HOLY CROSS COLLEGE SHD

APPROPRIATE ASSESSMENT SCREENING REPORT

Environmental Assessment **Built Environment**

Client
CWTC Multi Family ICAV acting on behalf of its sub-fund DBTR DR1 Fund

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Contents

1 Introduction

1.1 Introduction and background

CWTC Multi Family ICAV acting on behalf of its sub-fund DBTR DR1 Fund, is seeking permission for a proposed strategic housing development at lands at Holy Cross College, Clonliffe Road, Dublin 3 and Drumcondra Road Lower, Drumcondra, Dublin 9. The Proposed Project is described in Section 4 of this report.

Brady Shipman Martin was appointed by the applicant to prepare a report to assist An Bord Pleanála in undertaking a screening exercise for Appropriate Assessment (AA). The purpose of the screening exercise is to assess, in view of best scientific knowledge, if the Proposed Project, individually or in combination with other plans or projects is likely to have a significant effect on European sites taking into account their conservation objectives.

This document constitutes an Appropriate Assessment Screening Report ("AA screening Report") prepared for this purpose.

A comprehensive desk study review and a number of site visits were undertaken and the potential impacts on European sites, both as a result of the Proposed Project and in-combination with other plans and projects, are appraised in this report.

1.2 Expertise and Qualifications

A comprehensive desk study review and a number of site visits were undertaken and the potential impacts on European sites, both as a result of the Proposed Project and in-combination with other plans and projects, are appraised in this report.

The work was carried out by Senior Ecologist Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 18 years of experience in ecological and environmental consultancy, across a wide range of sectors. He has prepared numerous reports for AA Screening as well as Natura Impact Statements, for projects of all scales, from small residential developments to nationally important infrastructure projects.

Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal requirement for Appropriate Assessment

European sites make up a network of sites designated for nature conservation under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the "Habitats Directive") and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the "Birds Directive"). The requirements for Appropriate Assessment are set out under *Article 6 of the Habitats Directive*, transposed into Irish law by the *European Union (Birds and Natural Habitats) Regulations 2011-2015*[1] (the "Birds and Natural Habitats Regulations") and the *Planning and Development Act, 2000 - 2021* (the "Planning Acts").

European sites are also known as Natura 2000 Sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). As defined in section 177R of the Planning Acts "European site" means:

[1] SI No. 477 of 2011

(a) a candidate site of Community importance,

(b) a site of Community importance,

(ba) a candidate special area of conservation,

(c) a special area of conservation,

(d) a candidate special protection area and

(e) a special protection area.

Article 6(3) of the Habitats Directive states that:

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

The first test is to establish whether, in relation to a particular plan or project, appropriate assessment is required. Sections 177U of the Planning Acts and Regulation 42 of the Birds and Natural Habitats Regulations require that the AA screening test must be applied to the Proposed Project, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;

An appropriate assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

This AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts and the Birds and Natural Habitats Regulations.

2 Methodology

2.1 Baseline data collection and field visits

2.1.1 Desk study

A desk-based assessment was undertaken in June and July 2021 of the Proposed Project site at Holy Cross College and the wider area.

This report takes the following guidance documents into account:

- *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 NPWS 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting European sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001);
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC.* Guidance issued by the European Commission (21st November 2018);

- *Practice Note PN01 Appropriate Assessment Screening for Development Management* Office of the Planning Regulator, March 2021).

Information was collated from the organisations and websites listed below:

- Data on European sites and rare and protected plant and animal species contained in the following databases:
    - The National Parks and Wildlife Service (NPWS) of the Department of Culture, Heritage and the Gaeltacht (www.NPWS.ie);
    - The National Biodiversity Data Centre (NDBC) (www.biodiversityireland.ie);
    - BirdWatch Ireland (www.birdwatchireland.ie);
    - Bat Conservation Ireland (www.batconservationireland.org).
- Information on land-use zoning from the online mapping of the Department of the Environment, Community and Local Government (http://www.myplan.ie/en/index.html);
- Recent and historical OSi mapping and aerial photography, including www.geohive.ie;
- Photographs taken at the site in 2019, 2020 and 2021;
- Information on local watercourses from www.catchments.ie;
- Information on water quality in the area (www.epa.ie);
- Information on soils, geology and hydrogeology in the area (www.gsi.ie);
- Information on the Status of EU Protected Habitats and Species in Ireland (Article 17 report) (NPWS, August 2019);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Dublin City Development Plan 2016 – 2022, including the accompanying Appropriate Assessment documentation (Natura Impact Report).

The report has regard to the following legislative instruments:

- Planning Acts;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- Birds and Natural Habitats Regulations.

The report takes full account of the design of the Proposed Project and a detailed examination of all relevant elements of the Proposed Project was undertaken. This includes the following documents, among others submitted with the application documentation:

- Holy Cross College SHD Environmental Impact Assessment Report (Brady Shipman Martin, 2021);
- Masterplan for the Clonliffe College Lands. (HJL, 2021).
- Infrastructure Planning Report (Barrett Mahony Consulting Engineers (BMCE), 2021);
- Site Specific Flood Risk Assessment (BMCE, 2021);
- Masterplan Area Flood Risk report (BMCE, 2021);
- Outline Construction Surface Water Management Plan (BMCE, 2021);
- Landscape Design Statement (NMP Landscape Architecture, 2021);

- Construction & Demolition Waste Management Plan (AWN Consulting, 2021);
- Hydrological & Hydrogeological Qualitative Risk Assessment (HHQRA) (AWN Consulting, 2021)
- Construction Environmental Management Plan (DCON Safety Consultants, 2021);
- Development Construction Management Plan (DCON Safety Consultants, 2021);
- Wintering Bird Survey Report 2019/2020 (Scott Cawley, 2020);
- Wintering Bird Survey Report 2020/2021 (Scott Cawley, 2021).

2.1.2 Field study

A significant amount of research has been undertaken by the author and other qualified and experienced ecologists at the Site, since September 2019.

In order to provide a comprehensive baseline on the local ecological environment, ecological surveys were first undertaken at the Site, including habitat, invasive species, mammal and day-time bat surveys, by the author on 29 January 2020. These surveys were repeated on 24 March and 8 June 2020.

Bird surveys as well as dusk and dawn bat surveys were carried out at the site on 10 – 11 June 2020, 30 June – 1 July 2020 and on 20 – 21 April 2021 by specialist bat ecologist Mr Brian Keeley MCIEEM. Mr Keeley also carried out internal surveys of buildings at the site on 3 September 2020.

