

Traffic Management Measures - South (Westland Row / Pearse Street / Sandwith Street)

Appropriate Assessment Screening Report

Client: Dublin City Council

Civic Offices

Wood Quay

Dublin 8

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1. Introduction

1.1 Background

The Active Travel Support Office (ATSO) was commissioned by Dublin City Council to undertake an Appropriate Assessment (AA) Screening Report in respect of the traffic management measures proposed on Westland Row, Pearse Street & Sandwith Street, hereafter referred to as “the proposed development”. It is the opinion of the author that the measures which are the subject of this report, do not fall within the definition of “project”. Nevertheless, out of an abundance of caution, this AA screening has been prepared.

The AA Screening Report is intended to determine whether or not the proposed development, either individually or in combination with other plans or projects, in view of best scientific knowledge, is likely to have a significant effect on areas designated as being of European importance for nature conservation (“European sites”), thereby enabling Dublin City Council, as the Competent Authority in this case, to fulfil its obligations under Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (“the Habitats Directive”).

This document comprises the AA Screening Report in respect of the proposed development and was prepared by ATSO in accordance with the requirements of the Habitats Directive, as transposed into Irish law by Part XAB of the Planning and Development Act, 2000 (as amended) (“the Planning and Development Act”) and by the European Communities (Birds and Natural Habitats) Regulations 2011 as amended¹ (S.I. No.477 of 2011) (the Habitats Regulations), including Part 5 thereof.

The aim of this AA Screening Report is to inform and assist the Competent Authority in determining whether or not the proposed development, either individually or in combination with other plans and projects, has the potential to significantly affect one or more European sites in view of their Conservation Objectives.

It is the considered opinion of ROD, as the author of this AA Screening Report, that the proposed development, either individually or in combination with other plans or projects, in view of best scientific knowledge, does not have the potential to significantly affect any European site, in view of their Conservation Objectives. Therefore, that AA is not required in respect of the proposed development.

1.2 Competent Experts

This AA Screening Report was prepared by Patrick O’Shea. Patrick is a Principal Ecologist with over ten years’ experience in ecological assessment. He holds a degree in Botany from Trinity College Dublin and an MSc in Ecological Management and Conservation Biology from Queen’s University Belfast and is a Full member of CIEEM.

1.3 Legislative Context

Council Directive 92/43/EEC of the 21st May 1992 on the conservation of natural habitats of wild fauna and flora (“the Habitats Directive”) and Directive 2009/147/EC of the European Parliament and of the Council of the 30th November 2009 on the conservation of wild birds (“the Birds Directive”) list habitats and species which are, in a European context, important for conservation and in need of protection. This protection is afforded in part through the designation of sites which support significant examples of habitats or populations of species. (“European sites”). Sites designated for wild birds are termed “Special Protection Areas” (SPAs) and sites designated for natural habitat types or other species are

¹ Including inter alia S.I. 290 of 2013; SI 499 of 2013; SI 355 of 2015; the Planning, Heritage and Broadcasting (Amendment) Act 2021, Chapter 4; SI 293 of 2021.

termed “Special Areas of Conservation” (SACs). The complete network of European sites is referred to as “Natura 2000”.

In order to ensure the protection of European sites in the context of land use planning and development, Article 6(3) of the Habitats Directive provides for the assessment of the implications of plans and projects for European sites, as follows:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site² and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

In Case C-323/17 [§34], *People Over Wind*, the Court of Justice of the European Union (‘the CJEU’) referred to the nature of the test to be applied in making a screening determination as follows:

“[...] it is settled case-law that Article 6(3) of the Habitats Directive makes the requirement for an appropriate assessment of the implications of a plan or project conditional on there being a probability or a risk that the plan or project in question will have a significant effect on the site concerned. In the light, in particular, of the precautionary principle, such a risk exists if it cannot be excluded on the basis of objective information that the plan or project will have a significant effect on the site concerned (judgment of 26 May 2011, Commission v Belgium, C-538/09, EU:C:2011:349, paragraph 39 and the case-law cited). The assessment of that risk must be made in the light inter alia of the characteristics and specific environmental conditions of the site concerned by such a plan or project (see, to that effect, judgment of 21 July 2016, Orleans and Others, C-387/15 and C-388/15, EU:C:2016:583, paragraph 45 and the case-law cited).”

Further clarification on the use of mitigation measures was provided in *Eco Advocacy*², where the CJEU ruled that where constituent elements are incorporated into the design of a project as standard features required for all projects of that nature and not with the aim of reducing negative effects of a project on European sites, those features should not be interpreted as mitigation measures intended to avoid or reduce harmful effects (i.e. likely significant effects) of a project on those European sites. The judgement stated that:

“In the light of the foregoing considerations, the answer to the fourth question is that Article 6(3) of the Directive 92/43 must be interpreted as meaning that, in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site.”

Article 7 of the Habitats Directive provides that the provisions of, *inter alia*, Article 6(3) are to apply to SPAs under Directive 2009/147/EC (the “Birds Directive”).

As stated, the requirements arising out of Article 6(3) of the Habitats Directive are transposed into Irish law by Part XAB of the Planning and Development Act, and the Habitats Regulations, including Part 5 thereof.

The determination of whether or not a plan or project requires AA is referred to as “Stage 1” or “AA Screening”. A “Stage 1” or “AA Screening” is completed to determine whether or not the proposed

² Including, where applicable, ‘sites’.

development, either individually or in combination with other plans or projects, in view of best scientific knowledge, is likely to have a significant effect on areas designated as being of European importance for nature conservation ("European sites"), thereby enabling the Applicant, to fulfil its obligations under Article 6(3) of the Habitats Directive.

