



An
Bord
Pleanála

Inspector's Report ABP-322015-25

Development

Construction of 3 no. two storey, detached 3-bed houses and all associated site engineering works necessary to facilitate the development. A Natura Impact Statement (NIS) accompanies the application.

Location

Lands at Chapel Road, Kinsaley, Co. Dublin.

Planning Authority

Fingal County Council.

Planning Authority Reg. Ref.

F24A/1099E.

Applicant(s)

Harry Byrne.

Type of Application

Permission.

Planning Authority Decision

Refuse.

Type of Appeal

First Party.

Appellant(s)

Harry Byrne.

Observer(s)

None.

Date of Site Inspection

2nd June 2025.

Inspector

Daire McDevitt

1.0 Site Location and Description

- 1.1.** The site, with a stated area of c. 0.21ha, is located on the northern side of Chapel Road on the eastern approach to Kinsaley village. The site itself is a greenfield site, broadly rectangular in shape, with extensive vegetation. To the west is the remains of Kinealy Church (RPS 445) and graveyard (RPS 445) and (RM DU015-002. To the north the site is bounded by the Sluice River with Chapel Road forming the southern boundary. On the opposite side of Chapel Road to the south is Kinsaley Woods housing development .A footpath runs along the southern side of Chapel Road at this point. Access is proposed off Chapel Road.
- 1.2.** The area is one is transitional characterised by a mixture of developments which range from residential estates to... and the ruins of the Church of Kinsaley and graveyard.

2.0 Proposed Development

- 2.1.** Permission is sought for the construction of 3 no. two storey detached 3 bed houses, new vehicular access of Church Road, landscaping and boundary treatment and all associated site engineering works to facilitate the development.
- 2.2.** NIS submitted with the application.

3.0 Planning Authority Decision

3.1. Decision

The planning authority refused permission for the development on the following grounds:

1. The proposed development is visually out of character with the rural setting of Kinsaley village and existing houses in the area, in terms of style, roof profile and layout. The proposed development would therefore seriously injure the amenities of the area and of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.
2. The proposed development by virtue of the proximity to the western boundary of the site would neither preserve nor enhance the setting of the Protected

Structure relating to the historic church and would be contrary to Policy HCAP12 – Interventions to Protected Structures of the Fingal Development Plan 2023-2029. The proposed development would thus materially affect a protected structure in contravention of the Development Plan and as such would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the AA Screening Report and Natura Impact Assessment supplied as part of the application, it has not been adequately demonstrated the proposed development will not have adverse impacts on the qualifying interests of European sites. The application would therefore be contrary to the proper planning and sustainable development of the area.

Section 1.10.2 of the Development plan, which seeks to ensure that planning permission will only be granted that either individually or in combination with existing and /or proposed plans or projects will not have a significant effect on a European site and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1 Planning Reports

The report sets out the relevant planning history, policy context, issues raised in internal departmental reports, and undertakes a planning assessment, EIA Screening and AA Screening. Key points of note raised in the report are as follows:

- Layout & Design – proposal fails to integrate successfully within the street scene and appears at odds in terms of style and roof profile.
- Conservation Officer raised significant concerns regarding visual impact on the adjoining PS (ruins of church and graveyard) and limited separation between the dwellings on the western portion of the site and boundary wall of PS not addressed.

- PA was not satisfied that the proposal overcame reasons for refusal associated with the previous application and permission should be refused on this basis.
- Adequate sightlines achieved at proposed entrance. Items Transportation section sought clarification on noted.
- North eastern corner located in Flood Zone B – SSFRA submitted with the application as required under Objective IU016. Water Services raised no objection.
- Cert of Exemption Regarding Part V submitted.
- Riparian corridor provided in accordance with Objective IU026 and DMSO154.
- Swale repositioned to outside of ecological corridor which the PA consider acceptable.
- AA - concern regarding lack of information relating to where outfall will discharge to.
- NIS does not address bats or otters (not a listed QI of the European site within Zol, they are protected under Article 12 of Habitats Directive). Lack of EcIA.
- The PA concluded that having regard to the potential for adverse impacts, via the water pathways and alien invasive species on two European Sites (Baldoyle Bay SAC and Baldoyle Bay SPA) and the uncertainty regarding the foul and surface water outfall as well as the specific mitigation measures to be employed, it has not been adequately demonstrated the proposed development will not have an adverse impact on protected sites.

3.2.1. Other Technical Reports

- Transportation – FI sought (pedestrian connectivity, creation of curtesy pedestrian crossing)
- Water Services – FI sought (site discharge, TIC and....)
- Conservation – Objection on the grounds of design/layout.
- Public Lighting – comments submitted.

- Environment (Air & Noise) – No objection subject to condition.

3.3. Prescribed Bodies

The file was referred to:

Uisce Eireann – No objection subject to condition.

DAA - No objection subject to condition.

3.4. Third Party Observations

One submission was received from Michael O'Neill, Planning and Development Consultants. No specific concerns were raised but wished to be kept informed of the decision by the planning authority.

4.0 Planning History

Applicant and appeal site:

PA Ref. F24A/0428E refers to a decision to refuse permission for a similar development on the site comprising 3 no. 2 storey houses, landscaping, access of Church Road etc. Permission was refused for the following 4 reasons: 1) Proposed development would be out of character with the rural setting of the village and existing houses in the area in terms of style, roof profile and bulk. 2) The proposed development by virtue of constraints and layout would infringe upon the riparian corridor of the Sluice river and fail to comply with Objective DMSO154 of the FCDP. 3) The proposed development by virtue of proximity to the western boundary of the site, would neither preserve nor enhance the setting of the protected structure relating to the historic church and graveyard and be contrary to Policy HCAP12 of the FCDP and 4) No SSFRA submitted to assess the proposed development given proximity to Sluice River along the northern boundary and contrary to Objective IU016 of the FCDP.

PA Ref. F22A/0420 refers to a decision to refuse permission for 5 terraced houses and ancillary development for 3 reasons relating to: 1) substandard sightlines, 2) Infringement on riparian corridor associated with Sluice River, poor manoeuvrability

with the site for vehicles, lack of consideration of pedestrian connectivity to village core and appropriate densities at appropriate location and 3) NIA not clearly demonstrated development would not have an adverse impact on integrity of Baldoyle Bay SAC and SPA.

PA Ref. F20A/0570 refers to a decision to refuse permission for 6 no. terraced houses for reason relating to infringement of riparian corridor associated with Sluice River and absence of AA Screening Report or NIS therefore potential impacts on integrity of Baldoyle SAC and SA not assessed.

5.0 Policy Context

5.1. National

Project Ireland 2040 – National Planning Framework (2025) - NPOs 3A, 4, 11, 13, 35

The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities ('Density Guidelines' DoHLGH, 2024) – PO 5.1, SPPR1 (replaced Sustainable Residential Development Guidelines (2009))

Climate Action Plan (2024 & 2025)

Ireland's 4th National Biodiversity Action Plan (NBAP) 2023-2030

Design Manual for Quality Housing ('DMQH' DoHLGH, 2022)

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice ('BRE Guidelines' BRE, 2022)

Design Manual for Urban Roads and Streets ('DMURS' DoHLGH, 2019)

Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)

The Architectural Heritage Guidelines for Planning Authorities

5.2. Regional

Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031

5.3. Local

Fingal County Development Plan 2023-2029

Site is located on lands under land use objective '**RV** Rural Village' with a stated objective to *'protect and promote the character of the rural village and promote a vibrant community in accordance with an approved land use plan, and the availability of physical and community infrastructure'*.

To the north and east the site is bounded by lands which are the subject of GB Green Belt land use zoning with a stated objective *to protect and provide greenbelt*.

North eastern corner located in Flood Zone B.

Landscape Character – Low lying agriculture.

Specific Objective – Kinsealy Rural Village.

Located within Noise Zone C associated with Dublin Airport.

A section of the site is located within a designated Ecological Corridor.

Located within the boundary of Kinsealy LAP but not within a specific development area.

Recorded monument (DU015-002) and RPS No. 445 (Ruins of Church and graveyard) are located to the west.

