



Appropriate Assessment Screening Report
for a Proposed Substation and Grid Connection, Grange Castle
South Business Park, Clondalkin, Dublin 22.

prepared for Marston Planning Consultancy

on behalf of UBC Properties LLC

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Table of Contents

1	Introduction	1
2	Methodology	2
2.1	Guidance	2
2.2	Assessment Methodology	2
2.3	Desktop Data Review	4
2.4	Baseline Surveys	5
3	Provision of Information for Screening for Appropriate Assessment	5
3.1	Description of the Proposed Development	6
3.2	Overview of the Receiving Environment	8
3.3	Assessment of Effects on European Sites	11
4	Conclusions of Screening Assessment Process	17

Appendix I

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the Proposed Development site (see Figure 2)

Appendix II

Planning policies and objectives relating to the protection of European sites and water quality

1 Introduction

This report, which contains information required for the competent authority (in this instance An Bord Pleanála) to undertake a screening for Appropriate Assessment (AA), has been prepared by Scott Cawley Ltd. on behalf of the applicant (UBC Properties LLC). It provides information on, and assesses the potential for, the Proposed Development to impact on the Natura 2000 network (hereafter referred to as European sites)¹. The Proposed Development consists of:

- the provision of two no. 110kV transmission lines and a 110kV Gas Insulated Switchgear (GIS) substation compound along with associated and ancillary works and is described as follows:
- The proposed 110kV GIS Substation Compound is to be located on lands to the east of the 3 no. data centres permitted under South Dublin County Council Reg. Ref. SD20A/0121, and within an overall landholding bound to the north by the R134 / New Nangor Road; to the west by the realigned Baldonnel Road; to the south by the Grange Castle South Business Park access road; and to the east by the Grange Castle Motor Company within Baldonnel, Dublin 22. The site of the proposed development has an area of c. 7.7 hectares;
- The proposed 110kV Gas Insulated Switchgear (GIS) Substation Compound includes the provision of a two storey GIS Substation building (with a gross floor area of 1,447sqm) (known as the Clutterland Substation), four transformers, a Client Control Building (with a gross floor area of 380sqm), lighting masts, car parking, associated underground services and roads within a 2.6m high fenced compound and all associated construction and ancillary works;

1 A proposed underground single circuit 110kV transmission line will connect the proposed Clutterland 110kV GIS Substation to the existing 220kV / 110kV Castlebaggot Substation to the immediate south. The proposed transmission line covers a distance of approximately 180m within the townlands of Ballybane, and Aungierstown and Ballybane;

- A proposed underground single circuit 110kV transmission line will connect the proposed Clutterland 110kV GIS Substation to the existing 110kV underground Kilmahud-Corkagh circuit to the north-west. The proposed transmission line covers a distance of approximately 1.1km within the townlands of Ballybane and Grange and will include 3 joint bays along its length;
- The development includes provision of a unit substation and 49kVa electricity connection (approximately 300m in length to the Grange Castle South Business Park access road to the south of the proposed substation) for the proposed GIS substation building. The development includes the

¹ The Natura 2000 network is a European network of important ecological sites, as defined under Article 3 of the Habitats Directive 92/43/EEC, which comprises both special areas of conservation and special protection areas. Special conservation areas are sites hosting the natural habitat types listed in Annex I, and habitats of the species listed in Annex II, of the Habitats Directive, and are established under the Habitats Directive itself. Special protection areas are established under Article 4 of the Birds Directive 2009/147/EC for the protection of endangered species of wild birds. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats.

In Ireland these sites are designed as European sites - defined under the Planning Acts and/or the Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

connections to the two substations (existing and proposed) as well as to the Kilmahud-Corkagh circuit, changes to landscaping permitted under SDCC Reg. Ref. SD20A/0121 and changes to planting within Grange Castle Business Park and all associated construction works, and all ancillary works.

An AA is required if significant effects on European sites arising from a Proposed Development cannot be excluded at the screening stage, either alone or in combination with other plans or projects. It is the responsibility of the competent authority to make a decision as to whether or not the Proposed Development is likely to have significant effects on European sites, either individually or in combination with other plans or projects.

For the reasons set out in detail in this AA Screening Report, an **Appropriate Assessment of the Proposed Development is not required in this instance** as it can be excluded, on the basis of objective information, in view of best scientific knowledge that the Proposed Development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

2 Methodology

2.1 Guidance

This Appropriate Assessment Screening Report has been prepared with regard to the following guidance documents, as relevant:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision)
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001)
- *Communication from the Commission on the precautionary principle* (European Commission, 2000), and
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019)

2.2 Assessment Methodology

The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if an Appropriate Assessment is required, documented screening is required. Screening identifies the potential for effects on the conservation objectives of European sites, if any, which would arise from a proposed plan or project, either alone or in combination with other plans and projects (i.e. likely significant effects).

Significant effects on a European site are those that would undermine the conservation objectives supporting the favourable conservation condition of the Qualifying Interest (QI) habitats and/or the QI/Special Conservation Interest (SCI) species of a European site(s).

Screening for Appropriate Assessment involves the following steps:



If the conclusions at the end of screening are that there is no likelihood of significant effects occurring on any European sites as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there is no requirement to undertake an Appropriate Assessment.

In establishing which European sites are potentially at risk (in the absence of measures intended to avoid or reduce harmful effects) from the Proposed Development, a source-pathway-receptor approach was applied. In order for an impact to occur, there must be a risk enabled by having a source (e.g. water

abstraction or construction works), a receptor (e.g. a European site or its QI(s) or SCI(s)²), and a pathway between the source and the receptor (e.g. pathway by air for airborne pollution, or a pathway by a watercourse for mobilisation of pollution). For an impact to occur, all three elements must exist; the absence or removal of one of the elements means there is no possibility for the impact to occur.

The identification of source-pathway-receptor connection(s) between the Proposed Development and European sites essentially is the process of identifying which European sites are within the Zone of Influence (Zoi) of the Proposed Development, and therefore potentially at risk of significant effects. The Zoi is the area over which the Proposed Development could affect the receiving environment such that it could potentially have significant effects on the QI habitats or QI/SCI species of a European site, or on the achievement of their conservation objectives³.

The identification of a source-pathway-receptor link does not automatically mean that significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. extent and duration of construction works), the characteristics of the pathway (e.g. direction and strength of prevailing winds for airborne pollution) and the characteristics of the receptor (e.g. the sensitivities of the European site and its QIs/SCIs). Where uncertainty exists, the precautionary principle⁴ is applied.

2.3 Desktop Data Review

The desktop data sources used to inform the assessment presented in this report are as follows (accessed on the 22 September 2020)

- Online data available on European sites and protected habitats/species as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie, including conservation objectives documents
- Online data available on protected species as held by the National Biodiversity Data Centre (NBDC) from www.biodiversityireland.ie
- Information on the surface water network and surface water quality in the area available from www.epa.ie
- Information on groundwater resources and groundwater quality in the area available from www.epa.ie and www.gsi.ie
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie

² The term qualifying interest is used when referring to the habitats or species for which an SAC is designated; the term special conservation interest is used when referring to the bird species (or wetland habitats) for which an SPA is designated.

³ As defined in the *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018)

⁴ The precautionary principle is a guiding principle that derives from Article 191 of the Treaty on the Functioning of the European Union and has been developed in the case law of the European Court of Justice (e.g. ECJ case C-127/02 – Waddenzee, Netherlands).

The guidance document *Communication from the Commission on the Precautionary Principle* (European Commission, 2000) notes that the precautionary principle “covers those specific circumstances where scientific evidence is insufficient, inconclusive or uncertain and there are indications through preliminary objective scientific evaluation that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the chosen level of protection”.

Applying the precautionary principle in the context of screening for appropriate assessment requires that where there is uncertainty or doubt about the risk of significant effects on a European site(s), it should be assumed that significant effects are possible and AA must be carried out.

- Information on the location, nature and design of the Proposed Development supplied by the applicant's design team
- Scott Cawley Ltd. (2020). Appropriate Assessment Screening Report for a Proposed Data Centre, Grange Castle South Business Park, Clondalkin, Dublin 22.
- Marston Planning Consultancy (2020). Environmental Impact Assessment Report – Data Centre Development, Grange Castle South Business Park.

2.4 Baseline Surveys

This section describes the ecological surveys carried out to inform the assessment of likely significant effects on European sites.