Article 6(3) of the Habitats Directive specifies that AA must be undertaken by the "competent national authorities". In Ireland, the "Competent Authority" is the relevant planning authority for each plan or project, e.g. the local authority or An Bord Pleanála. Consequently, the responsibility for carrying out AA Screening lies solely with the Competent Authority. In that respect, the AA Screening Report is not in itself an AA Screening Assessment but provides the Competent Authority with the information it needs in order to carry out its AA Screening.

1.4 Screening Methodology

At this stage of the process, the AA Screening Report assesses the potential effects from the plan or project on the European sites within the Zone of Influence and evaluates them in view of the sites' Conservation Objectives.

This AA Screening Report has had regard inter alia to the following matters³:

- The threshold test is that an appropriate assessment will be required if the proposed development is likely *to have a significant effect* on (a) European site(s) either individually or in combination with other plans or protects.
- It is not necessary, in order to trigger the requirement to proceed to stage 2 AA that the proposed development will *'definitely'* have significant effects on the protected site, but such a requirement will arise if it is a *'mere probability'* that such an effect exists. The requirement to carry out an AA will be satisfied if there is a *'probability or a risk'* that the proposed development will have *'significant effects'* on (a) European site(s).
- Consequent upon the application of the precautionary principle, such a *'risk'* will be found to exist if *'it cannot be excluded on the basis of objective information'* that the particular proposed development *'will have significant effects'* on (a) European site(s).
- An AA will be required if, on the basis of objective information, a *'significant effect'* on a European site *'cannot be excluded'*. An AA will not be required if, on the basis of objective information, a *'significant effect'* on (a) European site(s) *'can be excluded'*.
- In the case of *'doubt as to the absence of significant effects'* an AA must be carried out.
- The requirement to conduct an AA will arise where, at the screening stage, it is ascertained that the particular development is *'capable of having any effect'* (albeit this must be any *'significant effect'*) on (a) European site(s).
- The *'possibility'* of there being a *'significant effect'* on (a) European site(s) will give rise to a requirement to carry out an AA for the purposes of Article 6(3). There is no need to *'establish'* such an effect and it is merely necessary to determine that there *'may be'* such an effect.
- In order to meet the threshold of likelihood of significant effect, the word *'likely'* in Article 6(3) means less than the balance of probabilities. The test does not require any *'hard and fast evidence'* that such a significant effect was likely. It merely has to be shown that there is a *'possibility'* that this significant effect is likely.
- The assessment of whether there is a risk of *'significant effect'* on the European site must be made in light, inter alia, of the *'characteristics and specific environmental conditions of the site concerned'* by the relevant plan or project.
- Plans or projects or applications for developments which have *no appreciable effect* on European sites are excluded from the requirement to proceed to AA. If all applications for

³ See Eoin Kelly v. An Bord Pleanála [2019] IEHC 84; Kelly v. An Bord Pleanála [2014] IEHC 400; Connelly v. An Bord Pleanála [2018] IESC 31; [2018] ILRM 453.

permission for proposed developments capable of having *any effect whatsoever* on such sites were to be caught by Article 6(3) *activities on or near the site would risk being impossible by reason of legislative overkill*.

While the threshold at the screening stage of Article 6(3) is very low nonetheless it is a threshold which must be met before it is necessary to proceed to the stage 2 AA.

Accordingly, best practice in undertaking AA Screening involves five steps as follows:

- 1) The first step involves gathering the information and data necessary to carry out a screening assessment. These include, but are not limited to, the details of all phases of the plan or project, environmental data pertaining to the area in which the plan or project is located, e.g. rare or protected habitats and species present or likely to be present, and the details of the European sites within the Zone of Influence.
- 2) The second step involves examining the information gathered in the first step and a scientific analysis of the potential impacts of the project on the receiving environment, particularly the European sites in the Zone of Influence.
- 3) The third step evaluates the impacts analysed in the second step against the Conservation Objectives of the relevant European sites, thereby determining whether or not those impacts constitute “likely significant effects”, within the meaning of Article 6(3) of the Habitats Directive.
- 4) The fourth step involves considering the potential for likely significant effects to arise from the combination of the impacts of the plan or project with those of other plans or projects. If it is determined in the third step that Stage 2 (AA) is required, consideration of potential cumulative impacts may be deferred to that stage.
- 5) The last step involves the issuing of a statement of the determination of the AA Screening. Notwithstanding the recommendation made in the AA Screening Report, the responsibility for completing this step lies solely with the Competent Authority.

The following guidance documents informed the assessment methodology:

- European Commission (EC) (2021) *Assessment of plans and projects in relation to Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. Environment Directorate-General of the European Commission.
- European Commission (EC) (2018) *Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. European Commission, Brussels.
- Department of Environment, Heritage and Local Government (DEHLG) (2010) *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.
- National Parks and Wildlife Service (NPWS) (2010) *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular Letter NPW 1/10 & PSSP 2/10. National Parks & Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.
- Office of the Planning Regulator (OPR) (2021) *Practice Note PN01: Appropriate Assessment Screening for Development Management*. Office of the Planning Regulator.

1.5 Ecological Assessment

In order to fully inform this AA Screening Report in respect of the proposed development, it was necessary to establish the baseline ecological conditions in the receiving environment, particularly with regard to European sites.