In addition to the general policies and objective pertaining to residential development and development management standards contained within the Plan, as referenced in the PA reason for refusal specific objective/Policies of note relating to this appeal include:

HCAP12 – Interventions to Protected Structures Ensure that direct or indirect interventions to Protected Structures or adjoining development affecting them are guided by architectural conservation principles so that they are sympathetic,

sensitive and appropriate to the special interest, appearance, character and setting of the Protected Structure and are sensitively scaled and designed.

Section 1.10.2 which seeks to ensure that planning permission will only be granted that either individually or in combination with existing and /or proposed plans or projects will not have a significant effect on a European site, and be contrary to the proper planning and sustainable development of the area.

5.4. Natural Heritage Designations

The site is not located within, adjacent to or adjoining any designated sites.

Relevant Natura 2000 sites:

The nearest European sites in close proximity to the appeal site are as follows:

Baldoyle Bay SPA (Site Code: 004016) - c.2.2km

Baldoyle Bay SAC (Site Code: 000199) – c.2.2km

North-West Irish Sea SPA (Site Code 004236) - c.3.4km

Malahide Estuary SPA (Site Code 004025) – c. 3.5km

Malahide Estuary SAC (Site Code 000205) – c.3.5km

The Sluice River form the northern boundary of the site, this flows into the Baldoyle SAC and SPA

proposed Natural Heritage Areas in the area include:

- Malahide Estuary pNHA (Site Code 000205)
- Malahide Estuary pNHA (Site Code 000205)
- Portraine Shore pNHA (Site Code 001215)

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been received which seek to address the planning authority's three reasons for refusal. The grounds of appeal are summarised below

Reason No.1

- Current proposal follows extensive engagement with the planning authority to address concerns and develop a design that aligns with the overall growth of Kinsaley village.
- The current proposal reflects comments at pre-planning consultation.
- The dwellings have been reduced by c.45sq.m from the previous application to assist integration with the surrounds and adjoining graveyard, layout also modified to increase set back from Chapel Road.
- Houses are set back c.5m from boundary with boundary, creating a buffer in excess of 15m from the graveyard ruins.
- Revised roof redesigned to incorporate traditional pitched roof elements which reflect the architectural style of surrounding buildings in Kinsaley.
- Material pallet chosen to strike a balance between traditional and modern aesthetics.
- The scheme respects the evolving character of Kinsaley.
- The proposal would not appear visually incongruous, development in the area includes modern residential developments with contemporary designs.
- The proposed development would align with existing and evolving cotemporary character of Kinsaley as reflect in Fig. 8 of the grounds of appeal. The more recent of which are set out below:
 - PA Ref. F21A/0647 (ABP 312855-22) for 87 residential units (granted March 2024).
 - PA Ref.F20A/0303 for reconfiguration of scheme of 71 residential units (granted February 2021).

- PA Ref. 16A/0464 (ABP PL06F.248515) for 101 residential units.
- PA Ref.F20A/0272 for phase 2 (33 houses) of a two phase masterplan (granted January 2021).
- LRD0046/S3 – current LRD for 193 dwellings.
- The appellant disputes the PA assertion that the current proposal has not address previous reasons for refusal relating to design.

Reason No.2

- In response to RR2 the layout has been revised to specifically preserve and enhance the setting of the historic church and graveyard.
- Revised proposal includes revision to the siting of the houses, they are now positioned c.5, from the western boundary which results in a separation of c.15m from the graveyard ruins. This increases the buffer zones, ensuring the proposed development is visually integrated in to the area while maintaining a respectful distance from the protected structure.
- The retention of the existing boundary wall, combined with proposed landscaping and planting along the boundary, serves to soften the visual impact of the development.
- It is submitted that the design approach not only maintains but enhances the setting of the church and graveyard and is in full compliance with Policy HCAP 12 of the Fingal Development Plan.
- Existing trees and vegetation on site will be retained where possible, preserving the ecological integrity of the site and enhancing the integration of the development into the surroundings.
- Use of appropriate materials and precedents in the area demonstrate that it is possible to introduce modern residential schemes within close proximity to protected heritage sites, successfully enhancing the areas character without diminishing its historical integrity.
- An Architectural Heritage Impact Assessment is submitted with the appeal

- It is argued that the proposed development would have a comparable impact on the PS as is the case with other development in Kinsaley located in close proximity to notable heritage assets nearby.
- The AHIA notes that new housing developments on the western (Cowper's Wood) and southern (Newpark Drive) sides overlook the PS without any screening and have altered the setting of the church and graveyard.
- It is submitted that RR2 does not reflect the intent of Policy HCAP 12 and that the stated intent of policy HCAP 12 is to insure that developments adjoining protected structures, are 'sympathetic, sensitive and appropriate to the special interest, character, and setting of protected structures and are sensitively scaled and designed' which is reflect in the submitted revised site layout, reduced house sizes and screening from the protected structure from that previously proposed.
- It is submitted that the proposed development does not contravene Policy HCAP12 and permission should be granted.

Reason No.3

- It is submitted that RR is influenced by comments from the FCC Water Services Team.
- It is submitted that the suite of documents submitted with the application address all issues. Notwithstanding a revised NIS is submitted with the appeal. The amended AAS makes clear that the Malahide Estuary SAC and SPA (code 0205 and 4025) are c. 3.5km from the site.
- The submitted NIS provides suitable mitigation measure so as to protect the Baldoyle Bay SAC, Malahide Bay SAC and SPA. And concluded that with the implementation of these measures adverse effects to the integrity of the SAC and SOA will not occur.
- ABP is respectfully requested to review the AAS, NIS and EcIA which provide suitable detail illustrating appropriate mitigation strategy to ensure preservation and non unreasonable impact onto Baldoyle SAC, Malahide Bay Sac and SPA and North West Sea SPA.

- It is submitted in response to RR3 that the EclA clearly states that there is no suitable habitat for protected species such as Irish Hare, Deer, Red Squirrel or Pine Martin on the site ensuring that no significant impacts will occur on these species.
- The presence of Otters in the area is acknowledged, the assessment submitted confirms that the proposed development will not adversely affect them with it notable to mention the present of otters in the area notwithstanding the scale of developments in recent years.
- The site was evaluated for bat activity, no bat roosts or significant bat presence during winter surveys, further mitigating concerns about bat conservation can be addressed by FI or by condition if required.
- It is submitted that the overall impact on biodiversity is considered to be minor in the short and medium term with a neutral impact in the long term. Unlikely to be an unreasonable impact on high value or threatened species such as bats, otters, Grey Wagtail.
- Reference to a suite of documents submitted with the appeal which include amongst others: EclA Drainage & Water Design Report, pCEMP, Otter & Bat Evaluations in support of their submission all of which are set out in detail in the grounds of appeal and addressed in the subsequent assessment in section 7.0 of this report.

The grounds of appeal include a detail outline of the evolving development and design evolution of the proposal before the Board in light of previous refusal on the site. The evolution of which it is submitted took cognisance of extensive pre-planning consultation with the planning authority. Access details etc are also addressed.

Documentation submitted with the appeal:

- Copy of PA decision.
- Copy of Planning Officer's Report.
- Architectural Heritage Impact Assessment (AHIA)
- Revised House Design Plans.
- Drainage and Water Design Report.

- Ecological Impact Assessment (EcIA.)
- Appropriate Assessment Screening (AAS).
- Natura Impact Statement (NIS).
- Otter and Bat Evaluation of the Proposed housing at Chapel Road, Kinsaley.
- Preliminary Construction Environmental Management Plan (pCEMP).
- Archaeological Impact Assessment (including Geophysical Survey and Test Trenching Results) (AIA).

6.2. Planning Authority Response

Received 28 March 2025. Points of Note include:

- Significant planning history for residential development on the site which is constrained in terms of layout, proximity to an existing ecological corridor and adjacent to a historic graveyard.
- Revised house design submitted is not considered to accord with the design objective for Kinsealy village or existing development on Chapel Road.
- Submission of an AHIA is noted but the PA is not satisfied that the proposed development will not significantly impact the ruined church and graveyard which is a Protected Structure (RPA No, 445) and a Recorded Monument (RMP Ref. DU015-020).
- Revised AAS, NIS, Drainage Report and Otter & Bat Evaluation noted but PA request that ABP uphold FCC decision to refuse permission.
- In the event permission is granted, request that conditions relating:
 - A financial contribution and/or provision of any shortfall in open space and/or any special development contribution required in accordance with Fingal County Council's Section 48 Development Contribution Scheme.
 - Inclusion of a bond/cash security for residential development of 2 or more units.
 - Conditions where a tree bond or a contribution in respect of a shortfall of play provision facilities are required.