2.4.1 Habitats and Flora Survey

A habitat survey was undertaken of the Proposed Development site on 02 September 2020 by Lorna Gill of Scott Cawley Ltd. following the methodology described in *Best Practice Guidance for Habitat Survey and Mapping*⁵. All habitat types were classified using the *Guide to Habitats in Ireland*⁶, recording the indicator species and abundance using the DAFOR scale⁷ and recording any species of conservation interest. Vascular and bryophyte plant nomenclature generally follow that of *The National Vegetation Database*⁸, having regard to more recent taxonomic changes to species names after the *New Flora of the British Isles*⁹ and the British Bryological Society's *Mosses and Liverworts of Britain and Ireland: A Field Guide*¹⁰. Annex I habitat types were classified after the *Interpretation manual of European Union Habitats EUR28*¹¹ with reference to the corresponding national habitat survey reports and NPWS wildlife manuals, as applicable. The nomenclature for Annex I habitats follows that of the *Interpretation manual of European Union Habitats EUR28* with abbreviated names after those used in *The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview*¹².

3 Provision of Information for Screening for Appropriate Assessment

The following sections provide information to facilitate the Appropriate Assessment screening of the Proposed Development to be undertaken by the competent authority.

A description of the Proposed Development and the receiving environment is provided to identify the potential ecological impacts. The environmental baseline conditions are discussed, as relevant to the assessment of ecological impacts where they may highlight potential pathways for impacts associated with

⁵ Smith, G.F., O'Donoghue, P., O'Hara, K. & Delaney, E. (2011) *Best Practice Guidance for Habitat Survey and Mapping*. The Heritage Council Church Lane, Kilkenny, Ireland.

⁶ Fossitt, J.A. (2000) *A Guide to Habitats in Ireland*. Heritage Council, Kilkenny.

⁷ The DAFOR scale is an ordinal or semi-quantitative scale for recording the relative abundance of plant species. The name DAFOR is an acronym for the abundance levels recorded: Dominant, Abundant, Frequent, Occasional and Rare.

⁸ Weekes, L.C. & FitzPatrick, Ú. (2010) *The National Vegetation Database: Guidelines and Standards for the Collection and Storage of Vegetation Data in Ireland*. Version 1.0. Irish Wildlife Manuals, No. 49. National Parks and Wildlife Service, Department of Environment, Heritage and Local Government, Dublin, Ireland.

⁹ Stace, C. (2019) *New Flora of the British Isles*. 4th Edition. C&M Floristics.

¹⁰ Atherton, I., Bosanquet, S. & Lawley, M. (2010) *Mosses and Liverworts of Britain and Ireland: A Field Guide*. Latimer Trend & Co., Plymouth.

¹¹ CEC. (Commission of the European Communities) (2013) *Interpretation manual of European Union Habitats EUR28*. European Commission, DG Environment.

¹² NPWS (2019). *The Status of EU Protected Habitats and Species in Ireland. Volume 1: Summary Overview*. Unpublished NPWS report.

the Proposed Development to affect the receiving ecological environment (e.g. geological, hydrogeological and hydrological data).

The potential impacts are examined in order to define the potential zone of influence of the Proposed Development on the receiving environment. This then informs the assessment of whether the Proposed Development will result in significant effects on any European sites; i.e. affect the conservation objectives supporting the favourable conservation condition of the European site's QIs or SCIs.

3.1 Description of the Proposed Development

In brief, the Proposed Development will consist of:

- the provision of two no. 110kV transmission lines and a 110kV Gas Insulated Switchgear (GIS) substation compound along with associated and ancillary works and is described as follows:
- The proposed 110kV GIS Substation Compound is to be located on lands to the east of the 3 no. data centres permitted under South Dublin County Council Reg. Ref. SD20A/0121, and within an overall landholding bound to the north by the R134 / New Nangor Road; to the west by the realigned Baldonnel Road; to the south by the Grange Castle South Business Park access road; and to the east by the Grange Castle Motor Company within Baldonnel, Dublin 22. The site of the proposed development has an area of c. 7.7 hectares;
- The proposed 110kV Gas Insulated Switchgear (GIS) Substation Compound includes the provision of a two storey GIS Substation building (with a gross floor area of 1,447sqm) (known as the Clutterland Substation), four transformers, a Client Control Building (with a gross floor area of 380sqm), lighting masts, car parking, associated underground services and roads within a 2.6m high fenced compound and all associated construction and ancillary works;
- A proposed underground single circuit 110kV transmission line will connect the proposed Clutterland 110kV GIS Substation to the existing 220kV / 110kV Castlebaggot Substation to the immediate south. The proposed transmission line covers a distance of approximately 180m within the townlands of Ballybane, and Aungierstown and Ballybane;
- A proposed underground single circuit 110kV transmission line will connect the proposed Clutterland 110kV GIS Substation to the existing 110kV underground Kilmahud-Corkagh circuit to the north-west. The proposed transmission line covers a distance of approximately 1.1km within the townlands of Ballybane and Grange and will include 3 joint bays along its length;
- The development includes provision of a unit substation and 49kVa electricity connection (approximately 300m in length to the Grange Castle South Business Park access road to the south of the proposed substation) for the proposed GIS substation building. The development includes the connections to the two substations (existing and proposed) as well as to the Kilmahud-Corkagh circuit, changes to landscaping permitted under SDCC Reg. Ref. SD20A/0121 and changes to planting within Grange Castle Business Park and all associated construction works, and all ancillary works.

Figure 1 indicates the red line boundary of the Proposed Development.

The design of each underground 110kV transmission line will comprise a single 110kV circuit installed underground in high-density polyethylene (HDPE) ducting. The 110kV cables will be a standard XLPE (cross-linked polyethylene) copper cable. XLPE does not contain oil.

The installation of the HDPE ducting will require the excavation of one trench along each of the routes; each containing one 110kV circuit. The optimum depth of excavation of the trenches required to facilitate installation of the ducting will typically have an optimum depth of excavation of 1.3m below ground level but may increase to up to c. 3.5m at utility crossings. The typical width of each trench is 0.85m, however this may vary depending on ground conditions and existing services. Between five and ten separate ducts will be installed in each trench. Reference to the 'transmission line' includes both circuits.

Surface Water

The proposed drainage network applied for under the Permitted Development Reg. Ref. SD20A/0121 has been designed to convey all the captured storm water on site, including the Proposed Development, and to direct it to 4 no. attenuation areas (with a capacity of 10,385m³) to be located along the western, northern and eastern boundary of the Permitted Development. Three of the proposed attenuation ponds will drain to the north, including the two into which the Proposed Development GIS Substation surface water will drain, and outfall into the Baldonnell stream, while one of the ponds will drain to the west and into an existing storm sewer.

The surface water drainage of the Proposed Development will drain to the attenuation ponds proposed under the Permitted Development, Reg. Ref. SD20A/0121, to its immediate east and to drains to the south. The storm water system has been modelled to ensure no physical clashes with other utilities, notably the proposed foul system.

There is capacity under the Permitted Development attenuation design to accommodate runoff from the Proposed Development. The Permitted Development drainage design includes oil separator interceptor systems to ensure the quality of storm water discharge is controlled prior to attenuation and discharge offsite.

The Permitted Development attenuation ponds will receive storm water which has passed through gully's (to aid in the removal of debris) and a suitably sized oil separator to ensure any hydrocarbon pollution is removed prior to storm water entering the attenuation zones. A further stage to improve overall storm water quality is the construction of 'forebays' through which storm water will pass to further aid in the removal of deleterious material in line with best practice. All four attenuation ponds, including the two into which the Proposed Development GIS substation will drain, have suitably sized forebays to achieve this requirement.

To further enhance the ecological nature of the Proposed Development, the attenuation areas have been designed to operate as detention ponds, so the attenuation areas will retain water all year round. This will allow for greater biodiversity gains within the proposed development site.

The underground 110kV transmission lines from the proposed substation to the existing Castlebaggot 220kV / 110kV substation and to the Kilmahud Corkagh Circuit, new cable bays, and the underground 49kVA cable installation do not require any surface water drainage infrastructure. The transmission line and 49kVA cable installation are underground and the cable bays will be constructed on a primarily permeable gravel surface (with some concrete bases which will drain to the gravel area) at the substation. Rainfall will drain to ground, as it currently does in these areas.