Desk Study

During the desk study, the statutory consultee, the National Parks & Wildlife Service (NPWS), provided data on designations of sites, habitats and species of conservation interest. This included reporting

pursuant to Article 17 of the Habitats Directive⁴ (NPWS, 2019a, b, c) and Article 12 of the Birds Directive⁵ (Eionet, 2018), as well as the Site Synopses and Conservation Objectives for the relevant European sites.

The desk study involved a thorough review of existing information relating to ecology in the vicinity of the proposed development and in the surrounding area. A number of web-based geographic information systems (GISs) were used to obtain information relating to the natural environment surrounding the proposed development. These included the NPWS *Map Viewer* (NPWS, 2024), which provided information on the locations of protected sites, the National Biodiversity Data Centre's *Biodiversity Maps* (NBDC, 2024), which provided recent and historic records of rare and protected species in the area as well as the Environmental Protection Agency's *Unified GIS Application* (EPA, 2024) which provided additional information on the wider environment.

As with all desk studies, the data considered were only as good as the data supplied by the recorders and recording schemes. The recording schemes provide disclaimers in relation to the quality and quantity of the data they provide, and these were considered when examining outputs of the desk study.

Assessment

The ecological baseline, which was established by the desk study described above, informed the assessment of the potential ecological effects likely to arise from the proposed development, particularly with regard to European sites. Any assumptions that were made in view of gaps in the ecological data were made in accordance with the Precautionary Principle.

⁴ Under Article 17, to report to the European Commission every six years on their status and on the implementation of the measures taken under the Directive.

⁵ Every three years, Member States of the European Union are required by Article 12 of the Birds Directive to report on implementation of the Directive. The most recent reporting available is for the period 2008-2012.

2. Description of the Proposed Development

2.1 *Nature of the Proposed Development*

The proposed Traffic Management Measures on Westland Row / Pearse Street / Sandwith Street will consist of a bus only left turn from Westland Row to Pearse Street, with vehicular/general traffic turning right from Westland Row on to the proposed two-way vehicular traffic section from Westland Row junction on Pearse Street to Sandwith Street junction.

The traffic management measures will be operational 24 hours a day. **Appendix A** consists of drawings showing the existing and proposed changes to traffic directions for vehicles, cyclists and bus traffic.

There will be minimal construction required for the proposed measure. The traffic management measure will involve updated traffic signals, road signage, flexible bollards, and street markings where necessary to direct traffic safely. Traffic islands will be reconfigured and realigned at the Westland Row - Pearse Street junction.

It is anticipated that the works will take place over approximately an 8-week period during the hours of 10:00 and 16:00. Traffic management measures will be implemented to ensure access is maintained to properties and roads and will limit disruption to traffic in the area during the works.

2.2 *Size of the Proposed Development*

The proposed development involves minor works along an approximate total of 710m of existing road on Pearse Street, from west of Westland Row to east of Sandwith Street.

2.3 *Location and Extent of Proposed Development*

The proposed development is located on Pearse Street, and Westland Row and Sandwith Street, in Dublin City Centre. The area is located west of Grand Canal Dock. **Appendix B** indicates the proposed development boundary.

2.4 *Receiving Natural Environment*

The proposed development is located in Dublin City Centre. The primary land use in this area is residential and commercial. Pearse Train Station is located directly east of Westland Row. The dominant habitat type within proximity of the proposed measures is Buildings and artificial surfaces (BL3), with Flower beds and borders (BC4), Stone walls and other stonework (BL1), Tidal rivers (CW2), Canals (FW3), Amenity grassland (improved) (GA2), and Scattered trees and parkland (WD5), according to Fossitt (2000). The proposed development will be constructed entirely on existing paved and artificial surfaces on Pearse Street, Westland Row and Sandwith Street.

Water courses

The River Liffey is approximately 250m north of the proposed measures. Grand Canal Dock is approximately 450m to the east of the proposed measures. The River Dodder joins the Grand Canal and flows into the River Liffey approximately 1km northeast of the proposed measures. Dublin Port is located approximately 1.3km northeast of the proposed measures, on the north side of the River Liffey. The River Liffey discharges into Dublin Bay approximately 2.8km downstream of the confluence of the Grand Canal and the Liffey.

The Water Frameworks Directive (WFD) provides information regarding waterbody statuses recorded in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003), and the level of risk for each waterbody of failing to meet their WFD objectives by 2027.

The current WFD status for the river, transitional, coastal, and ground waterbodies in proximity to the proposed measures are presented in Table 1.1

Table 1.1 *WFD Water Monitoring Results*

Waterbody	Waterbody WFD Status 2016 – 2021	Waterbody Risk
Grand Canal Main Line (Liffey and Dublin Bay)	Good	Not at risk
Liffey Estuary Lower	Moderate	At risk
Dublin Bay	Good	Not at risk
Dublin Groundwater	Good	Review

2.5 *Likely Effects on the Natural Environment*

Disturbance

Given that the proposed development is located in a dense urban environment, any disturbance via noise, visual or vibration will be similar to the ambient levels caused by the existing traffic, construction, buildings and infrastructure. As the proposed measures will involve minor road works on existing urban roads in the city centre, disturbance during the operation phase of the proposed measures is not expected to increase from the baseline.

Air Quality

Given the nature, and scale of the proposed measures, impacts to air quality are not expected to increase from the baseline. As indicated by the draft Dublin City Centre Transport Plan, there will be an overall reduction in traffic in the surrounding area as a result of the proposed measures. As such, air pollution levels will not increase or exceed environmental standards as a result of the operation phase of the proposed measures.