6.3. Observations

None received.

6.4. Prescribed Bodies

DAU Submission (received by ABP 7 May 2025).

Nature conservation observations/recommendations:

The NIS submitted with the appeal identified that the potential exists for pollutant such as silt and oils to be mobilised or the development site into surface water runoff during construction or operational phases and transported downstream into the European sites which could adversely affect Qis for which they have been designated. The NIS considers however, that measures as set out in CEMP including the installation of a temporary drainage swale and an attenuation pond with controlled runoff should avoid any such adverse effects on the European sits during the construction phase. Similarly the NIS considered that the proposed installation of SuDS in the development should prevent adverse effects downstream during the development's operations phase.

The Board should satisfy itself that these measures referred to shall be sufficient to prevent any detrimental effect on water quality in the Sluice River and the downstream European sites as a result of the development proposed.

The Otter and Bat evaluation report is noted. And That 2 otters were recorded moving up the Sluice River and that an otter holt was identified in the bank of the Sluice river. No measures are proposed in this document or in other documents supporting the application to mitigate possible effects of the development on the identified holt.

As the potential breeding or resting place of otter, a species subject to a system of struct protection under Habitats Directive (92/43/EEC), the holt shall not be interfered with unless a derogation from the Habitats Directive has been obtained from the NPWS.

Notwithstanding the potential need to obtain such a derogation, it is also considered that it should be conditioned that requiring an Otter Conservation Plan before

commencement of development, This plan should include provision for measures to avoid otters which may be using the otter holt identified on the development site in the course of the development's construction phase and make provision for the holt's future usage during the development's operation phase. The conservation Plan should be drawn up taking account of the National Road Authority's Guidelines in relation to the Treatment of Otters prior to the Construction of National Road Scheme.

6.5. Further Responses

None received

7.0 Assessment

I draw the Board attention to section 4 of this report where I have set out the extensive planning history associated with the site. The most recent reason for refusal on this site (F24A/0428E) in July 2024 was for 4 no. reasons which broadly related to 1) design not in keeping with the rural character and houses in Kinsealy village, 2) Infringement on riparian corridor associated with Sluice River and contrary to Objective DMSO154 of the current FCDP, 3) proximity to western boundary and the development would not preserve nor enhance the setting of the adjoining protected structure therefore contrary to Policy HCAP 12 of the current FCDP and 4) Absence of s Site Specific Flood Risk Assessment (SSFRA) to assess the potential flood risk from the adjoining Sluice River. This decision was not appealed.

The current proposal which is the subject of this appeal also relates to 3 no. houses on the same site which sought to overcome the F24A/0428E reasons for refusal.

FCC refused permission under F24A/1099E for 3 reason relating to 1) design not in keeping with the rural character and houses in Kinsealy village, 2) proximity to western boundary and the development would not preserve nor enhance the setting of the adjoining protected structure therefore contrary to Policy HCAP 12 of the current FCDP and 3) Having regard to the AA Screening Report and Natura Impact Assessment supplied as part of the application, it has not been adequately

demonstrated the proposed development will not have adverse impacts on the qualifying interests of European sites.

The grounds of appeal seek to address the planning authority's three reasons for refusal. The appeal includes an amended NIS and revised site layout (which has been the subject of revised public notices) and a suite of documents as noted in section 6.1 of this report.

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report(s) of the local authority, having inspected the site and having regard to the relevant local/ regional/ national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Reason for Refusal No. 1 - Design & Layout
- Reason for Refusal No. 2 - Architectural Heritage
- Reason for Refusal No. 3 - Appropriate Assessment & Ecology

7.1 Principle of Development

The site is on lands with a land use objective RV Rural Village. Residential development is permitted in principle on RV Rural Village lands. As such the principle of residential development on the site is acceptable in principle subject to compliance with relevant local, regional and national guidance and standards.

7.2 Reason for Refusal No. 1 - Design & Layout

I note that the crux of the planning authority's first reason for refusal is that the style, roof profile and layout of the proposed houses would be out of character with the

rural setting of Kinsealy village injure the amenities of the area and property in the vicinity.

The applicant is attempting to provide three individual houses of contemporary design in an area which has a mixture of design, styles and materials. Opposite the site is a contemporary style residential development with another further to the west (Cowpter's Wood), while repetitive in their design and pay homage to the traditional suburban estates it can not be considered that these development represent the traditional rural setting or traditional character of Kinsaley Chapel Road is an area in transitional characterised by a mixture of developments which range from residential estates (many of which were constructed in recent years) to terraced units closer to the core and the ruins of the Church of Kinsaley and graveyard.

The GOA have set out that that the siting of the houses have been amended and set back c.5m from boundary with the western boundary with the protected structure and its stone wall, creating a buffer in excess of 15m from the graveyard ruins. Revised roof design is also submitted to incorporate traditional pitched roof elements which reflect the architectural style of surrounding buildings in Kinsaley. Material pallet chosen to strike a balance between traditional and modern aesthetics. The appellant submits that the proposed development would not appear visually incongruous as development in the area incudes modern residential developments with contemporary designs.

While I am of the view that proposed development reflects to an extent the transition in architectural forms that has developed along Chapel Road in recent years as reflected by Cowpter's Wood and Newpark Drive housing estates amongst others and I acknowledge that the site could accommodate some level of development. However given the site constraints I do not consider the proposal suitable for this specific site for reasons I set out in my subsequent sections. Notwithstanding, I do not consider that it is warranted to refuse permission on the grounds that the proposed development is visually out of character with the rural setting of Kinsaley village and existing houses in the area, in terms of style, roof profile and layout. Or

on the basis that the proposed development would seriously injure the amenities of the area and of property in the vicinity

7.3 Reason for Refusal No. 2 - Architectural Heritage

I wish to bring to the Board attention the wording of the PA second reason for refusal:

The proposed development by virtue of the proximity to the western boundary of the site would neither preserve nor enhance the setting of the Protected Structure relating to the historic church and would be contrary to Policy HCAP12 – Interventions to Protected Structures of the Fingal Development Plan 2023-2029. The proposed development would thus materially affect a protected structure in contravention of the Development Plan and as such would be contrary to the proper planning and sustainable development of the area.

I note that the AHIA submitted with the grounds of appeal raises that policy HCAP12 does not seek to preserve or enhance the setting of the Protected Structure and I concur with this. Notwithstanding I still consider that the proposed development does not comply with the requirements of HCAP12 for the reason set out below.

HCAP12 seeks to ensure that direct or indirect interventions to Protected Structures or adjoining development affecting them are guided by architectural conservation principles so that they are sympathetic, sensitive and appropriate to the special interest, appearance, character and setting of the Protected Structure and are sensitively scaled and designed. And in this regard I consider the overall design of the individual houses and their relationship vis a vis Kinsaley Church and graveyard do not meet the requirements of Policy HCAP 12 in that the houses are not sensitively designed and sited for this site (context) having regard to architectural conservation principles which requires adjoining development that may affect a protected structure (ie the church and graveyard) are sympathetic, sensitive and appropriate to the special interest, appearance, character and setting of the Protected Structure.

I note the AHIA submitted with the appeal references development in proximity that have been permitted. While I acknowledge the new residential development

constructed in recent years opposite the protected structure and to its west I do not consider the proposed development on this site to be of the same context given its relationship with the adjoining protected structure.

Overall I have no objection to a modern intervention on this site and acknowledge that each period should leave its own architectural imprint on an area. However, in this instance, I am of the view that the current proposal does not reflect the sensitivities and constraints of this site given its context and immediate relationship with the adjoining protected structure. And on this basis permission should be refused as it would be contrary to Policy HCAP12 – Interventions to Protected Structures of the Fingal Development Plan 2023-2029.