Foul Drainage

Maintenance of the substation will be required by ESB Networks, including a routine weekly inspection, and a more comprehensive inspection once per year. The weekly inspection of the GIS substation will take a maximum of 8 hours on a single day and will be conducted by up to 2 staff. In addition to the weekly inspections, more comprehensive maintenance works will take place annually on each cubicle. This will require up to 4 staff to conduct testing at the substation over a maximum period of 15 days (120 hours). It is expected that the proposed 4 new transformers (to be located west of and adjacent to the 110kV GIS substation) will also be inspected during this time. Therefore, the foul waters arising from the proposed development will be minimal due to the nature of the proposed development. Foul waters arising from the welfare facilities at the GIS substation will be collected in a foul drain within the site and discharged to the existing foul drainage network.

The foul effluent from the proposed development will discharge into the business park network and will then ultimately be discharged to the Ringsend Waste Water Treatment Plant (WWTP).

The underground 110kV transmission lines from the proposed substation to the existing Castlebaggot 220kV / 110kV substation and to the Kilmahud Corkagh Circuit, new cable bays, and the underground 49kVA cable installation do not require any foul drainage infrastructure.

A detailed description of the Proposed Development can be found in Chapter 2 of the EIAR accompanying the planning application.

Figure 1: Redline boundary of the Proposed Development



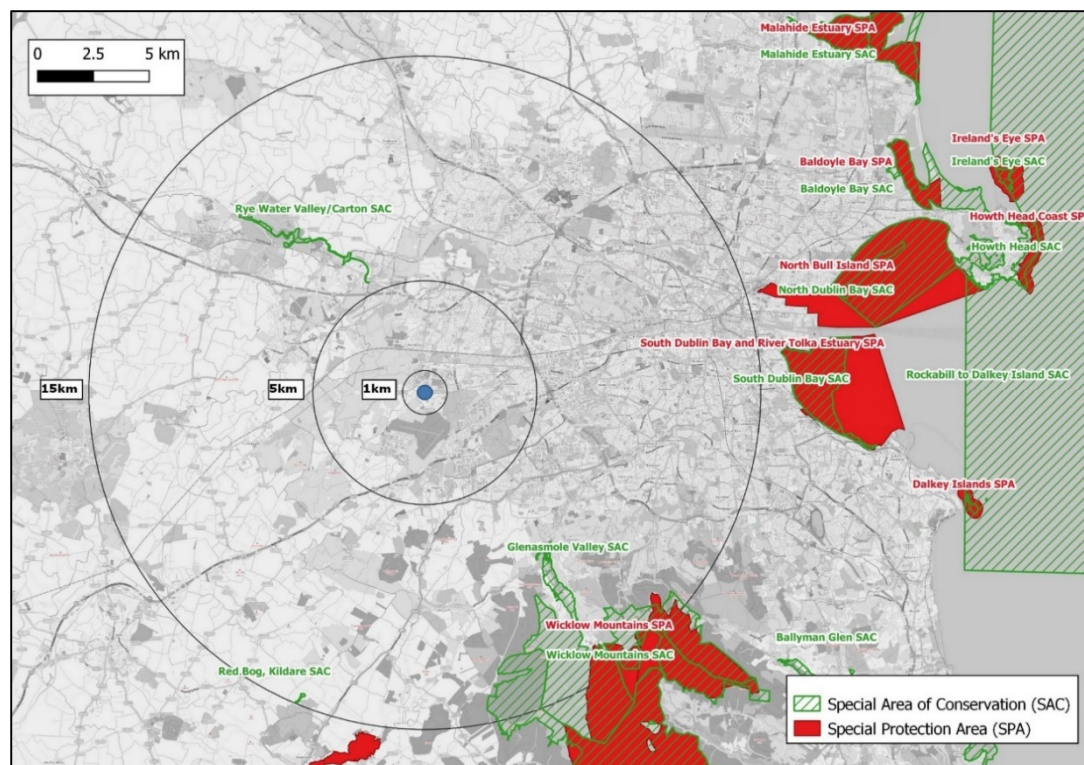
3.2 Overview of the Receiving Environment

3.2.1 European sites

There are no European sites within the Proposed Development boundary. The nearest European site to the Proposed Development is the Rye Water Valley/Carton SAC; c. 5.2km north-west. The Baldonnell stream, a tributary of the Griffeen River flows east-west through the Proposed Development site and connects it to European sites in Dublin Bay via the surface water network c. 15.5km to the east 'as the crow flies' or c. 24km hydrological distance downstream. The following European sites are located in Dublin Bay: North Dublin Bay SAC, South Dublin Bay SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA.

All of the European sites present in the vicinity of the Proposed Development are shown on Figure 2 below. The QIs/SCIs of the European sites in the vicinity of the Proposed Development are provided in Appendix I.

Figure 2 European sites in the vicinity of the Proposed Development



3.2.2 Habitats

The Proposed Development is located within Grange Castle South Business Park and surrounding lands are comprised largely of industrial developments and agricultural land. The Baldonnell stream, a tributary of the Griffeen River, runs across the northern portion of the site. This stream is classified as a depositing lowland river. The majority of the Proposed Development site is comprised of improved agricultural grassland which is no longer managed and is dominated by a range of common grass and forb species. Other habitats of ecological value on the lands include hedgerow, treeline and drainage ditch habitat. There are some habitats of low ecological value on the Proposed Development site such as recolonising bare ground within the footprint of the substation and artificial surfaces along the grid connection route.

None of the habitats within the Proposed Development site are listed on Annex I of the EU Habitats Directive.

3.2.3 Flora and Fauna Species

The National Biodiversity Data Centre (NBDC) database search returned the following records of Annex I bird species and Annex II/Annex IV fauna species.

- Brown long-eared bat *Plecotus auritus*
- Corn crane *Crex crex*
- Daubenton's bat *Myotis daubentonii*
- Desmoulin's whorl snail *Vertigo (Vertigo) moulinsiana*
- Hen harrier *Circus cyaneus*

- Kingfisher *Alcedo atthis*
- Leisler's bat *Nyctalus leisleri*
- Little egret *Egretta garzetta*
- Marsh fritillary *Euphydryas aurinia*
- Merlin *Falco columbarius*
- Otter *Lutra lutra*
- Peregrine falcon *Falco peregrinus*
- Pipistrelle species *Pipistrellus pipistrellus sensu lato*
- Soprano pipistrelle *Pipistrellus pygmaeus*

The NBDC database search returned no records of any Annex II plant species within 2km of the Proposed Development site.

During site surveys for the original data centre application (Reg. Ref. SD20A/0121) in 2019 and 2020, Scott Cawley observed a number of fauna species:

- An otter was recorded on the Proposed Development site on 08 November 2019 during a winter bird survey after a period of heavy rain;
- Kingfisher *Alcedo atthis*, an Annex I bird species was observed within the stream on the Proposed Development site during several survey occasions;
- A flock of 150 lapwing *Vanellus vanellus* were recorded feeding on the Proposed Development site on 14 January 2020.

The NBDC database search returned records of two non-native invasive species listed on the Third Schedule of the *European Communities (Birds and Natural Habitats) Regulations 2011* (as amended) within 2km of the proposed development site¹³:

- Nuttall's waterweed *Elodea nuttallii*
- Three-cornered garlic *Allium triquetrum*

No non-native invasive species listed on the Third Schedule of the *European Communities (Birds and Natural Habitats) Regulations 2011* (as amended) were recorded within the Proposed Development site during the habitat surveys carried out by Lorna Gill of Scott Cawley Ltd. on 02 September 2020.

3.2.4 Hydrology

The Baldonnell stream, a tributary of the Griffeen River, runs along the northern boundary of the Proposed Development site from east to west. This stream has been heavily modified in recent years to allow the construction of the new Nangor Road and it enters a culvert and joins the Griffeen River to the north of the Proposed Development site. The River Griffeen flows in a northerly direction before entering the River Liffey c. 5km hydrological distance downstream north of the Proposed Development, the River Liffey then flows into Dublin Bay c. 17.5km hydrological distance downstream north east of the Proposed Development.

The Griffeen river has a Water Framework Directive (WFD) status of 'good' and a WFD risk status of 'at risk'. The River Liffey has a WFD status of 'good' where the Griffeen joins which decreases to 'moderate' as

¹³ These species are listed on Invasive Species Ireland's Amber list. In the right ecological conditions, they may impact on native species or habitats, but these species are not considered to have a high-risk rating overall. The list is available from <http://invasive.speciesireland.com>.

it flows closer to Dublin Bay. The Liffey has a WFD risk status of '*at risk*'. Dublin Bay has a WFD status of '*good*' and a WFD risk status of '*at risk*'.