Water Quality

No watercourses are directly connected to the proposed measures. As outlined in Section 2.3, Grand Canal Dock is within 450m to the east of the proposed measures, and the River Liffey is approximately 250m to the north.

During the operation phase of the proposed measures, negative impacts to water quality in the surrounding environment as a result of surface water runoff are not expected to increase from the baseline, given that the proposed measures are on an existing roadway in a dense urban environment.

The construction phase of proposed measures has the potential to give rise to negative impacts on water quality such as pollution via the machinery and materials. However, surface waters in the development boundary join a combined system, in-which they are combined with sewage water and directed to Ringsend Wastewater Treatment Plant (WWTP), and as such, will not enter the watercourses in the surrounding environment.

3. Identification of Likely Significant Effects

3.1 *Establishing the Zone of Influence*

Section 3.2.3 of DEHLG (2010) outlines the procedure for selecting the European sites to be considered in AA. It states that European sites potentially affected should be identified and listed, bearing in mind the potential for direct, indirect and in-combination effects. It also states that the specific approach in each case is likely to differ depending on the scale and likely effects of the plan or project. However, it advises that the following sites should generally be included:

- All European sites within or immediately adjacent to the plan or project area;
- All European sites within the Zone of Influence of the plan or project; and,
- In accordance with the Precautionary Principle, all European sites for which there is doubt as to whether or not they might be significantly affected.

The “Zone of Influence” of a project is the geographic extent over which significant ecological effects are likely to occur. In the case of projects, the guidance recognises that the Zone of Influence must be established on a case-by-case basis using the Source-Pathway-Receptor Model (OPR, 2021). A project may only lead to significant effects on the integrity of the European site where all three elements of Source-Pathway-Receptor are linked. In the absence of one element of this model, likely significant effects can be screened out with confidence. The assessment should make reference to the following key variables:

- The nature, size and location of the project;
- The nature of the impacts which may arise from the project;
- The sensitivities of the ecological receptors; and,
- The potential for in-combination effects.

For example, in the case of a project that could affect a watercourse, it may be necessary to include the entire upstream and/or downstream catchment in order to capture all European sites with water-dependent features of interest.

Having regard to the above key variables, the Zone of Influence was defined as:

- The proposed development site plus a 50m buffer.

Given the existing infrastructure, traffic, and urban nature of the surrounding area, this area was defined as the Zone of Influence as beyond this limit, noise and visual disturbance will not occur. Surface waters are directed to a combined sewage system which is treated at Ringsend WWTP.

A geographical representation of the Zone of Influence was produced in QGIS 3.26.1 using the proposed development boundary and publicly available OpenStreetMaps. This was used in combination with NPWS shapefiles to identify the boundaries of European sites in relation to the Zone of Influence (**Figure 1.1**).

It was determined that no European sites occur within the Zone of Influence for the proposed development. European sites in the vicinity of proposed development, but outside of the Zone of Influence are presented in Table 3.1 below.