7.4 Reason for Refusal No. 3 - Appropriate Assessment

The third reason for refusal was on the basis that the planning authority was not satisfied that the AA Screening Report and Natura Impact Assessment submitted with the application adequately demonstrated the proposed development will not have adverse impacts on the qualifying interests of European sites.

The planning authority have referenced Section 1.10.2 of the current FCDP stating that this seeks to ensure that planning permission will only be granted that either individually or in combination with existing and /or proposed plans or projects will not have a significant effect on a European site and be contrary to the proper planning and sustainable development of the area. The application to FCC included an AAS and NIS. Included with the grounds of appeal is a revised AAS and NIS which has been advertised. On this basis I am of the view that the applicant has met the requirements of Section 1.10.2 in that the relevant assessments have been carried out and documentation submitted. With regard to how robust these assessments are I refer the Board to section 8 below and Appendix 2 where I have carried out my appropriate assessment and address matters raised in submissions.

The appellant submits that the comments in the PA Appropriate assessment at application stage are on foot of comments from the Water Services section. It is also submitted that the suite of documents submitted at application stage provide the relevant information. I note the points raised and have reviewed the FCC Water

Services Report (dated 10.01.25/endorsed 20.01.25) this refers to 'additional information requested relating to 1) allowable site discharge rates not to exceed the maximum of 2l/s/ha or Qbar, whichever is the greatest, 2) requirements for a TIC drawing and noted the location of the attenuation tank is not acceptable and 3) use of NBS to rainwater management should be prioritised with underground tanks should be used as last resort once it has been demonstrated that NBS options have been exhausted.

To address the concerns raised by the PA, in addition to a revised AAS and NIS which I address in section 8 below. In an attempt to address the PA 3rd reason for refusal the grounds of appeal also included a revised, Drainage and Water Design Report, an Ecological Impact Assessment (EcIA.), an Otter and Bat Evaluation of the Proposed housing at Chapel Road, Kinsaley and a Preliminary Construction Environmental Management Plan (pCEMP) were submitted with the grounds of appeal.

Otter

FCC Ecology report at application stage noted that the NIS did not address bats or otters. While not listed as a QI for any European sites within the identified Zol, they are protected under Article 12 of the Habitats Directive and noted that the application lacked an ecological impact assessment or any specific site surveys such as bats, breeding birds etc. This issue was raised by the DAU in their submission on the appeal.

In response to these concerns an Otter and Bat Evaluation was carried out and report dated February 2025 included with the grounds of appeal. I have reviewed this document and notes its contents and conclusion and also considered the comments in the DAU submission.

The PA Reason for Refusal No. 3 relates to Appropriate Assessment and the GOA have included EcIA and Bat & Otter Evaluation Report in response. For clarity I wish to highlight to the Board that an EcIA and AAS & NIS are separate assessments. AAS and NIS relate to Natura 2000 sites and EcIA normally address the remainder.

The presence of otters was also raised by the DAU in their submission on the appeal (received by An Bord Pleanála 6th May 2025) which noted the submitted Otter and

Bat Evaluation Report highlighted that 2 otters were recorded moving up the Sluice River and that an otter holt was identified in the bank of the Sluice river. No measures are proposed in this document or in other documents supporting the application to mitigate possible effects of the development on the identified holt. And as the potential breeding or resting place of otter, a species subject to a system of strict protection under Habitats Directive (92/43/EEC), the holt shall not be interfered with unless a derogation from the Habitats Directive has been obtained from the NPWS.

Notwithstanding the potential need to obtain such a derogation, the DAU also considered that an Otter Conservation Plan is required. This plan should include provision for measures to avoid otters which may be using the otter holt identified on the development site in the course of the development's construction phase and make provision for the holt's future usage during the development's operation phase. The Conservation Plan should be drawn up taking account of the National Road Authority's Guidelines in relation to the Treatment of Otters prior to the Construction of National Road Scheme.

I note that the GOA submit that while the presence of otters in the area is acknowledged it is submitted that the proposed development will not adversely affect them and also note that even with the development to date in Kinsaley the otters remain thus illustrating their resilience. While I do not dispute that otters may be resilient creatures, I have reviewed the information submitted with the application and subsequently with the grounds of appeal and taking into account the submission received from the DAU and issues raised. I am of the view that based on the available information the appellant has not demonstrated that the proposed development would not have a detrimental impact on the identified otter holt and further investigation is required to determine appropriate mitigation measures. In addition, the issues of a potential requirement for a derogation has not been addressed. On this basis I do not consider that permission should be forthcoming until this matter is fully addressed and resolved.

The EclA submitted noted that the site is not suitable habitat for protected species such as Irish Hare, Deer, Red Squirrel or Pine Martin on the site..

The site was evaluated for bat activity, no bat roosts or significant bat presence during winter surveys recorded. The appellants submits that further mitigating concerns about bat conservation could be addressed by FI or by condition if required. I am of the view given the sensitivities of site that this matter should not be addressed by condition if the Board is of a mind to grant permission and should be resolved prior to any grant of permission.

The pCEMP submitted with the grounds of appeal has also been considered and is noted in section 8 below and Appendix 2 where I have carried out my AA as such I do not propose to consider it further at this juncture.

I have also reviewed the Revised Drainage and Water Design Report submitted with the appeal and not that this addresses concerns raised by FCC Water Services Section in their report on the file. I am of the view that any outstanding matters relating to same could be address through an appropriate condition the Board was of a mind to grant permission.

8.0 Appropriate Assessment

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to significant effects on Baldoyle Bay SAC (site code 000199) and Baldoyle Bay SPA (site code 004016) in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The Zone of Influence of potential impacts
- Information presented in the AAS and NIS and revised AAS and NIS submitted with the appeal.
- Qualifying interests, special conservation interest and conservation objectives of the European sites.
- Hydrological Pathway to the European site via Sluice River and potential for construction/operational impacts within the European sites.

- Requirement for mitigation measures to avoid/reduce potential harmful effect on the QI of the European sites in addition to the standard pollution control measures.

Stage 2 Appropriate Assessment

I am satisfied that a full examination of the potential impacts has been analysed and evaluated using the best scientific knowledge. The potential for significant effects on the following sites was identified:

- Baldoyle Bay SAC
- Baldoyle Bay SPA

Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the use of avoidance, appropriate design and mitigation measures as set out within the NIS. The measures ensure that the construction and operation of the proposed development does not adversely affect the integrity of European sites.

I am satisfied based on the information available that if the key design features and mitigation measures are undertaken, maintained and monitored as detailed in the NIS that any adverse effects on the integrity of the identified sites will be avoided.

Therefore I consider it reasonable to conclude on the basis of the information on the file, which I consider adequate in order to carry out Appropriate Assessment, that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Baldoyle Bay SAC (000199) and Baldoyle Bay SPA (004016) or any other European site, in view of the sites' Conservation Objectives. This conclusion is based on a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects.

9.0 Water Framework Directive Screening

I have concluded, on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment (refer to form in Appendix 3 for details).

10.0 Environmental Impact Assessment Screening

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendix 1 of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

11.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below.