3.2.5 Hydrogeology

The Proposed Development site is underlain by the Dublin groundwater body which is described as '*poorly productive bedrock*'. The groundwater body has a WFD status of '*good*' and a WFD risk status of '*not at risk*'. Results of ground investigations show that groundwater is present below the Proposed Development site at a depth of between 2m and 2.5m¹⁴.

3.2.6 Soils & Geology

Site investigations concluded that there is no evidence of contaminated soil present on the Proposed Development site¹⁵.

3.3 Assessment of Effects on European Sites

This section identifies all the potential impacts associated with the Proposed Development, examines whether there are any European sites within the ZoI of effects from the Proposed Development, and assesses whether there is any risk of the Proposed Development resulting in a significant effect on any European site, either alone or in combination with other plans or projects.

In assessing the potential for the Proposed Development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

3.3.1 Habitat loss and fragmentation

The Proposed Development does not overlap with the boundary of any European site. Therefore, there are no European sites at risk of direct habitat loss impacts. As the Proposed Development does not traverse any European sites there is no potential for habitat fragmentation to occur.

Some habitats on the Proposed Development site were considered to be suitable to support populations of fauna species linked with the QI/SCI populations of European sites.

The Baldonnel Stream on the Proposed Development site was found to support otter *Lutra lutra*, an Annex IV mammal species. The individual recorded on the Proposed Development site is not considered to be associated with the QI populations of any European site. The nearest SAC to the Proposed Development site for which otter has been designated is Wicklow Mountains SAC which is located c. 10km south-east. While otter territories can range up to 20km, there is no connectivity of habitat between the Proposed Development site and the Wicklow Mountains SAC, therefore it is not considered likely that the otter recorded within the Proposed Development site is associated to an SAC population; and,

The Baldonnel Stream on the Proposed Development site was found to support kingfisher *Alcedo atthis*, an Annex I bird species. The individuals recorded were not considered to be associated with the SCI populations of any European site. Kingfisher territories can extend over 3-5km of river. The nearest SPA for which kingfisher has been designated is the River Boyne and Blackwater SPA which is located c. 36.5km away, therefore it is not considered likely that the kingfisher recorded onsite is associated with an SPA population.

¹⁴ Marston Planning Consultancy (2020). Environmental Impact Assessment Report – Data Centre Development, Grange Castle South Business Park.

¹⁵ Marston Planning Consultancy (2020). Environmental Impact Assessment Report – Data Centre Development, Grange Castle South Business Park.

Ringed plover *Charadrius hiaticula*, a species for which South Dublin Bay and River Tolka Estuary SPA and Baldoyle Bay SPA have been designated was recorded on the Proposed Development site on 28 June 2019. An individual was recorded feeding on an area of spoil and bare ground habitat that had been cleared for archaeological surveys. There is no potential for significant impacts on European sites as a result of this development as a single individual was recorded during the summer months and the relevant European sites are designated for wintering populations of ringed plover. No ringed plover were recorded during winter bird surveys on the Proposed Development site.

A flock of 150 lapwing *Vanellus vanellus* were recorded feeding on the Proposed Development site on 14 January 2020. The nearest SPA for which lapwing are an SCI species is Boyne Estuary SPA located c. 45km north of the Proposed Development site. Due to the significant distance between the Proposed Development site and SPAs which are designated for lapwing, it is not considered that the flock recorded on the Proposed Development site are associated with any SPA population.

The Proposed Development will therefore not result in the loss of habitat that supports populations of wintering bird species, kingfisher or otter linked with the QI/SCI populations of any European site(s).

As the Proposed Development will not result in habitat loss or habitat fragmentation within any European site, there is no potential for any in combination effects to occur in that regard.

3.3.2 *Habitat degradation as a result of hydrological impacts*

Surface water run-off and discharges from the Proposed Development will drain to the Baldonnell Stream via attenuation ponds located on the Proposed Development site. These waters will eventually drain to Dublin Bay via the Griffeen River and the River Liffey. Foul waters from the Proposed Development will be minimal and will be discharged to Ringsend WWTP for treatment, via the existing foul water drainage network, prior to discharge into the Liffey Estuary/Dublin Bay. Therefore, the Zone of Influence (Zoi) of potential effects on water quality from the Proposed Development could extend to Dublin Bay.

Surface Water

Surface water run-off and discharges from the Proposed Development will enter the downstream receiving environment via the Baldonnell Stream.

Considering the following, the Proposed Development will not have any measurable effects on water quality in Dublin Bay or the Irish Sea:

- The scale and location of the Proposed Development relative to the receiving surface water network,
- The relatively low volume of any surface water run-off or discharge events from the Proposed Development site relative to the receiving surface water and marine environments, and
- The level of mixing, dilution and dispersion of any surface water run-off/discharges from the Proposed Development site in the receiving watercourses, Dublin Bay and the Irish Sea

It is an objective of the Greater Dublin Strategic Drainage Study, and the South Dublin County Council Development Plan 2016-2022, to incorporate Sustainable Urban Drainage Systems (SUDS) within new developments. The SUDS features associated with the Proposed Development are not included within the design to avoid or reduce any potential harmful effects to any European sites.

Therefore, there is no possibility of the Proposed Development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Dublin Bay as a result of surface water run-off or discharges.

Foul Water

Foul water, comprising sewage and industrial effluent (and some surface water run-off), from the Dublin area is treated at Ringsend WWTP prior to discharge to Dublin Bay. The most recent information from Irish Water indicates that the plant is operating above its capacity of 1.64 million P.E. (Irish Water, 2017), with

a current operational loading of c.2.2 million P.E. Ringsend WWTP operates under a discharge licence from the EPA (D0034-01) and must comply with the licence conditions.

Despite the capacity issues associated with the Ringsend WWTP, the Liffey Estuary Lower and Dublin Bay are currently classified by the EPA as being of “Unpolluted” water quality status¹⁶. The Tolka Estuary is currently classified by the EPA as being “Potentially Eutrophic”. The pollutant content of future foul water discharges to Dublin Bay is considered likely to decrease in the long-term for the following reasons:

- An Bord Pleanála granted planning permission for an upgrade to the Ringsend WWTP in April 2019¹⁷, which will increase capacity at the plant, and
- An Bord Pleanála granted planning permission¹⁸ for the Greater Dublin Drainage (GDD) Project which will involve the construction of a new regional wastewater treatment facility in Clonshaugh in North County Dublin, the development of which will help alleviate capacity issues at Ringsend WWTP.

It is also an objective of the Greater Dublin Strategic Drainage Study, and all development plans within the catchment of Ringsend WWTP, to include Sustainable Urban Drainage Systems (SUDS) within new developments. The relevant development plans also have protective policies/objectives in place to protect water quality in the receiving freshwater and marine environments, and to implement the Water Framework Directive in achieving good water quality status for Dublin Bay.

Considering the above, particularly the current unpolluted status of Dublin Bay, it is concluded that the Proposed Development will not impact on the overall water quality status of Dublin Bay.

Therefore, there is no possibility of the Proposed Development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Dublin Bay as a result of foul water discharges.

In Combination

There is potential for “*in-combination*” effects on water quality in Dublin Bay from any other projects carried out within the functional areas of the *Dublin City Development Plan 2016-2022* (Dublin City Council, 2016), the *Dún Laoghaire-Rathdown County Development Plan 2016-2022* (Dún Laoghaire-Rathdown County Council, 2016), the *Fingal Development Plan 2017-2023* (Fingal County Council, 2017), *South Dublin County Council Development Plan 2016-2022* (South Dublin County Council, 2016), or any other land use plans which could influence conditions in Dublin Bay via rivers and other surface water features.

The Eastern & Midland Regional Assembly, *Regional Spatial & Economic Strategy 2019-2031*¹⁹ (Eastern & Midland Regional Assembly, 2019) includes a range of policy objectives relevant to the protection of European sites and the protection of water quality in Dublin Bay, to which the relevant planning authorities must have regard to in the preparation and adoption of their development plans (included in Appendix II).