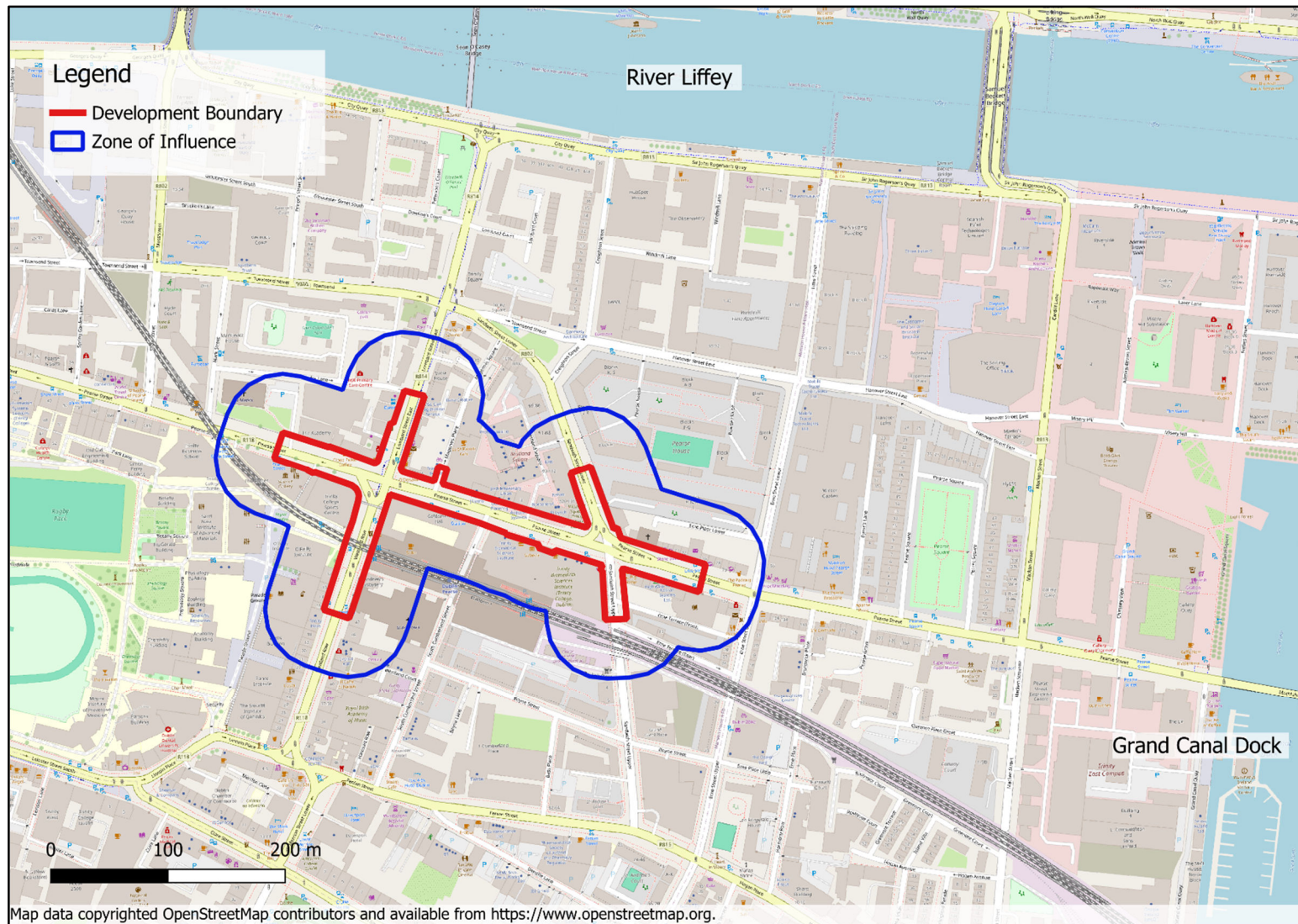


Figure 1.1 The Zone of Influence of the proposed development.

Table 3.1 European sites located within the vicinity but outside the Zone of Influence.

European site [site code]	Distance from the proposed development
South Dublin Bay and River Tolka Estuary SPA [004024]	2km northeast
South Dublin Bay SAC [000210]	2.3km southeast
North Bull Island SPA [004006]	4.6km northeast
North Dublin Bay SAC [000206]	4.6km northeast
North-west Irish Sea SPA [004236]	6.3km northeast

3.2 Summary of Likely Significant Effects

In Sections 3.1 it was established that no European sites occur within the Zone of Influence of the proposed development. Therefore, there are no pathways for effects between the proposed development and any European sites.

4. In-combination Effects

4.1 Introduction

Article 6(3) of the Habitats Directive requires that AA be carried out in respect of plans and projects that are likely to have significant effects on European sites, “*either individually or in combination with other plans or projects*”. Therefore, regardless of whether or not the likely effects of a plan or project are significant when considered on their own, the significance of the combination of the effects of the plan or project under assessment with the effects of other past, present or foreseeable future plans or projects must also be evaluated.

4.2 Methodology

Plans and projects from the past ten years with potential for interactions with the proposed development were selected for assessment. For the purposes of the assessment, small scale and domestic developments were not considered given the nature of the Project and the fact that these projects would be subject to stringent planning controls.

The ePlanning websites for Dublin City Council, and the EIA Portal was used to search for planning applications.

4.3 Outcome

Table 4.1 below details the assessment of the likelihood of significant effects arising from the proposed development in combination with other plans or projects. This assessment was undertaken in view of the Conservation Objectives of the relevant European sites and found that the proposed development does not have the potential to significantly affect any European site in combination with other plans or projects.

Table 4.1 *Assessment of the potential of likely significant effects in combination with other plans and projects*

Plan or Project	Description of Plan or Project	In-Combination Effect(s)
Traffic Management Measures- Aston Quay, Fleet Street. & Westmorland Street.	<p>The proposed Traffic Management Measures will consist of the installation of bollard, road signage and road markings on Aston Quay, Fleet Street and Westmoreland Street.</p> <p>The proposed measures are to:</p> <ul style="list-style-type: none"> • reserve Aston Quay for east-west movement for public transport and cyclists only. This will mean private vehicles will not be permitted to travel on to Aston Quay from Burgh Quay, private vehicles will continue to be able to turn right on to O'Connell Street and/or left on to D'Olier Street. • on the junction of Westmoreland Street and Fleet Street signage will be installed to prevent private vehicular traffic turning left on to Fleet Street, local access and deliveries will continue to be permitted in the area. 	<p>The project is approximately 590m west of the proposed development.</p> <p>This project is similar in nature and scale to the proposed development. Due to the nature of the proposed development and this project, there is no potential for in-combination effects with the proposed development.</p>
Traffic Management Measures at Bachelors' Walk & Eden Quay	<p>The proposed Traffic Management Measures on Bachelor's Walk and Eden Quay will consist of the installation of bollards, road signage and markings. The proposals will restrict private vehicular traffic travelling between Bachelor's Walk and Eden Quay. (Private vehicles will continue to be permitted to turn left from Bachelor's Walk on to O'Connell Street).</p> <p>The proposal will also allow private vehicles to turn right from O'Connell Bridge to Eden Quay changing the existing bus lane to a shared lane. New road signage, traffic signal heads and road markings will be installed to allow these changes.</p>	<p>The project is approximately 625m northwest of the proposed development.</p> <p>This project is similar in nature and scale to the proposed development. Due to the nature of the proposed development and this project, there is no potential for in-combination effects with the proposed development</p>
Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order	<p>The proposed development will comprise a metro railway between Estuary Station and the Park and Ride (P&R) Facility, north of Swords via Dublin Airport to Charlemont Station which lies south of Dublin City. The alignment is 18.8km long in total. There will be 16 new stations along the alignment. Estuary Station will be at surface level and four stations at Seatown, Swords Central, Fosterstown and Dardistown will be in retained cut. Dublin Airport Station and a further ten stations along the City Tunnel will be underground. The route of the proposed Project will accommodate two railway tracks, one for northbound and one for southbound services. The rail corridor will also include other features</p>	<p>The project is approximately 85m northwest of the proposed development.</p> <p>Due to the nature of the proposed development, there is no potential for in-combination effects with the proposed development.</p>