12.0 Reasons and Considerations

1. The overall design of the proposed development and its relationship vis a vis Kinsaley Church and graveyard do not meet the requirements of Policy HCAP 12 in that the houses are not sensitively designed or sited having regard to architectural conservation principles which requires adjoining development that may affect a protected structure (RPS 445 Ruins of Kinsaley Church and Graveyard) as it is not sympathetic, sensitive and appropriate to the appearance, character and setting of the Protected Structure and would be contrary to Policy HCAP12 – Interventions to Protected Structures of the Fingal Development Plan 2023-2029. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

2. The granting of permission for the proposed development would be premature pending completion of further assessments in relation to otters and an identified otter holt to allow a comprehensive evaluation of potential impact of the proposed development on otters, protected under the Habitats Directive (92/43/EEC) and potential requirement for a Derogation.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Dáire McDevitt
18th June 2025

Appendix 1

Form 1 - EIA Pre-Screening

| | |
|---|---|
| Case Reference | 322015-25 |
| Proposed Development Summary | The construction of 3 no. two storey, detached 3 bed houses all provided with private garden and associated car parking, bicycle and bin stores, new vehicular access on Chapel Road; landscaping; boundary treatments and all associated site engineering works necessary to facilitate the development. A NIS has been prepared and submitted |
| Development Address | Lands at Chapel Road, Kinsealy, Co. Dublin. |
| | In all cases check box /or leave blank |
| 1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> No, No further action required. |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)? | |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP. | |
| <input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3 | |
| 3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds? | |
| <input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road | |

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| development under Article 8 of the Roads Regulations, 1994. No Screening required. | |
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required | |
| <input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) | Part 2, Class 10(b)(i) Infrastructure – dwelling units – 500 units. Proposal is for 23 no. dwelling units. |

| 4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)? | |
|--|--|
| Yes <input type="checkbox"/> | Screening Determination required (Complete Form 3) |
| No <input checked="" type="checkbox"/> | Pre-screening determination conclusion remains as above (Q1 to Q3) |

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

| | |
|---|---|
| Case Reference | 322015-25 |
| Proposed Development Summary | The construction of 3 no. two storey, detached 3 bed houses all provided with private garden and associated car parking, bicycle and bin stores, new vehicular access on Chapel Road; landscaping; boundary treatments and all associated site engineering works necessary to facilitate the development. A NIS has been prepared and submitted |
| Development Address | Chapel Road, Kinsealy, Co. Dublin. |
| This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith. | |

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| Characteristics of proposed development | The development is for 3 no. housing units, comes forward as a standalone project, and it does not involve the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health. |
| Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance). | <p>The development is situated on a greenfield, infill site and with the predominant land use in the immediate area as residential, adjoining the site to the west is RPS No 445 (ruins of Kinsealy Church and Graveyard) with its stone wall forming the western boundary of the site on the northern side of Chapel Road on the eastern edge of Kinsealy, Co. Dublin. Chapel Road is an area in transition with development including larger residential estates.</p> <p>The Sluice River forms the northern boundary with the requisite riparian corridor. An Ecological Corridor is also identified in the current FCC CDP.</p> <p>To the west of the site is also RM DU015-002</p> <p>Otters have been recorded in the area and a otter holt recorded along the banks of the Sluice River at this location.</p> |
| Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation). | <p>Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and, absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p> <p>Issues relating to otter are addressed in the AAS and NIS which are attached to this Inspector's report.</p> |
| Conclusion | |
| Likelihood of Significant Effects | Conclusion in respect of EIA |
| There is no real likelihood of significant effects on the environment. | EIA is not required. |

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| There is significant and realistic doubt regarding the likelihood of significant effects on the environment. | |
| There is a real likelihood of significant effects on the environment. | |

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 2

Screening for Appropriate Assessment Test for likely significant effects

Step 1: Description of the project and local site characteristics

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| Brief description of project | The construction of 3 no. two storey, detached 3 bed houses all provided with private garden and associated car parking, bicycle and bin stores, new vehicular access on Chapel Road; landscaping; boundary treatments and all associated site engineering works necessary to facilitate the development. A NIS has been prepared and submitted. |
| Brief description of development site characteristics and potential impact mechanisms | <p>The site has a stated area of c 0.21ha, located on the eastern approach to Kinsale village c. 2.2km west of Baldoyle Bay SAC & SPA.</p> <p>It is bounded to the north by the River Sluice and to the west by RPS445 (ruins of church and graveyard).</p> <p>The land is dry meadow with stands of Giant Hogweed (alien species), creeping thistle, creeping bent, cock's foot, docks and nettles recorded. Some natural tree generation near boundaries (grey willow) and dense brambles.</p> <p>The proposed development is a small residential scheme so no significant emissions are envisaged. Otters are noted in the vicinity and an Otter holt at this location on the bank of the Sluice River.</p> <p>Ecological Corridor identified along the boundary of the site in the FCDP.</p> |
| Screening report | Y |
| Natura Impact Statement | Y |
| Relevant submissions | <p>DAU submission to the PA at application stage and DAU submission on the appeal.</p> <p>The DAU noted the NIS submitted with the appeal identified that the potential exists for pollutant such as silt and oils to be mobilised or the development site into surface water runoff during construction or operational phases and transported downstream into the European sites which could adversely affect QIs for which they have been designated. The NIS considers however, that measures as set out in CEMP including the installation of a temporary drainage swale and an attenuation pond with controlled runoff should avoid any such adverse effects on the European sites during the construction phase. Similarly the NIS considered that the proposed installation of SuDS in the development should prevent adverse effects downstream during the development's operations phase.</p> <p>The Board should satisfy itself that these measures referred to shall be sufficient to prevent any detrimental effect on water quality</p> |

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| | <p>in the Sluice River and the downstream European sites as a result of the development proposed.</p> <p>Concerns raised regarding the presence of otters (protected species under the Habitats Directive) and in particular an otter holt recorded on the bank of the Sluice River, the potential requirement for a Derogation license and the absence of an Otter Conservation Plan.</p> <p>I refer to section 6.4 of the Inspector's Report where this is summarized in detail.</p> |
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The following documentation was submitted with the grounds of appeal:

- Appropriate Assessment Screening (AAS).
- Natura Impact Statement (NIS).
- Otter and Bat Evaluation of the Proposed housing at Chapel Road, Kinsaley.
- Preliminary Construction Environmental Management Plan (pCEMP).
- Archaeological Impact Assessment (including Geophysical Survey and Test Trenching Results) (AIA).
- Architectural Heritage Impact Assessment (AHIA)
- Revised House Design Plans.
- Drainage and Water Design Report.
- Ecological Impact Assessment (EcIA.)

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

The site is not located within or directly adjacent to any designated European sites.

The applicants AA Screening report submitted with the appeal identified sites within its zone of influence. I note that the Zol in the revised AA Screening report expanded the Zol from that submitted at planning application stage to Fingal County Council (which had excluded Malahide Estuary SAC and SPA).

Following the source-pathway-receptor model and, having considered the findings of the suite of accompanying reports with the application and grounds of appeal, the details of the sites existing and proposed infrastructure; the intervening distance between the development site and the above listed SACs & SPAs; it has been determined that only the European designated sites within the zone of influence of the project on account of potential indirect hydrological pathways between the appeal site and this site arising from surface-water discharges during the construction and operational phases (as per the WFD assessment and determination contained in Appendix 3 of this report) and potential spread of alien invasive species.

| European Site (code) | Qualifying interests ¹ Link to conservation objectives (NPWS, date) | Distance from proposed development (km) | Ecological connections ² | Consider further in screening ³ Y/N |
|--|---|---|--|---|
| Baldoyle Bay SPA (site code 004016) Conservation Objective: To maintain or restore the favourable conservation status of habitats and species of community interest. | Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Bar-tailed Godwit (Limosa lapponica) [A157] Wetland and Waterbirds [A999] ConservationObjectives.rdl | c.2.2km | Indirect via runoff and silt/pollutants entering the river. The Sluice River which discharges into Baldoyle Bay at Portmarnock. Indirect via seeds from invasive species transported downstream via the Sluice River to the Bay | Y |
| Baldoyle Bay SAC (site code 000199) Conservation Objective: To maintain or restore the favourable conservation status of habitats and species of community interest. | Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Site specific cons obj | c. 2.2km | Indirect via runoff and silt/pollutants entering the river. The Sluice River which discharges into Baldoyle Bay at Portmarnock. Indirect via seeds from invasive species transported downstream via the Sluice River to the Bay | Y |
| Malahide Esturay SAC (site code 000205) Conservation Objective: To maintain or restore the favourable conservation status of habitats | Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] | c.3.5km | Indirect via foul sewer to the Malahide WWTP. | N The potential for foul waters generated at the Site of the Proposed Development to reach these European sites within Dublin Bay and cause significant |