The planning authority for the Proposed Development is South Dublin City Council (SDCC). Plans and developments within South Dublin City County must comply with the following policy objectives of the

¹⁶ Transitional and Coastal Surface Water Quality data (2010-2012) accessed from the EPA Envision Mapviewer www.gis.epa.ie/Envision (accessed May 2019)

¹⁷ An Bord Pleanála Case Reference PL29S.301798 – *10-year permission for development of the Ringsend wastewater treatment plant upgrade project including a regional bio solids storage facility*, Available online at www.pleanala.ie/casenum/301798.htm.

¹⁸ An Bord Pleanála Case Reference PL06F.301908 - *Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional bio solids storage facility*. Available online at www.pleanala.ie/casenum/301908.htm.

¹⁹ Eastern & Midland Regional Assembly (2019) *Regional Spatial & Economic Strategy 2019-2031*

South Dublin County Council Development Plan 2016 – 2022 relevant to the protection of European sites and the protection of water quality in Dublin Bay:

GI23: To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015.

GI24: To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

HCL12 Objective 1 : To prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the County and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.

HCL12 Objective 2 : To ensure that projects that give rise to significant direct, indirect or secondary impacts on Natura 2000 sites, either individually or in combination with other plans or projects, will not be permitted unless the following is robustly demonstrated in accordance with Article 6(4) of the Habitats Directive and S.177AA of the Planning and Development Act (2000 – 2010) or any superseding legislation:

- There are no less damaging alternative solutions available; and
- There are imperative reasons of overriding public interest (as defined in the Habitats Directive) requiring the project to proceed; and
- Adequate compensatory measures have been identified that can be put in place.

IE Policy 1 Water & Wastewater: It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

IE1 Objective 1: To work in conjunction with Irish Water to protect, manage and optimise water supply and foul drainage networks in the County.

IE1 Objective 2: To work in conjunction with Irish Water to facilitate the timely delivery of ongoing upgrades and the expansion of water supply and wastewater services to meet the future needs of the County and the Region.

IE Policy 2 Surface Water & Groundwater: It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

IE2 Objective 1: To maintain, improve and enhance the environmental and ecological quality of our surface waters and groundwater by implementing the programme of measures set out in the Eastern River Basin District River Basin Management Plan.

IE2 Objective 3: To maintain and enhance existing surface water drainage systems in the County and promote and facilitate the development of Sustainable Urban Drainage Systems (SUDS), including integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.

IE2 Objective 4: To incorporate Sustainable Urban Drainage Systems (SUDS) as part of Local Area Plans, Planning Schemes, Framework Plans and Design Statements to address the potential for Sustainable Urban Drainage at a site and/or district scale, including the potential for wetland facilities.

IE2 Objective 5: To limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SUDS) and avoid the use of underground attenuation and storage tanks.

IE2 Objective 6: To promote and support the retrofitting of Sustainable Urban Drainage Systems (SUDS) in established urban areas, including integrated constructed wetlands.

Plans and developments within the other local authority areas which could influence conditions in Dublin Bay via rivers and other surface water features, also must comply with the policies and objectives relevant to the protection of European sites and water quality. These include the *Dún Laoghaire-Rathdown County Development Plan 2016-2022*, the *Fingal Development Plan 2017-2023*, the *Dublin City Council Development Plan 2016-2022*, the *Kildare County Development Plan 2017-2023* (Kildare County Council, 2017) and the *Wicklow County Development Plan 2016-2022* (Wicklow County Council, 2016). The relevant policies and objectives in those plans for the protection of European sites and water quality are included in Appendix II.

In conclusion, there are a number of projects referred to above which will upgrade the capacity of Ringsend WWTP which will, over time, address the capacity issues at Ringsend WWTP referred to above.

As noted under the surface water and foul water sections above, Dublin Bay is currently unpolluted and the Proposed Development will not result in any measurable effect on water quality in Dublin Bay. There are also protective policies and objectives in place at a strategic planning level to protect water quality in Dublin Bay.

Therefore, and having regard to the policies and objectives referred to under the relevant development plans, it is concluded that the possibility of any other plans or projects acting in combination with the Proposed Development to give rise to significant effects on any European site in, or associated with, Dublin Bay can be excluded.

3.3.3 *Habitat degradation as a result of hydrogeological impacts*

The Proposed Development lies within the Dublin Groundwater Body (Dublin GWB). The only European site within the Dublin GWB that is designated for groundwater dependant habitats and/or species is the Rye Water Valley/Carton SAC. All of the qualifying interests of the Rye Water Valley/Carton SAC, the priority Annex I habitat Petrifying springs and the two whorl snail species, are dependent upon the existing condition and functioning of the groundwater regime. Based on information published by Geological Survey Ireland (GSI) on the Dublin GWB20, 'The general groundwater flow direction in this aquifer is towards the coast and also towards the River Liffey and Dublin City'. As the Proposed Development will not interact directly with the underlying groundwater body, and lies down gradient of the Rye Water Valley/Carton SAC, it cannot influence groundwater conditions in the European site.

Therefore, there is no possibility of the Proposed Development undermining the conservation objectives of any of the qualifying interests or special conservation interests of any European sites, either alone or in combination with any other plans or projects, as a result of hydrogeological effects.

3.3.4 *Habitat degradation as a result of introducing/spreading non-native invasive species*

There are no species listed on the Third Schedule of the *European Communities (Birds and Natural Habitats) Regulations, 2011* (as amended) within the Proposed Development site, therefore, there is no potential impact on European Sites.

²⁰ https://secure.dccae.gov.ie/GSI_DOWNLOAD/Groundwater/Reports/GWB/DublinGWB.pdf

3.3.5 Disturbance and displacement impacts

Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the Proposed Development. For mammal species such as otter, disturbance effects would not be expected to extend beyond 150m²¹. For birds, disturbance effects would not be expected to extend beyond a distance of c.300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance. There are no European sites within the disturbance Zol; the next nearest European site to the Proposed Development is c.5.2km away. The Proposed Development site was not found to support populations of any QI/SCI species associated with European sites (see Section 3.3.1 above). Therefore, the Proposed Development will not result in the disturbance/displacement of the QI/SCI species of any European site

As the Proposed Development will not result in the disturbance/displacement of the QI/SCI species of any European site, there is no potential for any in combination effects to occur in that regard.

3.3.6 Summary

The potential impacts associated with the Proposed Development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the qualifying interest/special conservation interests of any European sites. Therefore, it can be excluded that the Proposed Development will have a significant effect on any European sites.

As the Proposed Development itself will not have any effects on the QIs/SCIs or conservation objectives of any European sites, and taking into account the policies and objectives of the statutory plans referred to above, it is concluded that there is no potential for any other plan or project to act in combination with it to result in significant effects on any European sites.

- 2 The potential impacts of the Proposed Development on the receiving environment, their Zol, and the European sites at risk of significant effects are summarised in Table 1 below. In assessing the potential for the Proposed Development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

Table 1 Summary of Analysis of Likely Significant Effects on European sites

Potential Direct, Indirect In Combination Effects and the Zol of the Potential Effects	Are there any European sites within the Zol of the Proposed Development?
Habitat loss Habitat loss will be confined to the lands within the Proposed Development boundary.	No There are no European sites within the Proposed Development boundary
Habitat degradation as a result of hydrological impacts Habitats and species downstream of the Proposed Development site and the associated surface water drainage discharge points, and downstream of offsite wastewater treatment plants.	No There are no European sites at risk of hydrological effects associated with the Proposed Development
Habitat degradation as a result of hydrogeological impacts Groundwater-dependant habitats, and the species those habitats support, in the local area that lie downgradient of the Proposed Development site.	No There are no European sites at risk of hydrogeological effects associated with the Proposed Development

²¹ This is consistent with Transport Infrastructure Ireland (TII) guidance (Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes and Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual Zol of construction related disturbance likely to be much less in reality.