Two seasons of winter bird surveys were undertaken by Scott Cawley Ltd at the Site, for the purpose of informing this planning application. The first season of winter bird surveys covered the period September 2019 to March 2020, with four visits per month in September, October and November 2019, and January and February 2020. Three visits were undertaken in December 2019 and two visits were undertaken in March 2020. The second season of winter bird surveys covered the period October 2020 to March 2021, with four visits per month between October 2020 and February 2021, and five visits in March 2021.

A final Site walkover survey was undertaken by the author on 7 May 2021. The ecological surveys undertaken covered the entire Site, both within the red line boundary of the proposed Holy Cross College SHD and including the stretch of the River Tolka that flows along the northern boundary of the wider Masterplan lands.

Given the amount of information available, including from the developer, NPWS and other sources, it has been possible to gather adequate information on the site and the adjacent area (in particular, the European sites), in order to make preliminary appraisal of the potential impacts of the Proposed Project on the qualifying interests of the European sites.

3 Screening for Appropriate Assessment

3.1 Background

The first part of the Appropriate Assessment process is the Screening phase. Screening identifies the likely effects of the Proposed Project on European sites that could arise, either alone or in combination with other plans or projects and considers whether these impacts are likely to have a significant effect on the European site in view of the site's conservation objectives.

In accordance with sections 177U and 177V of the Planning Acts, the AA screening test must be applied to the Proposed Project, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;

- An appropriate assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

The test is a 'possibility' of effects rather than a 'certainty' of effects. The test of significance is whether a plan or project could undermine the site's conservation objectives. Furthermore, screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

Following Screening therefore, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment for the purposes of Article 6(3) of the Habitats Directive. This means that if the conclusions at the end of the screening exercise are that significant effects on any European sites, as a result of the Proposed Project, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

3.2 Potential zone of influence

For the risk of a significant effect to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a watercourse that links the construction site to the designated site. A construction site or completed development may also create a barrier to movement, for example by preventing the migration of fauna along a river corridor, or by obstructing the migration of birds.

Although there may be a risk of an impact it may not necessarily occur, and if it does occur, it may not be significant.

Identification of a potential effect means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the potential effect and the characteristics of the receptor.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. Rather, NPWS (2010) recommends that *'the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects'*. It is often considered appropriate to include all European sites within 15km.

However, in some instances where there are hydrological connections a whole river catchment or a groundwater aquifer may need to be included. Similarly where bird flight paths are involved the impact may be on an SPA more than 15 km away. Taking this into account, as a starting point a search was carried out for all European sites within 15km of the site at Holy Cross College. This search was then extended in order to ensure that all European sites with any potential links/pathways to the Proposed Project were accounted for in the study.

3.3 Study area and surrounding environment

3.3.1 Site location and European sites

The Proposed Project site is located within a large site bounded by Drumcondra Road to the west, Clonliffe Road to the south and the River Tolka to the north, with mixed residential and office development to the immediate east. Refer to **Figure 1a** and **Figure 1b**.

The Masterplan lands encompass a Site of 14.5 ha (of which 12 ha is proposed to be developed under the scope of the Masterplan). The proposed Project Site has a total area of c. 8.9 ha, of which c. 8 ha is development area. The remainder of the Masterplan development area (which is outside the scope of this application) is for development as GAA sports facilities, as well as a new hotel (recently granted planning permission by An Bord Pleanála).

The overall Proposed Project site comprises a complex of habitats, including planted woodland (primarily along the western boundary) as well as open fields subject to limited management (and substantially outside the Proposed Project site itself). Other habitats include parkland and individual trees as well as large buildings, areas of hardstanding and flower beds and borders. Some parts of the site contain small pockets of unmanaged scrub.

The habitats present along the River Tolka corridor comprise a mix of scrub and woodland habitats. These are of high ecological value and, of equal importance, serve as part of a continuous habitat corridor along the River Tolka, one of the key ecological features within the city. Immediately upstream of the open section of the river bank comprises a vertical concrete wall. Immediately downstream the southern bank is similarly constrained.

The Proposed Project site is located within the River Liffey and Dublin Bay catchment (in the Tolka sub-catchment and the Tolka sub-basin)[2]. The River Tolka is the second biggest river in Dublin, after the Liffey, and is of note for its varied habitats and species. Among the policies and objectives of the Dublin City Development Plan 2016-2022[3] are several that seek to maximise the value of existing green infrastructure such as river corridors.

The River Tolka, as noted in the DCC Biodiversity Action Plan 2015-2020[4] is a highly significant regional salmonid catchment. The river was surveyed as part of the Dublin City Otter Survey 2019[5] (itself an Action of the Dublin City Biodiversity Action Plan 2015-2020). The otter survey recorded significant otter activity all along the Tolka, including otter prints on the riverbank where it passes along the northern boundary of the Holy Cross College lands.

[2] https://gis.epa.ie/EPAMaps/

[3] https://www.dublincity.ie/sites/default/files/content/Planning/DublinCityDevelopmentPlan/Written%20Statement%20Volume%201.pdf
[4] https://www.dublincity.ie/sites/default/files/content/RecreationandCulture/DublinCityParks/Biodiversity/Documents/DublinCityBiodiversityActionPlan2015-2020.pdf
[5] https://a.storyblok.com/f/47927/x/609e85ec32/dublin-city-otter-report-2019.pdf

Figure 1a: Location of the proposed Holy Cross College development site (refer to accompanying documentation for full details).

Figure 1b: Location of the proposed Holy Cross College development site (refer to accompanying documentation for full details).