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| and species of community interest | <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>ConservationObjectives.rdl</p> | | | effects, during the Construction and Operational Phases, is deemed to be negligible mainly due to the ongoing upgrade works to Ringsend WWTP and the insignificant increase in terms of the overall scale of the facility. |
| <p>Malahide Bay SPA (site code 004025)</p> <p>Conservation Objective:</p> <p>To maintain or restore the favourable conservation status of habitats and species of community interest</p> | <p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Pintail (<i>Anas acuta</i>) [A054]</p> <p>Goldeneye (<i>Bucephala clangula</i>) [A067]</p> <p>Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Golden Plover (<i>Pluvialis apricaria</i>) [A140]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Wetland and Waterbirds [A999]</p> <p>ConservationObjectives.rdl</p> | c.3.5km | Indirect via foul sewer to the Malahide WWTP | <p>N</p> <p>The potential for foul waters generated at the Site of the Proposed Development to reach these European sites within Dublin Bay and cause significant effects, during the Construction and Operational Phases, is deemed to be negligible mainly due to the ongoing upgrade works to Ringsend WWTP and the insignificant increase in terms of the overall scale of the facility.</p> |

| | | | | |
|--|---|----------------|--|---|
| <p>North West Irish Sea SPA (site code 004236)</p> <p>Conservation Objective: To restore/maintain the favourable conservation condition of habitats and species of community interest</p> | <p>Red-throated Diver (<i>Gavia stellata</i>) [A001]</p> <p>Great Northern Diver (<i>Gavia immer</i>) [A003]</p> <p>Fulmar (<i>Fulmarus glacialis</i>) [A009]</p> <p>Manx Shearwater (<i>Puffinus puffinus</i>) [A013]</p> <p>Cormorant (<i>Phalacrocorax carbo</i>) [A017]</p> <p>Shag (<i>Phalacrocorax aristotelis</i>) [A018]</p> <p>Common Scoter (<i>Melanitta nigra</i>) [A065]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Common Gull (<i>Larus canus</i>) [A182]</p> <p>Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</p> <p>Herring Gull (<i>Larus argentatus</i>) [A184]</p> <p>Great Black-backed Gull (<i>Larus marinus</i>) [A187]</p> <p>Kittiwake (<i>Rissa tridactyla</i>) [A188]</p> <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p> <p>Arctic Tern (<i>Sterna paradisaea</i>) [A194]</p> <p>Guillemot (<i>Uria aalge</i>) [A199]</p> <p>Razorbill (<i>Alca torda</i>) [A200]</p> <p>Puffin (<i>Fratercula arctica</i>) [A204]</p> <p>Little Gull (<i>Hydrocoloeus minutus</i>) [A862]</p> <p>Little Tern (<i>Sternula albifrons</i>) [A885]</p> <p>CO004236.pdf</p> | <p>c.3.4km</p> | <p>Indirect via foul sewer to the Malahide</p> | <p>N</p> <p>The potential for foul waters generated at the Site of the Proposed Development to reach these European sites within Dublin Bay and cause significant effects, during the Construction and Operational Phases, is deemed to be negligible mainly due to the ongoing upgrade works to Ringsend WWTP and the insignificant increase in terms of the overall scale of the facility.</p> |
|--|---|----------------|--|---|

¹ Summary description / **cross reference to NPWS website** is acceptable at this stage in the report

² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

³if no connections: N

Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

There is no potential for direct effects.

The habitats within the site are not of value for qualifying species of the Natura 2000 sites within the Zone of Influence. However Otters (Protected species under the Habitats Directive 92/43/EEC) have been recorded and an otter holt identified on the bank of the Sluice River at this location.

The site itself does not provide suitable habitats/environments for these QI Species of Baldoye Bay SPA. No ex-situ impacts on qualifying species of the SPA are considered likely.

There is evidence of invasive alien species (Giant Hogweed) on the site of the proposed development and a potential indirect pathway linking such such plants to the European sites.

The NIS raised potential impact from Invasive species under cumulative effects which I address further on.

- (a) A potential for significant effect was identified in the form of deterioration of water quality during construction and operation of the proposed development due to proximity to the water course (Sluice River) via an indirect hydrological pathway (Sluice River) to the Bay which as potential to impact on habitats (QI of SAC) or birds (QI of SPA) which may depend on them.
- (b) Potential water quality deterioration. Due to a potential pollution event of a sufficient magnitude, for example, surface water runoff during the Construction Phase in combination with an accidental oil or fuel spillage and heavy rainfall, could potentially carry silt/sediment or other pollutants into the water course which in turn could transfer them downstream.
- (c) Potential Indirect impact via seeds from alien invasive species (Giant Hogweed) transported downstream via the Sluice River to the Bay

Potential impacts from increased levels of suspended solids or fuel/lubricant spills entering the nearby stream at construction stage, if works are carried out unmitigated. The impacts as described above could impact habitats within the Baldoye Bay SAC, and could impact on bird species within the Baldoye Bay SPA, due to impacts on habitats upon which the bird species depend.

Potential impacts could occur from the spread of invasive species downstream. In relation to same, I would be of the view that, while the proposed development has included treatment plan to treat the invasive species and potential spread of seeds downstream to the Sensitive habitats.

Mitigation measures are listed in 'Step '4' of the NIS and in the pCEMP , the Drainage and Water Design Report, the Otter and Bat Evaluation of the Proposed housing at Chapel Road and the Ecological Impact Assessment which accompanied the application. The measures are designed to protect water quality during the construction and operational phases. They include standard measures such as good construction practice in accordance with relevant guidelines and site-specific measures

such as the installation of silt traps, stockpiling materials away from drains and appropriate storage of chemicals.

To mitigate impacts on water quality, and water quantity emanating from the site (such as the erect of a silt curtain (or similar barrier), silt traps or settlement pond at construction stage, and attenuation, hydrocarbon interceptors at operational stage), of relevance is the likely proximity of the adjacent Sluice River to the site and riparian zone, and I would note also the proximity of the 2 no. Natura Sites (Baldoyle Bay SAC and Baldoyle Bay SPA), as set out above. As such, I am of the view that such measures could be construed as mitigation measures designed to reduce impacts on a Natura 2000 site. Furthermore, the presence of invasive species on and close to the site could lead to the spread of same to the 2 no. Natura sites cited above, given indirect hydrological pathway to same.

In relation to potential impacts from wastewater, I am satisfied that the evidence on file indicates that there is sufficient capacity at the Malahide WWTP (green status in the UE wastewater Treatment Capacity Register updated December 2024) and on this basis I excluded Malahide (Broadmeadows) Estuary SAC and SPA from further screening.

There is no evidence on file that there are other plans and projects that could lead to any significant in-combination impacts on the 2 no. Natura 2000 sites cited above, nor on any other Natura 2000 sites.

AA Screening matrix

| Site name Qualifying interests | Possibility of significant effects (alone) in view of the conservation objectives of the site* | |
|---|--|--|
| | Impacts | Effects |
| Site 1: Baldoyle Bay SAC (code 000199) Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] | <p>There is no potential for direct effects.</p> <p>The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).</p> <p>The proposed development will not result in any direct effects such as habitat loss on any European site.</p> <p>A potential for significant effect was identified in the form of deterioration of water quality during construction and operation of the proposed development via an indirect hydrological pathway (Sluice River). A pollution event of a sufficient magnitude, for example, surface water runoff during the Construction Phase in combination with an accidental oil or fuel spillage and heavy rainfall, could potentially carry silt/sediment or other pollutants into the</p> | <p>Changes to habitat quality arising from deterioration in water quality.</p> <p>Changes to habitat quality arising from potential transportation of seeds associated with alien invasive species downstream</p> <p>Given the potential negative affect on habitat quality undermines conservation objectives associated with the QI for which the site is designated. Possibility of significant effects cannot be ruled out without further analysis and assessment</p> |