Potential Direct, Indirect In Combination Effects and the Zol of the Potential Effects	Are there any European sites within the Zol of the Proposed Development?
Habitat degradation as a result of introducing/spreading non-native invasive species Habitat areas within, adjacent to, and potentially downstream of the Proposed Development site.	No There are no non-native invasive species present on the Proposed Development site and, therefore, no risk associated with the Proposed Development to any European sites from the spread/introduction of non-native invasive species
Disturbance and displacement impacts Potentially up to several hundred metres from the Proposed Development boundary, dependent upon the predicted levels of noise, vibration and visual disturbance associated with the Proposed Development, taking into account the sensitivity of the qualifying interest species to disturbance effects	No There are no European sites within the potential zone of influence of disturbance effects associated with the construction or operation of the Proposed Development

4 Conclusions of Screening Assessment Process

- 3 Following an examination, analysis and evaluation of the best available information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence, and their conservation objectives, have been fully considered.
- 4 Therefore, it is the professional opinion of the authors of this report that the application for consent for the Proposed Development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

Appendix I

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the Proposed Development site (see Figure 2)

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the Proposed Development Site
Special Area of Conservation (SAC)	
Rye Water Valley/ Carton SAC [001398] [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)* [1014] Narrow-mouthed Whorl Snail <i>Vertigo angustior</i> [1016] Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i> NPWS (2020) <i>Conservation objectives for Rye Water Valley/ Carton SAC [001398]</i> . Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht. ²²	Located c. 5.2km north-west of the Proposed Development
Glenasmole Valley SAC [001209] [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>) NPWS (2020) <i>Conservation objectives for Glenasmole Valley SAC [001209]</i> . Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht.	Located c. 8.3km south-east of the Proposed Development
Wicklow Mountains SAC [002122] [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3160] Natural dystrophic lakes and ponds [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> [4030] European dry heaths [4060] Alpine and Boreal heaths [6130] <i>Calaminarian</i> grasslands of the <i>Violetalia calaminariae</i> [6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [7130] Blanket bogs (* if active bog) [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8210] Calcareous rocky slopes with chasmophytic vegetation [8220] Siliceous rocky slopes with chasmophytic vegetation [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [1355] <i>Lutra lutra</i> (Otter)	Located c. 10km south-east of the Proposed Development

²² The versions of the conservation objectives documents referenced in this table are the most recent published versions at the time of writing

<p>NPWS (2017) <i>Conservation Objectives: Wicklow Mountains SAC 002122. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	
<p>Red Bog, Kildare SAC [000397] [7140] Transition mires and quaking bogs</p> <p>NPWS (2019) <i>Conservation Objectives: Red Bog, Kildare SAC 000397. Version 1.</i> National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 14.2km south of the Proposed Development</p>
<p>South Dublin Bay SAC [000210] [1140] Mudflats and sandflats not covered by seawater at low tide [1210] Annual vegetation of drift lines [1310] <i>Salicornia</i> and other annuals colonising mud and sand [2110] Embryonic shifting dunes</p> <p>NPWS (2013) <i>Conservation Objectives: South Dublin Bay SAC 000210. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 15.6km east of the Proposed Development</p>
<p>North Dublin Bay SAC [000206] [1140] Mudflats and sandflats not covered by seawater at low tide [1210] Annual vegetation of drift lines [1310] <i>Salicornia</i> and other annuals colonising mud and sand [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1395] Petalwort <i>Petalophyllum ralfsii</i> [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2110] Embryonic shifting dunes [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2190] Humid dune slacks</p> <p>NPWS (2013) <i>Conservation Objectives: North Dublin Bay SAC 000206. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 18.2km east of the Proposed Development</p>
<p>Malahide Estuary SAC [000205] [1140] Mudflats and sandflats not covered by seawater at low tide [1310] <i>Salicornia</i> and other annuals colonising mud and sand [1320] <i>Spartina</i> swards (<i>Spartinion maritimae</i>) [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>NPWS (2013) <i>Conservation Objectives: Malahide Estuary SAC 000205. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 22.9km south-east of the Proposed Development</p>
<p>Baldoyle Bay SAC [000199] [1140] Mudflats and sandflats not covered by seawater at low tide [1310] <i>Salicornia</i> and other annuals colonizing mud and sand</p>	<p>Located c. 22.5km north-east of the Proposed Development</p>

<p>[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)</p> <p>[1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>NPWS (2012) <i>Conservation Objectives: Baldoyle Bay SAC 000199</i>. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Howth Head SAC [000202]</p> <p>[1230] Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>[4030] European dry heaths</p> <p>NPWS (2016) <i>Conservation Objectives: Howth Head SAC 000202</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>Located c. 24km north-east of the Proposed Development</p>
<p>Rockabill to Dalkey Island SAC [003000]</p> <p>[1170] Reefs</p> <p>[1351] Harbour porpoise <i>Phocoena phocoena</i></p> <p>NPWS (2013) <i>Conservation Objectives: Rockabill to Dalkey Island SAC 003000</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 23.8km east of the Proposed Development</p>
<p>Ireland's Eye SAC [002193]</p> <p>[1220] Perennial vegetation of stony banks</p> <p>[1230] Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>NPWS (2017) <i>Conservation Objectives: Ireland's Eye SAC 002193</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.</p>	<p>Located c. 27km north-east of the Proposed Development</p>
<p>Ballyman Glen SAC [000713]</p> <p>[7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)</p> <p>[7230] Alkaline fens</p> <p>NPWS (2019) <i>Conservation Objectives: Ballyman Glen SAC 000713</i>. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 22.3km south-east of the Proposed Development</p>
Special Protection Area (SPA)	
<p>Wicklow Mountains SPA [004040]</p> <p>[A098] Merlin <i>Falco columbarius</i></p> <p>[A103] Peregrine <i>Falco peregrinus</i></p> <p>NPWS (2020) <i>Conservation objectives for Wicklow Mountains SPA [004040]. Generic Version 7.0</i>. Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 13.1km south-east of the Proposed Development</p>
<p>South Dublin Bay and River Tolka Estuary SPA [004024]</p> <p>[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i></p> <p>[A137] Ringed Plover <i>Charadrius hiaticula</i></p> <p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p>	<p>Located c. 15.2km east of the Proposed Development site</p>

<p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>[A162] Redshank <i>Tringa totanus</i></p> <p>[A179] Black-headed Gull <i>Croicocephalus ridibundus</i></p> <p>[A192] Roseate Tern <i>Sterna dougallii</i></p> <p>[A193] Common Tern <i>Sterna hirundo</i></p> <p>[A194] Arctic Tern <i>Sterna paradisaea</i></p> <p>[A999] Wetland and Waterbirds</p> <p>NPWS (2015) <i>Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>North Bull Island SPA [004006]</p> <p>[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>[A048] Shelduck <i>Tadorna tadorna</i></p> <p>[A052] Teal <i>Anas crecca</i></p> <p>[A054] Pintail <i>Anas acuta</i></p> <p>[A056] Shoveler <i>Anas clypeata</i></p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i></p> <p>[A140] Golden Plover <i>Pluvialis apricaria</i></p> <p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p> <p>[A156] Black-tailed Godwit <i>Limosa limosa</i></p> <p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>[A160] Curlew <i>Numenius arquata</i></p> <p>[A162] Redshank <i>Tringa totanus</i></p> <p>[A169] Turnstone <i>Arenaria interpres</i></p> <p>[A179] Black-headed Gull <i>Croicocephalus ridibundus</i></p> <p>[A999] Wetlands & Waterbirds</p> <p>NPWS (2015) <i>Conservation Objectives: North Bull Island SPA 004006</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 18.2km east of the Proposed Development site</p>
<p>Malahide Estuary SPA [004025]</p> <p>[A005] Great Crested Grebe <i>Podiceps cristatus</i></p> <p>[A046] Brent Goose <i>Branta bernicla hrota</i></p> <p>[A048] Shelduck <i>Tadorna tadorna</i></p> <p>[A054] Pintail <i>Anas acuta</i></p> <p>[A067] Goldeneye <i>Bucephala clangula</i></p> <p>[A069] Red-breasted Merganser <i>Mergus serrator</i></p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i></p> <p>[A140] Golden Plover <i>Pluvialis apricaria</i></p> <p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p> <p>[A156] Black-tailed Godwit <i>Limosa limosa</i></p>	<p>Located c. 22.9km north-east of the Proposed Development</p>