Plan or Project	Description of Plan or Project	In-Combination Effect(s)
ABP Reference number: NA29N.314724	including: signalling; telecommunication and overhead line equipment; electricity cables; railway drainage; and access tracks. The width of the railway corridor will vary along its length in order to accommodate the existing ground, cuttings, embankments and tunnels. Other principal project elements include a Park and Ride (P&R) Facility at Estuary, two viaducts (one over the Broadmeadow and Ward Rivers and one over the M50 Motorway), and a Maintenance Depot at Dardistown. The proposed Project will be located fully within County Dublin, passing through the administrative areas of Fingal County Council (FCC) and Dublin City Council (DCC).	
BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme ABP Reference number: HA29N.313509	The construction of the Belfield / Blackrock to City Centre Core Bus Corridor Scheme, which has an overall length of approximately 8.3km, is routed along the N31 Temple Road from approximately 80m to the north of the junction with the R827 Stradbroke Road, then along the R118 Rock Road/Merrion Road/Pembroke Road, the R816 Pembroke Road/Baggot Street Upper/Baggot Street Lower, turns onto Fitzwilliam Street Lower and terminates at the junction with Mount Street Upper/Merrion Square South/Merrion Square East, and is also routed along Nutley Lane between the R138 Stillorgan Road and the R118 Merrion Road, all in the County of Dublin and within the Dublin City Council (DCC) and Dún Laoghaire-Rathdown County Council (DLRCC) administrative areas.	The project is approximately 380m south of the proposed development. Due to the nature of the proposed development, there is no potential for in-combination effects with the proposed development.
Grand Canal Storm Water Outfall Extension ABP Reference number: YA29S.313738	Extension of the existing Grand Canal Docks stormwater outfall from the southern boundary of the basin to the River Liffey at Sir John Rogerson's Quay. The project comprises the construction of pipework, transition chambers, floating platforms, and new outfall structure, as well as all ancillary site works. A Foreshore license is required for the structures built on Sir John Rogerson's Quay.	The project is approximately 450m east of the proposed development. Due to the nature of the proposed development, there is no potential for in-combination effects with the proposed development.

Plan or Project	Description of Plan or Project	In-Combination Effect(s)
<p>Dublin City Council Reference number: 3220/21 Applicant: Dublin Port Company Location: Dublin Port, Alexandra Road, Dublin 1</p>	<p>Protected Structure: Construction of a pedestrian walkway and a cycle lane along East Wall Road and Bond Road from the River Liffey to the Tolka Estuary with all associated site development works. This application is accompanied by a Natura Impact Statement.</p>	<p>The project is approximately 930m northeast of the proposed development. Due to the nature of the proposed development, there is no potential for in-combination effects with the proposed development.</p>
<p>BusConnects Ballymun/Finglas to City Centre Core Bus Corridor Scheme ABP Reference number: HA29.314610</p>	<p>The Ballymun / Finglas to City Centre Core Bus Corridor Scheme (the Proposed Scheme) will support integrated sustainable transport usage through infrastructure improvements for active travel (both walking and cycling), and the provision of enhanced bus priority measures for existing (both public and private) and all future services who will use the corridor. It commences at the St. Margaret's Road junction on Ballymun Road and proceeds along Ballymun Road, St. Mobhi Road, Botanic Road, Prospect Road, Phibsborough Road, Constitution Hill and Church Street as far as the junction with Arran Quay / Ormond Quay on the River Liffey, and along Finglas Road from the St. Margaret's Road junction to Prospect Road at Hart's Corner, as well as provision of quiet-street cycle routes along the Royal Canal Bank in Phibsborough, and through the Markets Area from Constitution Hill to Ormond Quay.</p>	<p>The project is approximately 1.2km northwest of the proposed development. Due to the nature of the proposed development, there is no potential for in-combination effects with the proposed development.</p>

5. Conclusion

In accordance with Article 6(3) of the Habitats Directive and Part XAB of the Planning and Development Acts, the relevant case law, established best practice and the Precautionary Principle; this AA Screening Report has examined the details of the proposed development and the relevant European sites and has concluded, on the basis of objective information, that the proposed development, either individually or in combination with other plans or projects, is not likely to give rise to impacts that would constitute likely significant effects in view of the Conservation Objectives of those sites.

In light of this conclusion, it is the considered opinion of ROD, as the author of this AA Screening Report, that the Competent Authority, Dublin City Council, may find in completing its AA Screening in respect of the traffic management measures on Westland Row/ Pearse Street / Sandwith Street, that the proposed development, either individually or in combination with other plans and projects, is not likely to have a significant effect on any European site, in view of best scientific knowledge and the Conservation Objectives of the sites concerned. Therefore, it is the recommendation of the author of this AA Screening Report that the Competent Authority may determine that AA is not required in respect of the proposed development.