| | | |
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| | <p>local surface water drainage network which in turn could transfer them to downstream.</p> <p>An event has the potential to affect the receiving aquatic and marine environments of the European site (either alone or in combination with other pressures on water quality).</p> | |
| | Likelihood of significant effects from proposed development (alone): YES | |
| | If No, is there likelihood of significant effects occurring in combination with other plans or projects? | |
| | Possibility of significant effects (alone) in view of the conservation objectives of the site* | |
| | Impacts | Effects |
| <p>Site 2: Baldoyle Bay SPA (code 004016)</p> <p>Light-bellied Brent Goose (Branta bernicla hrota) [A046]</p> <p>Shelduck (Tadorna tadorna) [A048]</p> <p>Ringed Plover (Charadrius hiaticula) [A137]</p> <p>Golden Plover (Pluvialis apricaria) [A140]</p> <p>Grey Plover (Pluvialis squatarola) [A141]</p> <p>Bar-tailed Godwit (Limosa lapponica) [A157]</p> <p>Wetland and Waterbirds [A999]</p> | <p>There is no potential for direct effects.</p> <p>The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to have significant effects on a European site(s).</p> <p>The proposed development will not result in any direct effects such as habitat loss on any European site.</p> <p>A potential for significant effect was identified in the form of deterioration of water quality during construction and operation of the proposed development via an indirect hydrological pathway (Sluice River). A pollution event of a sufficient magnitude, for example, surface water runoff during the Construction Phase in combination with an accidental oil or fuel spillage and heavy rainfall, could potentially carry silt/sediment or other pollutants into the local surface water drainage network which in turn could transfer them to downstream.</p> <p>An event has the potential to affect the receiving aquatic and marine environments of the European site (either alone or in combination with other pressures on water quality).</p> | <p>Changes to habitat quality arising from deterioration in water quality.</p> <p>Changes to habitat quality arising from potential transportation of seeds associated with alien invasive species downstream</p> <p>Given the potential negative affect on habitat quality undermines conservation objectives associated with the QI for which the site is designated. Possibility of significant effects cannot be ruled out without further analysis and assessment</p> |

| | |
|---|--|
| | Likelihood of significant effects from proposed development (alone): YES |
| | If No, is there likelihood of significant effects occurring in combination with other plans or projects? |
| <p>Further Commentary / discussion (only where necessary)</p> <p>Due to the nature of the site and proximity to the Sluice River (riparian zone part of the site), I consider that at this stage I cannot exclude that the proposed development would not generate impacts that could affect site within the identified zone of influence on ecological receptor.</p> <p>The potential exists for pollutant such as silt and oils to be mobilised or the development site into surface water runoff during construction or operational phases and transported downstream into the European sites which could adversely affect QIs for which they have been designated. The NIS submitted considers measures as set out in pCEMP which include the installation of a temporary drainage swale and an attenuation pond with controlled runoff should avoid any such adverse effects on the European sits during the construction phase. Similarly the NIS considered that the proposed installation of SuDS in the development should prevent adverse effects downstream during the development's operations phase.</p> <p>Addressed in Section 7.4 of my report and highlighted here is the potential impact on Otter, which while not a QI of the sites listed above it is a protected species under the Habitats Directive (92/43/EEC). I have reviewed the QI of European sites within the ZOI and note none have Otter as a QI.</p> | |
| <p>Step 4 Conclude if the proposed development could result in likely significant effects on a European site</p> | |
| <p>It is not possible to exclude the possibility that proposed development alone would result significant effects on Baldoyle Bay SAC (site code 000199) and Baldoyle Bay SPA (site code 004016) from effects associated with potential water quality deterioration and spread of alien invasive species.</p> <p>An appropriate assessment is required on the basis of the possible effects of the project 'alone'. Further assessment in-combination with other plans and projects is not required at screening stage.</p> <p>Proceed to AA.</p> | |

Screening Determination

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that it is not possible to exclude that the proposed development alone [or in combination with other plans and projects] will give rise to

significant effects on Baldoyle Bay SAC (site code 000199) and Baldoyle Bay SPA (site code 004016) in view of the sites conservation objectives. Appropriate Assessment is required.

This determination is based on:

- The Zone of Influence of potential impacts
- Information presented in the AAS and NIS and revised AAS and NIS submitted with the appeal.
- Qualifying interests, special conservation interest and conservation objectives of the European sites.
- Hydrological Pathway to the European site via Sluice River and potential for construction/operational impacts within the European sites.
- Requirement for mitigation measures to avoid/reduce potential harmful effect on the QI of the European sites in addition to the standard pollution control measures.

Standard AA Template and AA Determination

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, sections 177V [or S 177AE] of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development of 3 houses in view of the relevant conservation objectives of Baldoyle Bay SAC and Baldoyle Bay SPA based on scientific information provided by the applicant and considering expert opinion set out in observations on nature conservation.

The information relied upon includes the following:

- Natura Impact Statement prepared by Openfield Ecological Services
- Drainage and Water Design Report prepared by Langan Consulting Engineers.
- Ecological Impact Assessment (EclA) prepared by Openfield Ecological Services.
- Otter and Bat Evaluation of the Proposed housing at Chapel Road, Kinsaley prepared by Wildlife Surveys Ireland Ltd.
- Preliminary Construction Environmental Management Plan (pCEMP) prepared by Lohan & Donnelly Consulting Engineers.
- Archaeological Impact Assessment (including Geophysical Survey and Test Trenching Results) (AIA) prepared by ACS.

I am satisfied that the information provided is adequate to allow for Appropriate

Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

Ecology Report prepared by BSM for FCC at application stage
DAU submission on appeal

NAME OF SAC/ SPA (SITE CODE):

Baldoyle Bay SAC (000199.)

Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Water quality degradation (construction and operation)
- (ii) Spread of invasive species

Step 3 in the NIS

| Qualifying Interest features likely to be affected | Conservation Objectives Targets and attributes (summary- inserted) | Potential adverse effects | Mitigation measures (summary) |
|--|--|---------------------------|---|
| | | | Step 4 in NIS |
| Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330] | Maintain / restore favourable conservation condition | | Best practice pollution control measures Application of industry standard controls, pCEMP Supervision by ECOW. |

| Mediterranean salt meadows (Juncetalia maritimi) [1410] | | | | |
|---|--|---|---|--|
| The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests | | | | |
| NAME OF SAC/ SPA (SITE CODE): Baldoyle Bay SPA (site code 004016) Summary of Key issues that could give rise to adverse effects (from screening stage): (i) Water quality degradation (construction and operation) (ii) Spread of invasive species Step 3 in the NIS | | | | |
| Qualifying Interest features likely to be affected | Conservation Objectives Targets and attributes (summary- inserted) | Potential adverse effects | Mitigation measures (summary) | |
| Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] | Maintain / restore favourable conservation condition | Negative indirect impacts on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution, as well as operational related hydrocarbon pollutants. | 'Step 4' in NIS Best practice pollution control measures Application of industry standard controls, CEMP, Supervision by ECOW Invasive Species Treatment Plan | |

| | | | | |
|---|--|--|--|--|
| Grey Plover (<i>Pluvialis squatarola</i>) [A141] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Wetland and Waterbirds [A999] | | Negative indirect impact on feeding habitats for birds due to spread of Giant Hogweed (invasive species downstream via Sluice River) | | |
| | | | | |
| <p>Assessment of issues that could give rise to adverse effects view of conservation objectives</p> <p>The above table is based on the documentation and information provided on the file, as well as information as contained on the NPWS website. While the NIS has not specifically identified the relevant attributes and targets of the Qualifying Interests of the Natura sites considered, the NIS does identify general pressures and threats that relate to each qualifying interest, with reference to information as set out on the NPWS website. I am satisfied that the NIS has adequately considered potential effects on each relevant qualifying interest, therefore.</p> <p>Step 4 of the NIS sets out the proposed mitigation measures in detail and I also have had regard to the measures contained in the suite of reports submitted with the GOA including the pCEMP, the Drainage and Water Design Report, the Otter and Bat Evaluation of the Proposed housing at Chapel Road and the Ecological Impact Assessment.</p> <p>The measures that are described in the NIS relating to the protection of water quality are sufficient in my view to ensure same are effective. At construction phase, these include a 10m buffer zone from the Sluice River that adjoins the site. The NIS also sets out appropriate measures as relates to fuel and oil management, pouring of concrete etc</p> <p>Surface water falling from the site at present percolates to ground through soil and vegetation and follows surface pathways to the Sluice River. As part of the proposed development is proposed to discharge all storm water runoff generated by the development the Sluice river via a dedicated storm sewer outfall set back from the river. SuDS measures will be included as part of the project and will include hydrocarbon interceptor, water butts, rain gardens and drainage kerbs with infiltration trenches. There is not proposed direct outfall to the Sluice River in order to protect the integrity of the riparian zone and no works to the river or riparian</p> | | | | |

zone are proposed. The swale and overflow outfall would be outside the riparian zone and set back from the river edge by c. 10m. (The NIS refers to the Hazelbrook Stream).

