

DUBLIN CITY COUNCIL



**ORDER OF THE ASSISTANT CHIEF EXECUTIVE
PLANNING & PROPERTY DEVELOPMENT DEPARTMENT**

**Screening Determination for Appropriate Assessment
Under Habitats Directive 92/43/EEC
as transposed under S.I. No 477/2011 European Communities (Birds and Natural
Habitats) Regulations 2011 and the Planning and Development Act 2000, as
amended**

**Concerning the decision to extend the life of the Park West – Cherry Orchard
Local Area Plan 2019**

Dublin City Council (DCC) as the Competent Authority has undertaken Screening for Appropriate Assessment (AA) under Habitats Directive 92/43/EEC, the European Communities (Birds and Natural Habitats) Regulations 2011 and the Planning and Development Act 2000, as amended, in respect of extending the Park West – Cherry Orchard Local Area Plan (LAP) 2019. The AA Screening was carried out to determine whether the extension of the LAP will have the potential to negatively affect the Special Conservation Interests/ Qualifying Interest of European Sites and to confirm if a Stage II AA Natura Impact Report is required.

In accordance with Section 19 (1) (d), (e) & (f) of the Planning & Development Act 2000 (as amended) the elected members of Dublin City Council noted the opinion of the Chief Executive in Report 180/2024 that the LAP remains consistent with the objectives and core strategy of the Dublin City Development Plan 2022-2028 (the Development Plan) and that the objectives of the LAP remain to be secured and approved by resolution the extension of the LAP and deferred the sending of a notice under section 20(3)(a)(i) and publishing a notice under section 20(3)(a)(ii), for a further period of five years to the 4th November 2029.

The preparation of the LAP was informed by AA. It was concluded that there was no potential for significant impacts on Natura 2000 sites within the zone of influence and that a stage 2 Appropriate Assessment was not required. The approved LAP was also considered in the context of the Development Plan, which retained the plan area as a Strategic Development and Regeneration Area (SDRA 4). The Development Plan was subject to comprehensive environmental assessments to include Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA). The proposal to extend the life of the LAP does not involve any changes or amendments to the LAP.

Since the adoption of the LAP and the Development Plan, the North-West Irish Sea was designated as a new Special Protection Area (SPA) on 13th July 2023. The proposed extension to the LAP is considered in this context.

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Having regard to Articles 6(3) and 6(4) of the Habitats Directive, it has been determined that the extension to the LAP is not likely to have a significant effect, individually or in combination with other plans or projects on the Special Conservation Interests / Qualifying Interests and their respective Conservation Objectives of any Natura 2000 site. This determination has been made following consideration of the following:

- The extension of the LAP does not involve any changes or amendments.
- The distance from European sites.
- The nature of direct connections with regard to the Source-Pathway-Receptor model.
- The Appropriate Assessment Screening prepared for the LAP.
- The Appropriate Assessment that informed the Dublin City Development Plan 2022-2028.

Signed Máire Igoe

Máire Igoe

M Executive Manager

ORDER: That Dublin City Council as the Competent Authority makes the following determination:

Pursuant to Section 19 (1) (d), (e) & (f) of the Planning & Development Act 2000 (as amended), the passing of a resolution by the elected members of Dublin City Council to extend the Park West – Cherry Orchard Local Area Plan 2019, having considered the opinion of the Chief Executive in Report 180/2024 that the LAP remains consistent with the objectives and core strategy of the Dublin City Development Plan 2022-2028 (the Development Plan) and that the objectives of the LAP remain to be secured, and the deferral of sending a notice under section 20(3)(a)(i) and publishing a notice under section 20(3)(a)(ii) for a further period of five years to the 4th November 2029, does not have the potential to give rise to likely significant effects on the Special Conservation Interests / Qualifying Interests and their respective Conservation Objectives of any Natura 2000 site, either alone, or in combination with other plans or projects and that a Stage II Appropriate Assessment will not be required.

Signed Anthony Elynn

Anthony Elynn

Assistant Chief Executive

Date: 17th October 2024

To whom the appropriate powers have been delegated by the Order No. CE 6765 of the Dublin City Chief Executive.