<p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i> [A162] Redshank <i>Tringa totanus</i> [A999] Wetlands</p> <p>NPWS (2013) <i>Conservation Objectives: Malahide Estuary SPA 004025</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Baldoyle Bay SPA [004016] [A046] Brent Goose <i>Branta bernicla hrota</i> [A048] Shelduck <i>Tadorna tadorna</i> [A137] Ringed Plover <i>Charadrius hiaticula</i> [A140] Golden Plover <i>Pluvialis apricaria</i> [A141] Grey Plover <i>Pluvialis squatarola</i> [A157] Bar-tailed Godwit <i>Limosa lapponica</i> [A999] Wetlands</p> <p>NPWS (2013) <i>Conservation Objectives: Baldoyle Bay SPA 004016</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 23km north-east of the Proposed Development</p>
<p>Ireland's Eye SPA [004117] [A017] Cormorant <i>Phalacrocorax carbo</i> [A184] Herring Gull <i>Larus argentatus</i> [A188] Kittiwake <i>Rissa tridactyla</i> [A199] Guillemot <i>Uria aalge</i> [A200] Razorbill <i>Alca torda</i></p> <p>NPWS (2020) <i>Conservation objectives for Ireland's Eye SPA [004117]</i>. Generic Version 7.0. Department of Culture, Heritage and the Gaeltacht</p>	<p>Located c. 26.7km north-east of the Proposed Development</p>
<p>Howth Head Coast SPA [004113] [A188] Kittiwake <i>Rissa tridactyla</i></p> <p>NPWS (2020) <i>Conservation objectives for Howth Head Coast SPA [004113]</i>. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 26.6km north-east of the Proposed Development</p>

Appendix II

Planning polices/objectives relating to the protection of European sites and water quality

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

Regional Policy Objective 3.4

Ensure that all plans, projects and activities requiring consent arising from the Regional Spatial and Economic Strategy are subject to the relevant environmental assessment requirements including SEA, EIA and AA as appropriate. In addition the future strategic development of settlements throughout the Region will have full cognisance of the legal requirements pertaining to sites of International Nature Conservation Interest.

Regional Policy Objective 7.2

To achieve and maintain 'Good Environmental Status' for marine waters and to ensure the sustainable use of shared marine resources in the Region, and to promote the development of a cross-boundary and cross-border strategic management and stakeholder engagement framework to protect the marine environment.

Regional Policy Objective 7.10

Support the implementation of the Water Framework Directive in achieving and maintaining at least good environmental status for all water bodies in the Region and to ensure alignment between the core objectives of the Water Framework Directive and other relevant Directives, River Basin Management plans and local authority land use plans.

Regional Policy Objective 7.11

For water bodies with 'high ecological status' objectives in the Region, local authorities shall incorporate measures for both their continued protection and to restore those water bodies that have fallen below high ecological status and areas 'At Risk' into the development of local planning policy and decision making any measures for the continued protection of areas with high ecological status in the Region and for mitigation of threats to waterbodies identified as 'At Risk' as part of a catchment based approach in consultation with the relevant agencies. This shall include recognition of the need to deliver efficient wastewater facilities with sufficient capacity and thus contribute to improved water quality in the Region.

Regional Policy Objective 7.12

Future statutory land use plans shall include Strategic Flood Risk Assessment (SFRA) and seek to avoid inappropriate land use zonings and development in areas at risk of flooding and to integrate sustainable water management solutions (such as SuDS, nonporous surfacing and green roofs) to create safe places in accordance with the Planning System and Flood Risk Assessment Guidelines for Local Authorities.

Regional Policy Objective 7.15

Local authorities shall take opportunities to enhance biodiversity and amenities and to ensure the protection of environmentally sensitive sites and habitats, including where flood risk management measures are planned.

Regional Policy Objective 7.16

Support the implementation of the Habitats Directives in achieving an improvement in the conservation status of protected species and habitats in the Region and to ensure alignment between the core objectives of the EU Birds and Habitats Directives and local authority development plans.

Regional Policy Objective 7.22

Local authority development plan and local area plans, shall identify, protect, enhance, provide and manage Green Infrastructure in an integrated and coherent manner and should also have regard to the required targets in relation to the conservation of European sites, other nature conservation sites, ecological networks and protected species.

Regional Policy Objective 10.6

Delivery and phasing of services shall be subject to the required appraisal, planning and environmental assessment processes and shall avoid adverse impacts on the integrity of the Natura 2000 network.

Regional Policy Objective 10.7

Local authority core strategies shall demonstrate compliance with DHPLG Water Services Guidelines for local authorities and demonstrate phased infrastructure – led growth that is commensurate with the carrying

capacity of water services and prevent adverse impacts on the integrity of water dependent habitats and species within the Natura 2000 network.

Regional Policy Objective 10.10

Support Irish Water and the relevant local authorities in the Region to eliminate untreated discharges from settlements in the short term, while planning strategically for long term growth in tandem with Project Ireland 2040 and in increasing compliance with the requirements of the Urban Waste Water Treatment Directive from 39% today to 90% by the end of 2021, to 99% by 2027 and to 100% by 2040.

Regional Policy Objective 10.11

EMRA supports the delivery of the waste water infrastructure set out in Table 10.2, subject to appropriate environmental assessment and the planning process.²³

Regional Policy Objective 10.12

Development plans shall support strategic wastewater treatment infrastructure investment and provide for the separation of foul and surface water networks to accommodate the future growth of the Region.

Regional Policy Objective 10.15

Support the relevant local authorities (and Irish Water where relevant) in the Region to improve storm water infrastructure to improve sustainable drainage and reduce the risk of flooding in the urban environment and in the development and provision at a local level of Sustainable Urban Drainage solutions.

Regional Policy Objective 10.16

Implement policies contained in the Greater Dublin Strategic Drainage Study (GDSDS), including SuDS.

Regional Policy Objective 10.18

Local authorities shall ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the associated River Basin Management Plans.

Dún Laoghaire-Rathdown County Development Plan 2016-2022

Policy LHB19: Protection of Natural Heritage and the Environment

It is Council policy to protect and conserve the environment including, in particular, the natural heritage of the County and to conserve and manage Nationally and Internationally important and EU designated sites - such as Special Protection Areas, candidate Special Areas of Conservation, proposed Natural Heritage Areas and Ramsar sites - as well as non-designated areas of high nature conservation value which serve as 'Stepping Stones' for the purposes of Article 10 of the Habitats Directive.

Policy LHB20: Habitats Directive

It is Council policy to ensure the protection of natural heritage and biodiversity, including European sites that form part of the Natura 2000 network, in accordance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines.

Policy LHB22: Designated Sites

It is Council policy to protect and preserve areas designated as proposed Natural Heritage Areas, candidate Special Areas of Conservation, and Special Protection Areas. It is Council policy to promote the maintenance and as appropriate, delivery of 'favourable' conservation status of habitats and species within these areas.

Policy EI2: Wastewater Treatment and Appropriate Assessment

It is Council policy to provide adequate wastewater treatment facilities to serve the existing and future population of the County, subject to complying with the Water Framework Directive and the associated River Basin Management Plan or any updated version of this document, 'Water Quality in Ireland 2007-2009' (EPA 2011) or any updated version of the document, Pollution Reduction Programmes for Designated Shellfish Areas, the Urban Waste Water Treatment Directive and the Habitats Directive.

²³ The Greater Dublin Drainage Project, the Ringsend Wastewater Treatment Plant Project, the Athlone Main Drainage Project and the Upper Liffey Valley Sewerage Scheme

Policy EI3: Surface Water Drainage and Appropriate Assessment

It is Council policy to require that a Sustainable Drainage System (SuDS) is applied to any development and that site specific solutions to surface water drainage systems are developed, which meet the requirements of the Water Framework Directive and the associated River Basin Management Plans and 'Water Quality in Ireland 2007-2009' (EPA 2011) or any updated version of the document.

Fingal Development Plan 2017-2023

Objective NH10

Ensure that the Council takes full account of the requirements of the Habitats and Birds Directives, as they apply both within and without European Sites in the performance of its functions.

Objective NH11

Ensure that the Council, in the performance of its functions, takes full account of the objectives and management practices proposed in any management or related plans for European Sites in and adjacent to Fingal published by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Objective NH15

Strictly protect areas designated or proposed to be designated as Natura 2000 sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); also known as European sites) including any areas that may be proposed for designation or designated during the period of this Plan.

Objective SW04

Require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving and require the use of sustainable drainage techniques where appropriate, for new development or for extensions to existing developments, in order to reduce the potential impact of existing and predicted flooding risks.

Objective WQ01

Strive to achieve 'good status' in all waterbodies in compliance with the Water Framework Directive, the Eastern River Basin District Management Plan 2009-2015 and the associated Programme of Measures (first cycle) and to cooperate with the development and implementation of the second cycle national River Basin Management Plan 2017-2021.