There are 17 European sites (9 SACs and 8 SPAs) located within a 15km radius of the Proposed Project (see **Figure 2**). These are:

- **Special Areas of Conservation (SAC)**
    - South Dublin Bay SAC (site code 000210), c.4.2km to the south east;
    - North Dublin Bay SAC (site code 000206), c.4.7km to the east;
    - Baldoyle Bay SAC (site code 000199), c.8.7km to the north east;
    - Howth Head SAC (site code 000202), c.10.3km to the east;
    - Rockabill to Dalkey Island SAC (site code 003000), c.10.9km to the east;
    - Malahide Estuary SAC (site code 000205), c.11.1km to the north east;
    - Ireland's Eye SAC (site code 002193), c.13.1km to the north east;
    - Glenasmole Valley SAC (site code 001209), c.14.1km to the south west;
    - Wicklow Mountains SAC (site code 002122), c.14.2km to the south;
- **Special Protection Areas (SPA)**
    - South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.1.8km to the east;
    - North Bull Island SPA (site code 004006), c.4.7km to the east;
    - Baldoyle Bay SPA (site code 004016), c.9.1km to the north east;
    - Broadmeadow/Swords Estuary (Malahide Estuary) SPA (site code 004025), c.11.1km to the north east;
    - Ireland's Eye SPA (site code 004117), c.12.8km to the north east;
    - Howth Head Coast SPA (site code 004113), c.13.1km to the east;
    - Dalkey Islands SPA (site code 004172), c.14.2km to the south east;
    - Wicklow Mountains SPA (site code 004040), c. 14.4km to the south;

Beyond the 15km zone, there are a number of additional European sites:

- Rogerstown Estuary SAC (site codes 000208), c.15.3km to the north east;
- Rye Water Valley/Carton SAC (site code 001398), c.15.7km to the west;
- Knocksink Wood SAC (site code 000725), c.17.2km to the south east;
- Ballyman Glen SAC (site code 000713), c.18.4km to the south east;
- Lambay Island SAC (site code 000204), c.19.9km to the north east;
- Bray Head SAC (site code 000714), c.21.7km to the south east;
- Rogerstown Estuary SPA (site codes 004015), c.15.6km to the north east;
- Lambay Island SPA (site code 004069), c.19.8km to the north east.

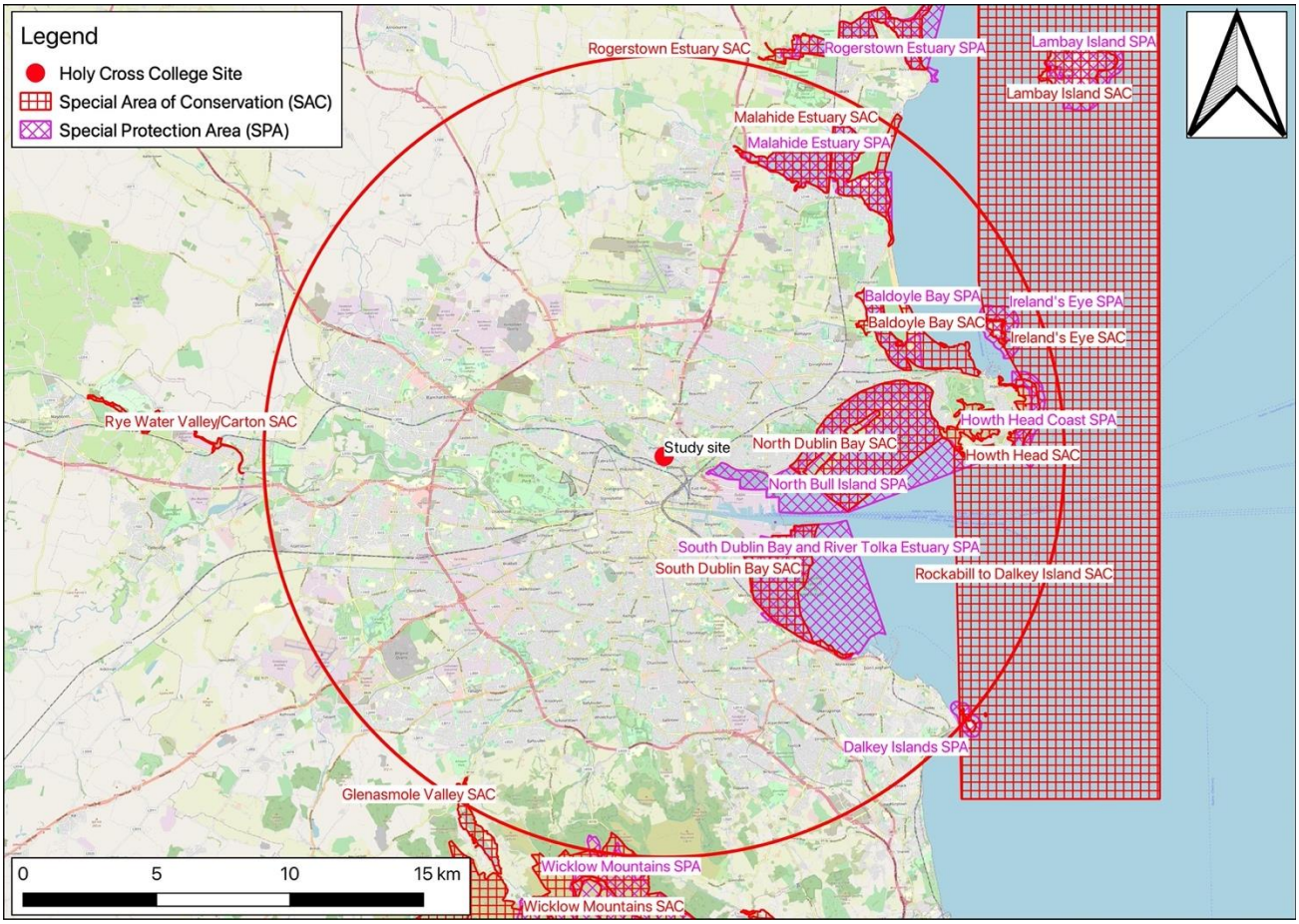

Figure 2: Proposed Holy Cross College development site showing European sites

3.3.2 Other designated areas (other than European sites)

The nearest site designated for nature conservation, not otherwise designated as a European site, is the Royal Canal proposed Natural Heritage Area (pNHA site code 002103). At its closest point the pNHA is c.300m from the Proposed Project site.

Proposed Natural Heritage Areas are included in this report in order to address their potential to act as supporting sites for the European sites.

4 Description of the Proposed Project

The development will consist of the construction of a Build To Rent residential development set out in 12 no. blocks, ranging in height from 2 to 18 storeys, to accommodate 1614 no. apartments including a retail unit, a café unit, a crèche, and residential tenant amenity spaces. The development will include a single level basement under Blocks B2, B3 & C1, a single level basement under Block D2 and a podium level and single level basement under Block A1 to accommodate car parking spaces, bicycle parking, storage, services and plant areas. To facilitate the proposed development the scheme will involve the demolition of a number of existing structures on the site.

The proposed development sits as part of a wider Site Masterplan for the entire Holy Cross College lands which includes a permitted hotel development and future proposed GAA pitches and clubhouse.

