of the above listed European sites have been addressed by the inclusion of mitigation measures into the Plan that will address the avoidance of effects from the sources identified, and mitigate against the identified adverse effects on the integrity of European sites where these cannot be avoided. In addition, all lower-level plans and projects arising through the implementation of the Plan will themselves be subject to AA/screening for AA when further details of design and location are known.

In-combination effects from interactions with other plans and projects are considered and the mitigation measures incorporated into the Plan are seen to be robust to ensure that there will be no adverse effects on the integrity of any European site as a result of the implementation of the Plan either alone or in-combination with other plans/projects.

Having incorporated mitigation measures that address the identified sources for adverse effects to European sites resulting from the implementation of the Plan², it has been demonstrated that the Dublin City Centre Transport Plan 2023 for finalisation is not foreseen to give rise to any adverse effects on the integrity of any

¹ North Dublin Bay SAC (000206), South Dublin Bay SAC (000210), North Bull Island SPA (004006) and South Dublin Bay and Tolka Estuary SPA (004024)

² These are identified under Plan Sections 21.2 "Lower-level Decision Making", 21.3 "Corridor and Route Selection Process", 21.4 "Appropriate Assessment", 21.5 "Protection of Natura 2000 Sites" and 21.7 "Other SEA and AA Recommendations". Relevant measures under "21.7 Other SEA and AA Recommendations" are: "Construction and Environmental Management Plans", "Protection of Biodiversity including Natura 2000 Network", "NPWS & Integrated Management Plans", "Biodiversity and Ecological Networks", "Protection of Riparian Zone and Waterbodies and Watercourses", "Biodiversity including non-designated biodiversity", "Non-native invasive species", "Water Framework Directive and associated legislation", "River Basin Management Plan" and "Soil Protection and Contamination".

Figure 4.1 Final Appropriate Assessment Determination Page 1 of 2 (NTA)

23rd July 2024

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.

12

Appropriate Assessment Determination

under the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended)
for the Dublin City Centre Transport Plan 2023

In order to comply with the requirements of the Habitats Directive and Regulation 42 (11) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477), as amended, this determination is being made as to whether the Dublin City Centre Transport Plan 2023 ('the Plan') to be finalised (incorporating the Draft Plan that was placed on public display and subsequent modifications) would adversely affect the integrity of any European site.

The screening for AA identified sources with likely significant effects resulting from the implementation of the Plan to 4 (no.) European sites¹. Therefore, it could not be excluded, on the basis of objective scientific information following screening that the Plan, individually or in combination with other Plans, will have a significant effect on the above 4 (no.) European sites, and a Natura Impact Statement (NIS) was required.

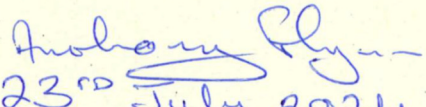
In carrying out the AA of the Plan, all relevant matters specified under Regulation 42 (12) of the European Communities (Bird and Natural Habitats) Regulations 2011 (as amended) are being taken into account.

The NIS, which considers other plans and projects, has been conducted in view of best scientific knowledge and of the conservation objectives of each European site assessed, and its resultant mitigation measures, reasoning and conclusion agreed with and adopted. The NIS and all accompanying documents of the Plan prepared and submitted during the preparation process for the Plan have been considered in making this AA determination, including the Plan to be finalised and written submissions made on the Draft Plan and associated documents while they were on public display.

It is determined that the risks to the safeguarding and integrity of the Qualifying Interests, Special Conservation Interests and Conservation Objectives of the above listed European sites have been addressed by the inclusion of mitigation measures into the Plan that will address the avoidance of effects from the sources identified, and mitigate against the identified adverse effects on the integrity of European sites where these cannot be avoided. In addition, all lower-level plans and projects arising through the implementation of the Plan will themselves be subject to AA/screening for AA when further details of design and location are known.

In-combination effects from interactions with other plans and projects are considered and the mitigation measures incorporated into the Plan are seen to be robust to ensure that there will be no adverse effects on the integrity of any European site as a result of the implementation of the Plan either alone or in-combination with other plans/projects.

Having incorporated mitigation measures that address the identified sources for adverse effects to European sites resulting from the implementation of the Plan², it has been demonstrated that the Dublin City Centre Transport Plan 2023 for finalisation is not foreseen to give rise to any adverse effects on the integrity of any European site, alone or in combination with other plans or projects³. This evaluation has been made in view of the conservation objectives of the habitats and/or species, for which these sites have been designated. Therefore, no further assessment is required.

Signatory:  Assistant Chief Executive
Date: 23rd July 2024.

¹ North Dublin Bay SAC (000206), South Dublin Bay SAC (000210), North Bull Island SPA (004006) and South Dublin Bay and Tolka Estuary SPA (004024)

² These are identified under Plan Sections 21.2 "Lower-level Decision Making", 21.3 "Corridor and Route Selection Process", 21.4 "Appropriate Assessment", 21.5 "Protection of Natura 2000 Sites" and 21.7 "Other SEA and AA Recommendations". Relevant measures under "21.7 Other SEA and AA Recommendations" are: "Construction and Environmental Management Plans", "Protection of Biodiversity including Natura 2000 Network", "NPWS & Integrated Management Plans", "Biodiversity and Ecological Networks", "Protection of Riparian Zone and Waterbodies and Watercourses", "Biodiversity including non-designated biodiversity", "Non-native invasive species", "Water Framework Directive and associated legislation", "River Basin Management Plan" and "Soil Protection and Contamination".

³ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be:

- a) no alternative solution available,
- b) imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.

Figure 4.3 Final Appropriate Assessment Determination Page 1 of 1 (DCC)