Objective WQ04

Protect existing riverine wetland and coastal habitats and where possible create new habitats to maintain naturally functioning ecosystems whilst ensuring they do not impact negatively on the conservation objectives of any European Sites.

Objective WT01

Liaise with and work in conjunction with Irish Water during the lifetime of the plan for the provision, extension and upgrading of waste water collection and treatment systems in all towns and villages of the County to serve existing populations and facilitate sustainable development of the County, in accordance with the requirements of the Settlement Strategy and associated Core Strategy.

Objective WT02

Liaise with Irish Water to ensure the provision of wastewater treatment systems in order to ensure compliance with existing licences, EU Water Framework Directive, River Basin Management Plans, the Urban Waste Water Directive and the EU Habitats Directive.

Dublin City Development Plan 2016 – 2022

GI23: To protect flora, fauna and habitats, which have been identified by Articles 10 and 12 of Habitats Directive, Birds Directive, Wildlife Acts 1976–2012, the Flora (Protection) Order 2015 S.I. No. 356 of 2015, European Communities (Birds and Natural Habitats) Regulations 2011 to 2015.

GI24: To conserve and manage all Natural Heritage Areas, Special Areas of Conservation and Special Protection Areas designated, or proposed to be designated, by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

GIO17: To seek the continued improvement of water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city and to protect the ecology and wildlife of Dublin Bay.

GI20: To seek continued improvement in water quality, bathing facilities and other recreational opportunities in the coastal, estuarine and surface waters in the city, having regard to the sensitivities of Dublin Bay and to protect the ecology and wildlife of Dublin Bay.

SI18: To require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works. The following measures will apply:

- The infiltration into the ground through the development of porous pavement such as permeable paving, swales, and detention basins
- The holding of water in storage areas through the construction of green roofs, rainwater harvesting, detention basins, ponds, and wetlands
- The slow-down of the movement of water.

Kildare County Development Plan 2017-2023

NH 4

Support the conservation and enhancement of Natura 2000 Sites including any additional sites that may be proposed for designation during the period of this Plan and to protect the Natura 2000 network from any plans and projects that are likely to have a significant effect on the coherence or integrity of a Natura 2000 Site.

NH 5

Prevent development that would adversely affect the integrity of any Natura 2000 site located within and immediately adjacent to the county and promote favourable conservation status of habitats and protected species including those listed under the Birds Directive, the Wildlife Acts and the Habitats Directive.

NH 6

Ensure an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2009), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.

WQ 1

Co-operate with the EPA and other authorities in the continued implementation of the EU Water Framework Directive and assist and co-operate with the lead authority for the River Basin Management Plan(s).

WQ 2

Ensure, through the implementation of the River Basin Management Plan(s) and the associated Programmes of Measures and any other associated legislation, the protection and improvement of all drinking water, surface water and ground waters throughout the county.

WQ 6

Protect recognised salmonid water courses in conjunction with Inland Fisheries Ireland such as the Liffey catchment, which are recognised to be exceptional in supporting salmonid fish species.

WW 4

Ensure that adequate wastewater services will be available to service development prior to the granting of planning permission. Applicants who are proposing to connect to the public wastewater network should consult with Irish Water regarding available capacity prior to applying for planning permission.

WW 12

Ensure that existing and permitted private wastewater treatment plants are operated in compliance with their wastewater discharge license, in order to protect water quality.

Wicklow County Development Plan 2016-2022

NH2

No projects giving rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this plan (either individually or in combination with other plans or projects).

Except as provided for in Section 6(4) of the Habitats Directive, viz. There must be: a) no alternative solution available, b) imperative reasons of overriding public interest for the project to proceed; and c) Adequate compensatory measures in place.

NH3

To contribute, as appropriate, towards the protection of designated ecological sites including candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs); Wildlife Sites (including proposed Natural Heritage Areas); Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs). To contribute towards compliance with relevant EU Environmental Directives and applicable National Legislation, Policies, Plans and Guidelines, including the following and any updated/superseding documents:

- EU Directives, including the Habitats Directive (92/43/EEC, as amended)⁷, the Birds Directive (2009/147/EC)⁸, the Environmental Liability Directive (2004/35/EC)⁹, the Environmental Impact Assessment Directive (85/337/EEC, as amended), the Water Framework Directive (2000/60/EC) and the Strategic Environmental Assessment Directive (2001/42/EC).
- National legislation, including the Wildlife Act 1976¹⁰, the European Communities (Environmental Impact Assessment) Regulations 1989 (SI No. 349 of 1989) (as amended), the Wildlife (Amendment) Act 2000, the European Union (Water Policy) Regulations 2003 (as amended), the Planning and Development Act 2000 (as amended), the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477 of 2011) and the European Communities (Environmental Liability) Regulations 2008¹¹.
- National policy guidelines (including any clarifying Circulars or superseding versions of same), including the Landscape and Landscape Assessment Draft Guidelines 2000, the Environmental Impact Assessment Sub-Threshold Development Guidelines 2003, Strategic Environmental Assessment Guidelines 2004 and the Appropriate Assessment Guidance 2010.
- Catchment and water resource management Plans, including Eastern and South Eastern River Basin Management Plan 2009-2015 (including any superseding versions of same).
- Biodiversity Plans and guidelines, including Actions for Biodiversity 2011-2016: Ireland's 2nd National Biodiversity Plan (including any superseding version of same).
- Ireland's Environment 2014 (EPA, 2014, including any superseding versions of same), and to make provision where appropriate to address the report's goals and challenges.

NH4

All projects and plans arising from this plan¹² (including any associated improvement works or associated infrastructure) will be screened for the need to undertake Appropriate Assessment under Article 6 of the Habitats Directive. A plan or project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:

- 1) The Plan or project will not give rise to significant adverse direct, indirect or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or
- 2) The Plan or project will have significant adverse effects on the integrity of any European site (that does not host a priority natural habitat type and / or a priority species) but there are no alternative

solutions and the plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000; or

3) The Plan or project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the plan or project must nevertheless be carried out for imperative reasons for overriding public interest, restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of Natura 2000.

NH5

To maintain the conservation value of all proposed and future Natural Heritage Areas (NHAs) and to protect other designated ecological sites in Wicklow.

Along with cSACs, SPAs and pNHA these include Salmonid Waters; Flora Protection Order sites; Wildfowl Sanctuaries (see S.I. 192 of 1979); Freshwater Pearl Mussel catchments; and Tree Preservation Orders (TPOs).

WI2

To protect existing and potential water resources of the County, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

WI12

Ensure the implementation of Sustainable Urban Drainage Systems (SUDS) and in particular, to ensure that all surface water generated in a new development is disposed of on-site or is attenuated and treated prior to discharge to an approved surface water system.

WI6

In order to fulfil the objectives of the Core Strategy, Wicklow County Council will work alongside and facilitate the delivery of Irish Water's Water Services Investment Programme, to ensure that all lands zoned for development are serviced by an adequate wastewater collection and treatment system and in particular, to endeavour to secure the delivery of regional and strategic wastewater schemes. In particular, to support and facilitate the development of a WWTP in Arklow, at an optimal location following detailed technical and environmental assessment and public consultation.

WI7

Permission will be considered for private wastewater treatment plants for single rural houses where: • the specific ground conditions have been shown to be suitable for the construction of a treatment plant and any associated percolation area;

- the system will not give rise to unacceptable adverse impacts on ground waters / aquifers and the type of treatment proposed has been drawn up in accordance with the appropriate groundwater protection response set out in the Wicklow Groundwater Protection Scheme (2003);
- the proposed method of treatment and disposal complies with Wicklow County Council's Policy for Wastewater Treatment & Disposal Systems for Single Houses ($PE \leq 10$) and the Environmental Protection Agency "Waste Water Treatment Manuals"; and
- in all cases the protection of ground and surface water quality shall remain the overriding priority and proposals must definitively demonstrate that the Proposed Development will not have an adverse impact on water quality standards and requirements set out in EU and national legislation and guidance documents.

WI9

Private wastewater treatment plants for commercial / employment generating development will only be considered where:

- Irish Water has confirmed the site is due to be connected to a future public system in the area or Irish Water have confirmed there are no plans for a public system in the area;

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- it can clearly demonstrated that the proposed system can meet all EPA / Local Authority environmental criteria; and
 - an annually renewed contract for the management and maintenance of the system is contracted with a reputable company / person, details of which shall be provided to the Local Authority.