The site contains a number of Protected Structures including The Seminary Building, Holy Cross Chapel, South Link Building, The Assembly Hall and The Ambulatory. The application proposes the renovation and extension of the Seminary Building to accommodate residential units and the renovation of the existing Holy Cross Chapel and Assembly Hall buildings for use as residential tenant amenity. The wider Holy Cross College lands also includes

Protected Structures including The Red House and the Archbishop's House (no works are proposed to these Structures).

The residential buildings are arranged around a number of proposed public open spaces and routes throughout the site with extensive landscaping and tree planting proposed. Communal amenity spaces will be located adjacent to residential buildings and at roof level throughout the scheme. To facilitate the proposed development the scheme will involve the removal of some existing trees on the site.

The site is proposed to be accessed by vehicles, cyclists and pedestrians from a widened entrance on Clonliffe Road, at the junction with Jones's Road and through the opening up of an unused access point on Drumcondra Road Lower at the junction with Hollybank Rd. An additional cyclist and pedestrian access is proposed through an existing access point on Holy Cross Avenue. Access from the Clonliffe Road entrance will also facilitate vehicular access to future proposed GAA pitches and clubhouse to the north of the site and to a permitted hotel on Clonliffe Road.

The proposed application includes all site landscaping works, green roofs, boundary treatments, PV panels at roof level, ESB Substations, lighting, servicing and utilities, signage, and associated and ancillary works, including site development works above and below ground.

5 Potential impacts from the Proposed Project, including in-combination effects

5.1 European sites and habitats with links to European sites

The Proposed Project site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order*, 2015 or the *EU Habitats Directive*, are known to occur within the site.

The lands at Holy Cross College are typical of such an urban parkland site, and overall, with the exception of the River Tolka corridor (outside the Proposed Project site but connected by proximity and by the proposed surface water outfalls), which is of County Importance (at a minimum), and the woodland on the western site boundary, which is of Local Importance (Higher Value), the site is of Local Importance (Lower Value) in accordance with the ecological resource valuations presented in the *Guidelines for Assessment of Ecological Impacts of National Road Schemes*[6]. It is of Local Importance (Lower Value) for commuting and foraging bats, and for breeding birds. However (refer to Section 5.1.1) it is not utilised by any wintering bird species, including those species listed as Special Conservation Interest (SCI) species in any European sites. No evidence of badgers was found on the site. The River Tolka, as previously noted, is of very high ecological value, for its habitats, for its importance as a habitat corridor and for its bird, mammal and fish species (including for example kingfisher, otter and Atlantic salmon).

5.1.1 Wintering birds

Several European sites in the wider Dublin area, including the South Dublin Bay and River Tolka Estuary SPA and the North Bull Island SPA support a range of wintering bird species. Coastal habitats, such as the sandflats, mudflats and saltmarshes of Dublin Bay are of primary importance to these species, however many of the birds also feed on parks and playing fields throughout Dublin City. Light-bellied Brent goose, for example, a species for which Dublin Bay is a critical part of its range, frequently feeds on managed grass at numerous locations in the city.

The overall lands at Holy Cross College have the apparent potential to be suitable for use by wintering birds such as Brent geese. However the southern part of the site, despite the availability of amenity grassland, is in fact of low suitability for Brent geese. This is because the species requires fairly large, open areas of grassland, and the

[6] (NRA, 2009 (Rev. 2) https://www.tii.ie/technical-services/environment/planning/Guidelines-for-Assessment-of-Ecological-Impacts-of-National-Road-Schemes.pdf

areas of amenity grassland in this part of the site are broken up by the trees and shrubs. The northern half of the overall site (which is outside the Proposed Project site) is more open, but is similarly of low suitability for this species, as it is not regularly mown.

Despite the low apparent likelihood of the overall Holy Cross College lands to be utilised by overwintering birds, two separate seasons of overwintering bird surveys were commissioned in order to inform this ecological impact assessment. The surveys were conducted by Scott Cawley on behalf of the applicant. The surveys involved a very high level of survey effort and detailed survey reports are included at Appendix 8.1 of the EIAR.

The results of the 2019/2020 surveys recorded seven SCI species of European sites either flying over or foraging in the Holy Cross College site (black-headed gull, herring gull, light-bellied Brent goose, cormorant, curlew, grey heron and kingfisher). According to the survey report:

> "*Herring Gull were the most frequent visitors to the proposed development site, with observations of the species on all 25 survey dates. Black-headed Gull were observed foraging in the lands on 13 of the 25 survey dates, and flying over the site on 10 of the survey dates. Light-bellied Brent Geese (hereafter referred to as Brent Geese) did not land to forage within the proposed development site on any date over the survey period, but were observed flying over the site on 11 dates between December 2019 and March 2020. Like Brent Geese, Curlew were not observed landing or foraging within the proposed development site on any occasion, but were observed flying over the site on 10 dates between October 2019 and March 2020. Cormorant were observed foraging in the River Tolka on five dates between September and December 2019, and were observed flying over or within the proposed development site on 16 dates. Kingfisher were observed foraging in and along the River Tolka on the northern boundary of the site on 18 of the 25 survey dates. Grey Heron were observed flying over the site on nine dates.*"

The results of the 2020/2021 surveys recorded six SCI species of European sites either flying over or foraging in the Holy Cross College site (herring gull, light-bellied Brent goose, cormorant, curlew, grey heron and kingfisher). According to the survey report:

> *"Herring Gull were the most frequent visitors to the proposed development site, with observations of the species on all 25 survey dates. Light-bellied Brent Geese (hereafter referred to as Brent Geese) did not land to forage within the proposed development site on any date over the survey period, and were observed flying over the site on 16 dates between November 2020 and March 2021. Curlew were recorded foraging and flying over the proposed development site on four dates between October and December 2020. Cormorant were observed foraging in the River Tolka, flying over or within the proposed development site on 17 dates between October 2020 and March 2021. Kingfisher were observed foraging in and along the River Tolka on the northern boundary of the site on four of the 25 survey dates between October 2020 and March 2021. Grey Heron were observed foraging along the River Tolka or flying over or adjacent to the proposed development site 17 of the 25 survey dates."*

Brent geese were not observed foraging within the lands on any survey dates and no evidence of usage by the species was collected during any survey transects in the Proposed Project site. As noted in the survey reports, the results of the two seasons of wintering bird counts can be contextualised against the populations of these species in nearby European sites. In the case of Black-headed Gull, Herring Gull, Brent Geese, Curlew, Cormorant, Grey Heron and Kingfisher, it has been demonstrated that the peak count of birds in the survey area in 2019/20 and 2020/2021 is significantly less than 1% of the international population of these species. The 1% criterion is applied to identify sites of international importance for birds (i.e. if a site regularly supports 1% or more of the international population then it would be considered of international importance).