6. References

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive). Official Journal of the European Communities, L206/7.
- DEHLG (2010) *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.
- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for the Community action in the field of water policy (Water Framework Directive). Official Journal of the European Union, L32/7.
- Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the Birds Directive). Official Journal of the European Union, L20/7.
- EC (2021) *Assessment of plans and projects in relation to Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. Environment Directorate-General of the European Commission.
- EC (2018) *Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*. European Commission, Brussels.
- EC (2013) *Interpretation Manual of European Union Habitats – EUR28*. European Commission, Brussels.
- EC (2007) *Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence*. Opinion of the European Commission.
- Eionet (2018) *Population status and trends at the EU and Member State levels: 2013 – 2018. Article 17 Assessments*. <http://bd.eionet.europa.eu/article17/> European Topic Centre on Biological Diversity.
- Eoin Kelly v. An Bord Pleanála & anor [2019] IEHC 84.
- EPA (2024) *Unified GIS Application* <<https://gis.epa.ie/EPAMaps/>> [Accessed February 2024]. Environmental Protection Agency, Wexford.
- European Communities (Birds and Natural Habitats) Regulations, 2011. SI No. 477/2011.
- European Communities (Birds and Natural Habitats) (Amendment) Regulations, 2013. SI No. 499/2013.
- European Communities (Birds and Natural Habitats) (Amendment) Regulations, 2015. SI No. 355/2015.
- Fossitt, J. (2000). *A Guide to Habitats in Ireland*. The Heritage Council of Ireland.
- NBDC (2024) *Biodiversity Maps* <<https://maps.biodiversityireland.ie>> [Accessed February 2024]. National Biodiversity Data Centre, Waterford.
- NPWS (2010) *Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.
- NPWS (2013a) *Conservation Objectives for North Dublin Bay SAC [000206]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.
- NPWS (2013b) *Site Synopsis for the North Dublin Bay SAC [000206]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.
- NPWS (2014) *Site Synopsis for the North Bull Island SPA [004006]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2015a) *Conservation Objectives for North Bull Island SPA [004006]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2015b) *Conservation Objectives for the South Dublin Bay and River Tolka Estuary SPA [004024]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2015c) *Site Synopsis for the South Dublin Bay and River Tolka Estuary SPA [004024]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2019a) *The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2019b) *The Status of EU Protected Habitats and Species in Ireland. Volume 2: Habitat Assessment*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2019c) *The Status of EU Protected Habitats and Species in Ireland. Volume 3: Species Assessment*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2023a) *Conservation Objectives for North-west Irish Sea cSPA [004236]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2023b) *Site Synopsis for the North-west Irish Sea cSPA [004236]*. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

NPWS (2024) *Online Map Viewer* <http://webgis.npws.ie/npwsviewer/> [Accessed February 2024]. National Parks & Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin.

OPR (2021) *Practice Note PN01: Appropriate Assessment Screening for Development Management. Published March 2021*. Office of the Planning Regulator.

NRA. (2009) *Guidelines for Assessment of Ecological Impacts of National Road Schemes*. National Roads Authority.

People Over Wind and Peter Sweetman v. Coillte Teoranta [2018] C-323/17.

Planning and Development Act, 2000. No. 30 of 2000.