The NIS submitted considers that measures as set out in CEMP including the installation of a temporary drainage swale and an attenuation pond with controlled runoff should avoid any such adverse effects on the European sites during the construction phase. Similarly the NIS considered that the proposed installation of SuDS in the development should prevent adverse effects downstream during the development's operations phase.

The NIS submitted with the appeal noted that the ecological status of the Sluice River, the Malahide (Broadmeadow) Estuary and Baldoyle Bay are all failing to meet required standards. This is potentially from nutrient sources/urban runoff, while the exact source has not been clearly identified, unattenuated surface water may also be a contributing factor. EPA Catchment data notes the status of the Sluice River is poor but does not identify pressures.

The NIS proposes as part of the suite of mitigation measures and following IFI advice, the erection of a robust silt curtain (or similar barrier) along the southern side of the northern treeline boundary. Water leaving the site would pass-through an appropriately sized silt trap or settlement pond so that only silt free runoff leaves the site. A bunded area/zone for storage of dangerous substances. A minimum 10m buffer zoned from the Sluice River to be established using a silt curtain. And refers to the pCEMP contains further details of site specific pollution measures.

In-combination effects

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from aspects of the proposed development can be excluded for the European sites considered in the Appropriate Assessment. No direct impacts are predicted. Indirect impacts would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water to surrounding water bodies at construction and operational stage. Treatment Plan for identified alien invasive species. I am satisfied that the mitigation measures proposed to prevent adverse effects have been assessed as effective and can be implemented. In combination effects have also been reasonably assessed and there is no potential for combination effects

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Baldoyle Bay SAC (000199) and Baldoyle Bay SPA (004016). Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Baldoye Bay SAC and Baldoye Bay SPA] in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U/ 177AE was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted and taking into account observations of the Department of Housing, Local Government and Heritage (DAU), I consider that adverse effects on site integrity of the Baldoye Bay SAC and Baldoye Bay SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- the proposed development will not affect the attainment of conservation objectives for Baldoye Bay Sac or Baldoye Bay SPA or prevent or delay the restoration of favourable conservation condition for the QI associated with these sites.
- Effectiveness of mitigation measures proposed [and adoption of CEMP/ schedule of commitments etc. as relevant].
- Application of planning conditions to ensure these measures if permission is granted.

Appendix 3

| WFD IMPACT ASSESSMENT STAGE 1: SCREENING | | | |
|---|---|-------------------|-----------------------------------|
| Step 1: Nature of the Project, the Site and Locality | | | |
| An Bord Pleanála ref. no. | 322015-25 | Townland, address | Chapel Road, Kinsealy, Co. Dublin |
| Description of project | The construction of 3 no. two storey, detached 3 bed houses all provided with private garden and associated car parking, bicycle and bin stores, new vehicular access on Chapel Road; landscaping; boundary treatments and all associated site engineering works necessary to facilitate the development. A NIS has been prepared and submitted | | |
| Brief site description, relevant to WFD Screening, | Site is located in an area characterised by alluvium soils (poorly drained) located on the edge of Kinsealy village. The site drains to a watercourse (Sluice River) which forms the northern boundary of the site. | | |
| Proposed surface water details | SUDs system proposed with hydrocarbon interceptor | | |
| Proposed water supply source & available capacity | Uisce Eireann mains water connection | | |
| Proposed wastewater treatment system & available capacity, other issues | Uisce Eireann Wastewater connection. Malahide WWTP – Green status as per UE Wastewater Treatment Capacity Register (December 2024) | | |

| | | | | | | |
|--|-----------------|----------------------------------|------------|--|---|--|
| Others? | | | | | | |
| Step 2: Identification of relevant water bodies and Step 3: S-P-R connection | | | | | | |
| Identified water body | Distance to (m) | Water body name(s) (code) | WFD Status | Risk of not achieving WFD Objective e.g.at risk, review, not at risk | Identified pressures on that water body | Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater) |
| River Waterbody | Bounds the site | Sluice_10 IE_AE_0950711 00 | Poor | Under review | None identified on epa catchment data | Yes – site drains hydrologically connected to watercourse. |
| Groundwater Waterbody | Underlying site | Dublin IE_EA_G_008 | Good | Not at risk | No pressures | No – poorly draining soils offer protection to groundwaters |
| | | | | | | |

| Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage. | | | | | | | |
|--|-----------|----------------------------------|--|---|-------------------------------------|--|---|
| CONSTRUCTION PHASE | | | | | | | |
| No. | Component | Waterbody receptor (EPA Code) | Pathway (existing and new) | Potential for impact/ what is the possible impact | Screening Stage Mitigation Measure* | Residual Risk (yes/no) Detail | Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2. |
| 1. | Surface | Sluice_10 IE_AE_09507 1100 | Existing drainage ditches, watercourse | Siltation, pH (Concrete), hydrocarbon spillages, | Standard construction practice CEMP | Yes – proximity to monitoring location warrants additional | Screened in |
| 2. | Ground | Dublin IE_EA_G_008 | Pathway exists but poor drainage characteristics | spillages | As above | No | Screened out |
| OPERATIONAL PHASE | | | | | | | |
| 3. | Surface | Sluice_10 IE_AE_09507 1100 | Existing drainage ditches, watercourse | Hydrocarbon spillage | SUDs features | No | Screened out |
| 4. | Ground | Dublin IE_EA_G_008 | Pathway exists but poor drainage characteristics | Spillages | SUDs features | No | Screened out |

| DECOMMISSIONING PHASE | | | | | | |
|---|--|---|---|---|--|--|
| 5. | NA | | | | | |
| STAGE 2: ASSESSMENT | | | | | | |
| Details of Mitigation Required to Comply with WFD Objectives – Template | | | | | | |
| Surface Water | | | | | | |
| Development/Activity e.g. culvert, bridge, other crossing, diversion, outfall, etc | <u>Objective 1:Surface Water</u> Prevent deterioration of the status of all bodies of surface water | <u>Objective 2:Surface Water</u> Protect, enhance and restore all bodies of surface water with aim of achieving good status | <u>Objective 3:Surface Water</u> Protect and enhance all artificial and heavily modified bodies of water with aim of achieving good ecological potential and good surface water chemical status | <u>Objective 4: Surface Water</u> Progressively reduce pollution from priority substances and cease or phase out emission, discharges and losses of priority substances | Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7) | |
| | Describe mitigation required to meet objective 1: | Describe mitigation required to meet objective 2: | Describe mitigation required to meet objective 3: | Describe mitigation required to meet objective 4: | | |
| Construction works | Site specific construction mitigation methods described in the CEMP e.g. silt curtain, buffer zone, | Site specific construction mitigation methods described in the CEMP e.g. silt curtain, buffer | NA | NA | YES | |

| | | | | | |
|--|---|--|---|--|-----|
| | site-specific design of settlement ponds, etc | zone, site-specific design of settlement ponds, etc | | | |
| Stormwater drainage | Adequately designed SUDs features, permeable paving etc | Adequately designed SUDs features, permeable paving etc | NA | NA | YES |
| Development/Activity 3 e.g. Creation of a transport crossing of watercourse. | | | | | |
| Details of Mitigation Required to Comply with WFD Objectives – Template | | | | | |
| Groundwater | | | | | |
| Development/Activity e.g. abstraction, outfall, etc. | <u>Objective 1: Groundwater</u> Prevent or limit the input of pollutants into groundwater and to prevent the deterioration of the status of all bodies of groundwater | <u>Objective 2 : Groundwater</u> Protect, enhance and restore all bodies of groundwater, ensure a balance between abstraction and recharge, with the aim of achieving good status* | <u>Objective 3:Groundwater</u> Reverse any significant and sustained upward trend in the concentration of any pollutant resulting from the impact of human activity | Does this component comply with WFD Objectives 1, 2, 3 & 4? (if answer is no, a development cannot proceed without a derogation under art. 4.7) | |
| | Describe mitigation required to meet objective 1: | Describe mitigation required to meet objective 2: | Describe mitigation required to meet objective 3: | | |

| | | | | |
|--------------------------|-----|-----|-----|-----|
| Development Activity 1 : | N/A | N/A | N/A | N/A |
| Development Activity 2 | N/A | N/A | N/A | N/A |