For example as clearly set out in the overwintering bird surveys (see Appendix 8.1 of the EIAR), in the case of Herring gull, the peak count of 144 birds observed in the survey area (on 6 December 2019 and 21 December 2020) equates to only 1.4% of the 1% international population of the species (10,200 birds).

In the case of Cormorant, the peak count of one bird observed in 2019/20 and 2020/21 represents 0.16% of the 1% international population of the species (1,200 birds).

In the case of Curlew, the peak count of one bird observed in 2020/21 represents 0.02% of the 1% international population of the species (4,800 birds).

In the case of Black-headed gull, the peak count of 16 birds observed in 2019/20 represents 0.0008% of the 1% international population of the species (20,000 birds).

Brent Geese were not observed foraging within the lands on any survey dates across two winter survey periods and no evidence of usage by Brent Geese was collected from completion of survey transects in the proposed development site.

These results clearly demonstrate that the Proposed Project site is of no significant value for any SCI species.

This is due to the low suitability of the habitats on the Clonliffe College lands and the availability of extensive areas of suitable habitat in the wider Dublin area.

As noted in the 2019/2020 survey report prepared by Scott Cawley, *the proposed development site was heavily utilised by dog walkers over the 2019-2020 season, with dogs generally observed off-lead. This may have discouraged birds such as Brent geese and Curlew from landing in the site.* However, the proposed development site has been closed off to the public since March 2020, with restricted access to essential staff and visitors only. No dog walkers were permitted onto the site during this period, which included the entire 2020/2021 winter bird survey season. This change to the accessibility of the site has not resulted in any significant changes to the use of the site by any bird species listed as Special Conservation Interest species in any European site.

5.1.2 Potential impacts during construction

All site clearance and construction activities pose a potential risk to water as **surface/ground water** arising at a site may contain contaminants. The main contaminants arising from construction activities may include suspended solids, hydrocarbons and concrete/cement products. If not properly managed, such pollutants could pose a temporary risk to surface water quality in the local surface water network during construction.

The River Tolka passes along the northern boundary of the site, and it is proposed to construct two new surface water outfalls to the river. There is therefore a potential surface water pathway, via the local surface water drainage network, between the Proposed Project site and coastal European sites associated with Dublin Bay (i.e. South Dublin Bay SAC, North Dublin Bay SAC, Rockabill to Dalkey Island SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA). There is also a potential groundwater pathway between the Proposed Project site and the European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

As set out in the Hydrological and Hydrogeological Qualitative Risk Assessment report (HHQRA) prepared by AWN Consulting a conceptual site model (CSM) was prepared for the Proposed Project. Based on this CSM, the plausible Source-Pathway-Receptor (S-P-R) linkages have been assessed assuming an absence of any measures intended to avoid or reduce harmful effects of the proposed project (i.e. mitigation measures) in place at the proposed development site. Table 3.1 of the HHQRA (Pollutant Linkage Assessment (without mitigation)) summarises the plausible pollutant links considered as part of the assessment (this Table is reproduced as Table 1 below).

Table 1 Pollutant Linkage Assessment (without mitigation)

Source	Pathways	Receptors considered	Risk of Impact
Construction Impacts			
Unmitigated leak from an oil tank to ground/ unmitigated leak from construction vehicle.	Bedrock protected by >15 m low permeability overburden. Migration within weathered/ less competent limestone is low (Calp limestone has discrete local fracturing rather than large connected fractures).	Limestone bedrock aquifer (locally Important aquifer)	Low risk of localised impact to shallow weathered limestone due to protective overburden. No likely impact on the status of the aquifer due to low potential loading, natural attenuation within overburden and discrete nature of fracturing reducing off site migration.
Discharge to ground of runoff water with high pH from cement process	Overland flow to Tolka water course.	Tolka River	Medium risk- Potential for exceedance of surface water quality objectives (without mitigation). This would be a temporary and localised impact.
Unmitigated run-off containing a high concentration of suspended solids	Direct pathway to Dublin Bay via River Tolka	South Dublin Bay SAC/pNHA and South Dublin Bay and River Tolka SPA	No perceptible risk – Distance from source to Dublin Coastal Natura sites (>1.8 km approx.) Low contaminant loading will be attenuated diluted and dispersed to below statutory guidelines within c. 0.5 km of the site i.e.no potential impact to the Natura sites
Operational Impacts			
Foul effluent discharge to sewer	Indirect pathway to Dublin Bay through public sewer	South Dublin Bay SAC/pNHA and South Dublin Bay and River Tolka SPA	No perceptible risk – Even without treatment at Ringsend WWTP, the average effluent discharge (24.96 litres/sec which would equate to 0.22% of the licensed discharge at Ringsend WWTP), would not impact on the overall water quality within Dublin Bay and therefore would not have an impact on the current Water Body Status (as defined within the Water Framework Directive).
Discharge to ground of hydrocarbons from car leak	Indirect pathway through stormwater drainage to Tolka water course	Tolka River and South Dublin Bay	No perceptible risk – Distance from source to Dublin Bay protected area too great (> 1.8 km), potential contaminant loading is low and attenuation and dilution capacity in the Tolka.

The HHQRA report assessed the potential for construction or operational impacts on the following receptors:

(i) Underlying limestone aquifer.
(ii) Tolka River; and
(iii) Liffey Estuary Lower and Dublin Bay.

The HHQRA makes it clear that the "*potential for impact on the aquifer is low based on the low chemical storage on site during construction phase and post development. The overburden thickness and low permeability nature of till and a lack of fracture connectivity within the limestone will minimise the rate of off-site migration for any indirect discharges to ground at the site. As such there is no potential for a change in the groundwater body status or significant source pathway linkage through the aquifer to any Natura site*."