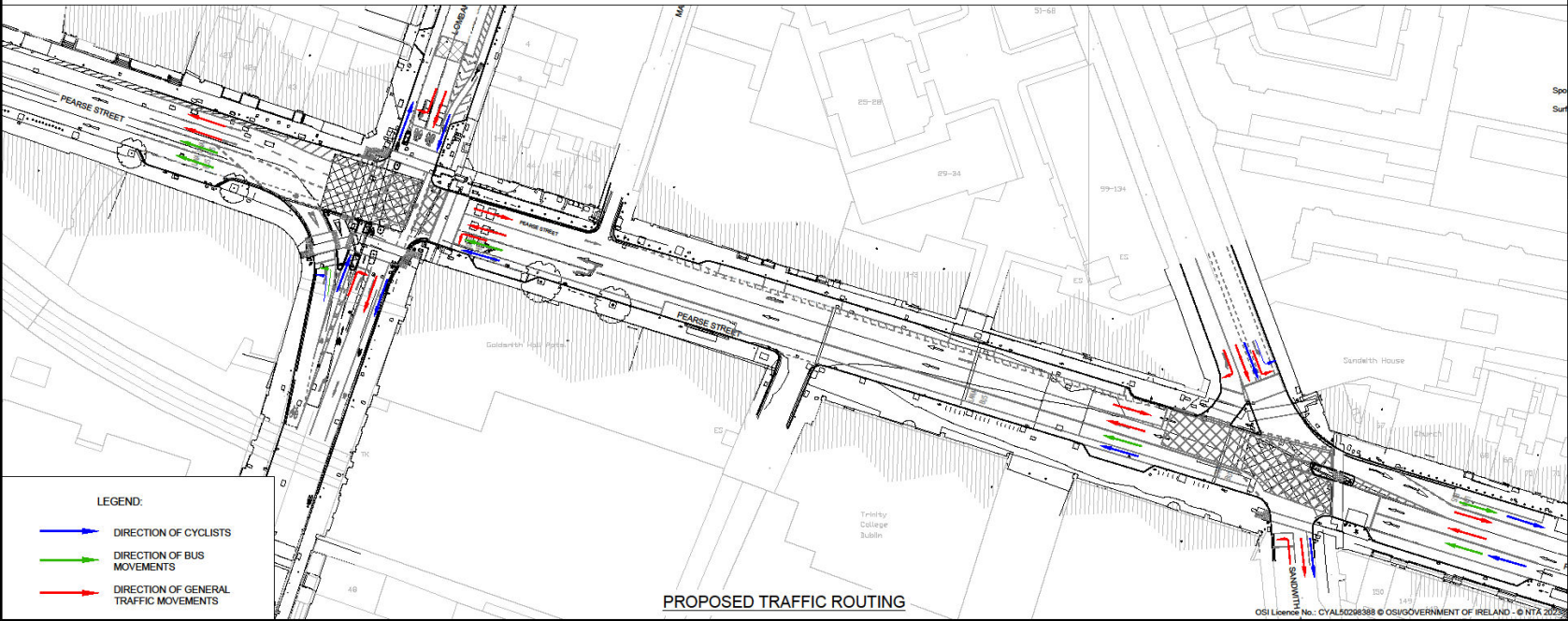
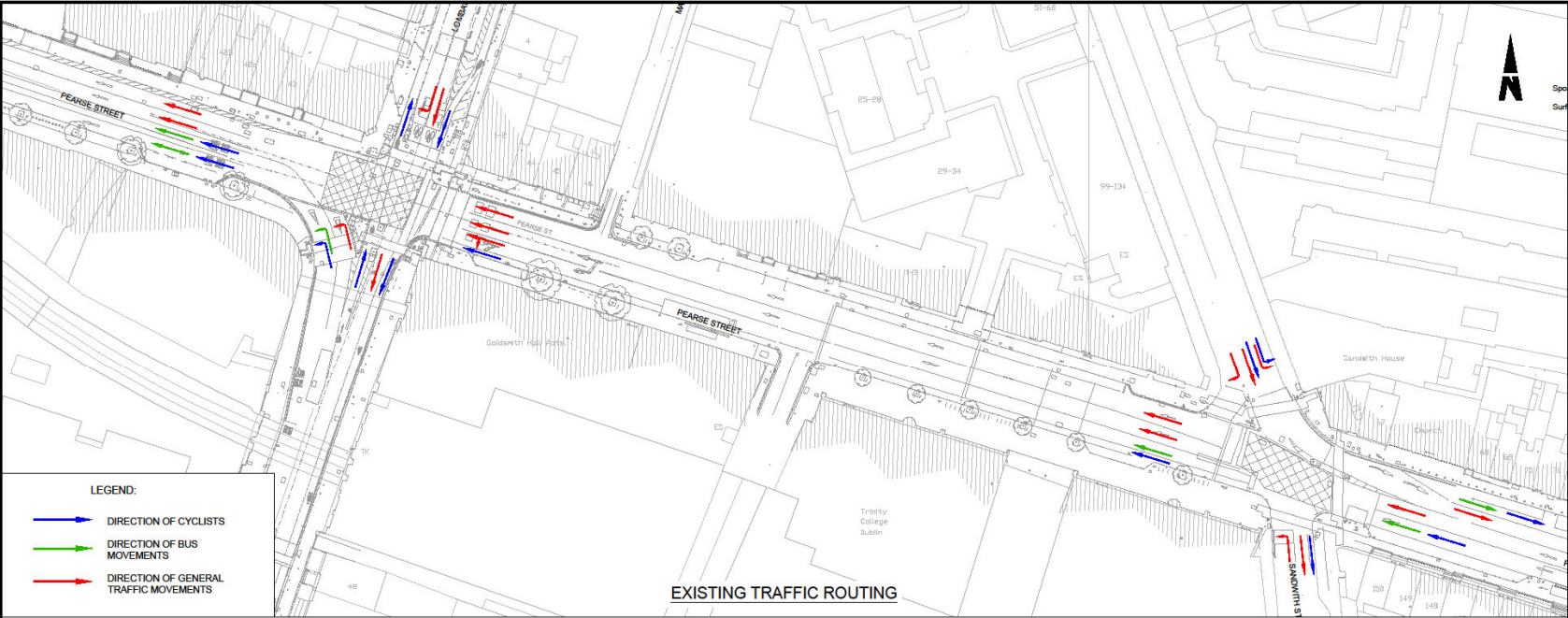
Planning and Development (Amendment) Act, 2002. No. 32 of 2002.


Planning and Development (Strategic Infrastructure) Act, 2006. No. 27 of 2006.

Planning and Development (Amendment) Act, 2010. No. 30 of 2010.


APPENDIX A

Existing and Proposed Traffic Flows






Údarás Náisiúnta Iompair
National Transport Authority




Tionascadh Éireann
Impact Ireland
2040




Comhairle Cathrach
Dublin City Council

DRAFT COPY

P02	ISSUED FOR INFORMATION	RH	PL	AUG 24
P01	ISSUED FOR INFORMATION	AK	PL	AUG 24
Rev	Description	Drawn	Checked	Date



NTA ACTIVE TRAVEL
SUPPORT OFFICE



Clifton Scannell Emerson
Associates

DUBLIN CITYCOUNCIL

Client: TRAFFIC MANAGEMENT MEASURES
WESTLAND ROW / PEARSE STREET / SANDWITH STREET

Project: EXISTING AND PROPOSED TRAFFIC ROUTING
PEARSE ST / WESTLAND ROW / SANDWITH ST.

Draw Title: NTA190002-NTA-GEN_SL-D23-J_XX_00-SK-KK-0078

Drawn by: AK, Checked by: PL, Date: AUG 2024

Project Code	Originator	Status	Phase	Level	Type	Role	Draw No.
NTA190002-NTA-GEN_SL-D23-J_XX_00-SK-KK-0078							

S0 FOR INFORMATION ONLY N.T.S.

Status Code Suitability Description Scale @ A1

P02 WORK IN PROGRESS 23_123J

Revision Project Status CDR_A_S00 No

APPENDIX B

Proposed Development Boundary