The AWN report further confirms that "*should any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the Tolka (without mitigation) there is a potential for exceedance of water quality objectives water quality objectives as outlined in S.I. No. 272 of 2009 and S.I. No. 77 of 2019 amendment. However, this would be a temporary and localised impact. Similarly, should any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak manage to enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes and hydrocarbons will dilute to background levels (water quality objectives as outlined in S.I. No. 272 of 2009 and S.I. No. 77 of 2019 amendment); by the time the stormwater reaches any open water based on the distance to waterways. Similarly, during operation, should any leak of hydrocarbon occur from a vehicle, the volume of contaminant release is low and combined with the significant attenuation within in the public stormwater sewers, hydrocarbons will dilute to background levels with no likely impact above water quality objectives as outlined in S.I. No. 272 of 2009 and S.I. No. 77 of 2019. It can also be concluded that the in-combination effects of surface water arising from the proposed development taken together with that of other similar developments will not be significant given the potential loading of contaminant and the expected attenuation above mentioned.*

Despite the presence therefore of pathways to European sites, the risk of contamination of any watercourses or groundwater is extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality on the Proposed Project site or the Tolka this would not be perceptible in any European sites, for the following reasons:

- The nearest designated site of Dublin Bay (South Dublin Bay and River Tolka Estuary SPA) is c.1.8km from the Proposed Project site (straight-line distance to the east). There is no perceptible risk to this or any other European site as contaminant loading is low and will be attenuated, diluted and dispersed to below statutory guideline limits within c. 0.5km of the site. There is also no resultant indirect source pathway linkage from the proposed development through public sewers which could result in any change to the current water regime (water quality or quantity) and open water;
- The fact that a significant level of dilution and mixing of surface and sea water would occur in any event. Upon reaching the bay any pollutants would be even further diluted and dissipated by the waters in Dublin Bay;
- The construction of the Proposed Project will take place over a comparatively short period (estimated at 36 months) and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project, given the nature and scale of the Proposed Project and its location in the centre of a busy city at a remove from the European sites. This includes the proposed construction of the new surface water outfalls to the River Tolka which are very minor in scale.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site during the construction phase. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly there will be no emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site.

Demolition and construction-related impacts as a result of the Proposed Project, on European sites or otherwise, can therefore be excluded.

There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the construction of the Proposed Project, and no interference with the key relationships that define the structure or function of any European site.

5.1.3 Potential impacts during operation

Surface water run-off from the Proposed Project will drain by gravity and be attenuated prior to discharge to the River Tolka via the two new surface water outfalls, with the exception of one building adjacent to Clonliffe Road. This will discharge at a restricted rate to the Irish Water combined sewer on Clonliffe Road.

SuDS will be incorporated into the development and will include green roofs, permeable paving, filter drains, rain garden and shallow infiltration systems. Surface water run-off will go through a minimum of two-stage treatment prior to discharge by gravity into the receiving systems. The proposed SuDS measures will reduce the quantity and improve the quality of water discharging into the receiving systems. All new developments are required to comply with SuDS and the Proposed Project will have the effect of reducing stormwater run-off during stormwater events compared to the current situation (see the BMCE Infrastructure Report for full details). However, even in the total absence of any SuDS measures there would be no impacts on the European sites of Dublin Bay. The natural characteristics of the bay ensure rapid mixing of water such that there is no appreciable effect on water quality in European sites in any event.

The proposed surface water drainage system will be designed in accordance with Dublin City Council Drainage Division and Irish Water requirements.

Peak run-off discharge from the Proposed Project will be restricted to a peak rate of 15.5l/s into the River Tolka in line with GDSDS requirement of 2.0 l/s/ha. Attenuation facilities will be provided throughout the site for storm events up to and including the 1 in 100 year plus 20% for climate change. GDSDS Criterion 2 (River Regime Protection) is complied with.

A Site Specific flood risk assessment has been carried out by Barrett Mahony Consulting Engineers in accordance with the OPW publication "*The Planning System and Flood Risk Assessment Guidelines for Planning Authorities*". The report concluded that the Proposed Project site falls within Flood Zone C and the Proposed Project is deemed 'Appropriate'.

There will be no operational impacts related to surface water management or flooding, on European sites or otherwise, as a result of the Proposed Project.

The new foul drainage system for the development will connect to the Irish Water network at three locations including two connection points into the existing 675mm combined sewer below the future Sports Grounds and a third connection on Clonliffe Road.

It is calculated that the proposed development will have a total hydraulic loading of 719m^3 per day of foul effluent generated during the operational phase of the development. This equates to an average flow of 8.32 litres/second (over a 24-hour period) and a peak flow of 24.96 litres/second.

As noted in the HHQR there is an indirect connection through the foul sewer which will eventually discharge to the Ringsend WWTP and ultimately discharge to Dublin Bay.

A Pre-connection Enquiry application was submitted to Irish Water to confirm capacity in the receiving network and a confirmation of feasibility was obtained. See Appendix 6 of the BMCE Infrastructure Planning Report for a copy of the Irish Water Confirmation of Feasibility letter. Foul wastewater discharge from the Proposed Project will be treated at the Irish Water Wastewater Treatment Plant (WwTP) at Ringsend prior to discharge to Dublin Bay. The Ringsend WwTP operates under licence from the EPA (Licence no. D0034-01) and received planning permission (ABP Reg. Ref.: 301798) in 2019 for upgrade works, which are expected to be completed within five years. This will increase the plant capacity from 1.65m PE (population equivalent) to 2.4m PE. Regardless of the status of the WwTP upgrade works, the peak discharge from the Proposed Project, equivalent to 0.22% of the

licensed discharge at Ringsend WwTP (peak hydraulic capacity) according to the AWN HHQRA, is not significant in the context of the existing capacity available at Ringsend. Though the WwTP is currently over capacity (the plant is currently accommodating 1.9m PE), recent water quality assessment undertaken in Dublin Bay (published by the EPA and available on the EPA online mapping database[7] confirms that Dublin Bay is classified as "*unpolluted*" and there is no evidence that the over-capacity issues at Ringsend are affecting the conservation objectives of the European sites in Dublin Bay.

There will be no operational phase impacts related to foul water management, on European sites or otherwise, as a result of the Proposed Project.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site once the Proposed Project is operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation of the Proposed Project, and no interference with the key relationships that define the structure or function of any European site.

According to the winter bird surveys contained in Appendix 8.1 of the EIAR, the numbers of over wintering birds using the Holy Cross College lands is negligible. The Proposed Project will include the construction of new buildings, including one 18-storey block. However, the Proposed Project site is some 1.8km from the nearest SPA and the risk of collision is imperceptible. Birds tend to fly higher than the tallest obstruction in their flightpath and also to fly at a greater height between foraging sites. No Brent geese were observed anywhere on the site during two years of comprehensive bird survey and the Project Site is not an important site for this or any other overwintering species.

Having regard to Specific Planning Policy Requirement SPPR3 of the Urban Development and Building Height Guidelines for Planning Authorities (December 2018), which notes that specific assessments may be required and these may include relevant environmental assessments to be undertaken, no issues arise in relation to any ecological receptors, for example via the disruption of flight lines for birds, or disruption to commuting or foraging bats.

Significant effects as a result of the operation of the Proposed Project, on European sites or otherwise, can therefore be excluded.

Full details of the potential impacts of the Proposed Project on European sites are presented in **Table 2**.

[7] https://gis.epa.ie/EPAMaps/default

Table 2 lists relevant European sites and outlines their Qualifying Interests/Special Conservation Interests and Conservation Objectives

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
South Dublin Bay SAC (site code 000210), c.4.2km to the south east	1140 Mudflats and sandflats not covered by seawater at low tide The following habitats are listed as Qualifying Interests on the NPWS website, but are not included in the Conservation Objectives document: (1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes) According to this SAC's site Conservation Objectives document (Version 1, dated 22 August 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat for which the SAC has been selected.	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the site clearance, construction and operation of the Proposed Project at the Holy Cross College site, including the proposed surface water outfalls, could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and the River Tolka and from there, eventually, to the sea. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the Proposed Project, as described in Sections 5.1.1, 5.1.2 and 5.1.3. Even in the event of a pollution incident (such as a fuel or cement spill, or silt/sediment ingress) significant enough to impact upon surface/ground water quality in the Proposed Project site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the Bay and would not be perceptible in South Dublin Bay SAC, due to the very small volumes. This is due to the significant separation between the Proposed Project site and the European site – the Proposed Project site is over 4km (straight line distance) from the SAC and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters Dublin bay. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the bay any pollutants would be even further diluted and dissipated by the receiving waters, which are classified as unpolluted according to the EPA database of coastal water quality. Furthermore, the construction of the Proposed Project will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project given the nature and scale of the Proposed Project and its location in the centre of a busy city at a remove from the European sites. There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the Proposed Project. No operational impacts on this European site will occur as a result of the Proposed Project.
North Dublin Bay SAC (site code 000206), c.4.7km to the east	1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the site clearance, construction and operation of the Proposed Project at the Holy Cross College site, including the proposed surface water outfalls, could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
	1410 Mediterranean salt meadows (Juncetalia maritimi) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* 2190 Humid dune slacks 1395 Petalwort (*Petalophyllum ralfsii*) According to this SAC's site Conservation Objectives document (Version 1, dated 06 November 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	contaminated water could potentially discharge to the ground or the local surface water drainage network and the River Tolka and from there, eventually, to the sea. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the Proposed Project, as described in Sections 5.1.1, 5.1.2 and 5.1.3. Even in the event of a pollution incident (such as a fuel or cement spill, or silt/sediment ingress) significant enough to impact upon surface/ground water quality in the Proposed Project site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the Bay and would not be perceptible in North Dublin Bay SAC, due to the very small volumes. This is due to the significant separation between the Proposed Project site and the European site – the Proposed Project site is almost 5km (straight line distance) from the SAC and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters Dublin bay. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the bay any pollutants would be even further diluted and dissipated by the receiving waters, which are classified as unpolluted according to the EPA database of coastal water quality. Furthermore, the construction of the Proposed Project will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project given the nature and scale of the Proposed Project and its location in the centre of a busy city at a remove from the European sites. There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the Proposed Project. No operational impacts on this European site will occur as a result of the Proposed Project.
Baldoyle Bay SAC (site code 000199), c.8.7km to the north east	1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 1410 Mediterranean salt meadows (Juncetalia maritimi) According to this SAC's site Conservation Objectives document (Version 1, dated 19 November 2012), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SAC. It is almost 9km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
Howth Head SAC (site code 000202), c.10.3km to the east	1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths According to this SAC's site Conservation Objectives document (Version 1, dated 06 December 2016), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitats for which the SAC has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SAC. It is over 10km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.
Rockabill to Dalkey Island SAC (site code 003000), c.10.9km to the east;	1170 Reefs 1351 Harbour Porpoise (*Phocoena phocoena*) According to this SAC's site Conservation Objectives document (Version 1, dated 07 May 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface/ground water arising during the site clearance, construction and operation of the Proposed Project at the Holy Cross College site, including the proposed surface water outfalls, could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and the River Tolka and from there, eventually, to the sea. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the Proposed Project, as described in Sections 5.1.1, 5.1.2 and 5.1.3. Even in the event of a pollution incident (such as a fuel or cement spill, or silt/sediment ingress) significant enough to impact upon surface/ground water quality in the Proposed Project site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the Bay and would not be perceptible in Rockabill to Dalkey Island SAC, due to the very small volumes. This is due to the significant separation between the Proposed Project site and the European site – the Proposed Project site is almost 11km (straight line distance) from the SAC and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters Dublin bay. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the bay any pollutants would be even further diluted and dissipated by the receiving waters, which are classified as unpolluted according to the EPA database of coastal water quality. Furthermore, the construction of the Proposed Project will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project given the nature and scale of the Proposed Project and its location in the centre of a busy city at a remove from the European sites.

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
		There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the Proposed Project. No operational impacts on this European site will occur as a result of the Proposed Project
Malahide Estuary SAC (site code 000205), c.11.1km to the north east	1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae) 1410 Mediterranean salt meadows (Juncetalia maritimi) 2120 Shifting dunes along the shoreline with Ammophila arenaria (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* According to this SAC's site Conservation Objectives document (Version 1, dated 27 May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College wills and this SAC. It is over 14km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.
Ireland's Eye SAC (site code 002193), c.13.1km to the north east	1220 Perennial vegetation of stony banks 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts According to this SAC's site Conservation Objectives document (Version 1, dated 27 January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College wills and this SAC. It is over 13km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.
Glenasmole Valley SAC (site code 001209), c.14.1km to the south west	6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) 7220 Petrifying springs with tufa formation (Cratoneurion) According to this SAC's site Generic Conservation Objectives document (Version 8, dated 23 March 2021), for each of the listed QIs, the Conservation Objectives are to maintain or restore the	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College wills and this SAC. It is over 14km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
	favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.	
Wicklow Mountains SAC (site code 002122), c.14.2km to the south	3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with *Erica tetralix* 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 Calaminarian grasslands of the Violetalia calaminariae 6230 Species-rich Nardus 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 (Androsacetalia alpinae and Galeopsietalia ladani) 8210 Calcareous rocky slopes with chasmophytic vegetation 8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles 1355 *Lutra lutra* (Otter) According to this SAC's site Conservation Objectives document (Version 1, dated 31 July 2017), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SAC. It is over 14km distant and is completely unconnected. Furthermore there will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this SAC as a result of the Proposed Project.
South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.1.8km to the east	A144 Sanderling (*Calidris alba*) A157 Bar-tailed Godwit (*Limosa lapponica*) A149 Dunlin (*Calidris alpina*) A162 Redshank (*Tringa totanus*) A179 Black-headed Gull (*Chroicocephalus ridibundus*) A143 Knot (*Calidris canutus*) A192 Roseate Tern (*Sterna dougallii*) A046 Light-bellied Brent Goose (*Branta bernicla hrota*)	No significant effects on water quality are predicted. Surface/ground water arising during the site clearance, construction and operation of the Proposed Project at the Holy Cross College site, including the proposed surface water outfalls, could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and the River Tolka and from there, eventually, to the sea. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the Proposed Project, as described in

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
	A141 Grey Plover (*Pluvialis squatarola*) A130 Oystercatcher (*Haematopus ostralegus*) A194 Arctic Tern (*Sterna paradisaea*) A193 Common Tern (*Sterna hirundo*) A137 Ringed Plover (*Charadrius hiaticula*) A999 Wetlands and Waterbirds According to this SPA's site Conservation Objectives document (Version 1, dated 9 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	Sections 5.1.1, 5.1.2 and 5.1.3. Even in the event of a pollution incident (such as a fuel or cement spill, or silt/sediment ingress) significant enough to impact upon surface/ground water quality in the Proposed Project site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the Bay. It would not be perceptible in the South Dublin Bay and River Tolka Estuary SPA due to the very small volumes. This is due to the separation between the Proposed Project site and the European site – the Proposed Project site is almost 2km (straight line distance) from the SPA and any pollution arising during development would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters, which are classified as Unpolluted according to the EPA database of coastal water quality. Furthermore, the construction of the Proposed Project will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project. There will be no loss of species, fragmentation or disturbance to the special conservation interests of this site as a result of the Proposed Project. Comprehensive surveys for overwintering birds including light-bellied Brent goose were undertaken over the winter of 2019/2020 and are currently being repeated (to cover the winter period 2020/2021). Thus far, there has been no evidence of any SCI species using the site. This finding is subject to further study and analysis. In addition, no operational impacts on this European site will occur as a result of the Proposed Project.
North Bull Island SPA (site code 004006), c.4.7km to the north east	A160 Curlew (*Numenius arquata*) A149 Dunlin (*Calidris alpina*) A157 Bar-tailed Godwit (*Limosa lapponica*) A162 Redshank (*Tringa totanus*) A179 Black-headed Gull (*Chroicocephalus ridibundus*) A144 Sanderling (*Calidris alba*) A156 Black-tailed Godwit (*Limosa limosa*) A143 Knot (*Calidris canutus*) A169 Turnstone (*Arenaria interpres*) A054 Pintail (*Anas acuta*) A046 Light-bellied Brent Goose (*Branta bernicla hrota*) A048 Shelduck (*Tadorna tadorna*)	No significant effects on water quality are predicted. Surface/ground water arising during the site clearance, construction and operation of the Proposed Project at the Holy Cross College site, including the proposed surface water outfalls, could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and the River Tolka and from there, eventually, to the sea. There would be no significant effects on the conservation objectives of the European site should this occur, given the nature, size and location of the Proposed Project, as described in Sections 5.1.1, 5.1.2 and 5.1.3. Even in the event of a pollution incident (such as a fuel or cement spill, or silt/sediment ingress) significant enough to impact upon surface/ground water quality in the Proposed Project site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
	A052 Teal (*Anas crecca*) A141 Grey Plover (*Pluvialis squatarola*) A056 Shoveler (*Anas clypeata*) A130 Oystercatcher (*Haematopus ostralegus*) A140 Golden Plover (*Pluvialis apricaria*) A999 Wetlands and Waterbirds According to this SPA's site Conservation Objectives document (Version 1, dated 9 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	the time the water enters the Bay. It would not be perceptible in the North Bull Island SPA due to the very small volumes. This is due to the separation between the Proposed Project site and the European site – the Proposed Project site is almost 5km (straight line distance) from the SPA and any pollution arising during development would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters, which are classified as Unpolluted according to the EPA database of coastal water quality. Furthermore, the construction of the Proposed Project will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the Proposed Project. There will be no loss of species, fragmentation or disturbance to the special conservation interests of this site as a result of the Proposed Project. Comprehensive surveys for overwintering birds including light-bellied Brent goose were undertaken over the winter of 2019/2020 and are currently being repeated (to cover the winter period 2020/2021). Thus far, there has been no evidence of any SCI species using the site. This finding is subject to further study and analysis. In addition, no operational impacts on this European site will occur as a result of the Proposed Project.
Baldoyle Bay SPA (site code 004016), c.9.1km to the north east	A137 Ringed Plover (*Charadrius hiaticula*) A048 Shelduck (*Tadorna tadorna*) A140 Golden Plover (*Pluvialis apricaria*) A157 Bar-tailed Godwit (*Limosa lapponica*) A141 Grey Plover (*Pluvialis squatarola*) A046 Light-bellied Brent Goose (*Branta bernicla hrota*) A999 Wetlands and Waterbirds According to this SPA's site Conservation Objectives document (dated 27 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is over 9km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.
Broadmeadow/Swords Estuary (Malahide Estuary) SPA (site code	A048 Shelduck (*Tadorna tadorna*) A054 Pintail (*Anas acuta*) A067 Goldeneye (*Bucephala clangula*)	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is over 11km distant and is completely unconnected. Furthermore

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
004025), c.11.1km to the north east	A130 Oystercatcher (*Haematopus ostralegus*) A162 Redshank (*Tringa totanus*) A143 Knot (*Calidris canutus*) A157 Bar-tailed Godwit (*Limosa lapponica*) A156 Black-tailed Godwit (*Limosa limosa*) A140 Golden Plover (*Pluvialis apricaria*) A046 Light-bellied Brent Goose (*Branta bernicla hrota*) A149 Dunlin (*Calidris alpina*) A141 Grey Plover (*Pluvialis squatarola*) A069 Red-breasted Merganser (*Mergus serrator*) A005 Great Crested Grebe (*Podiceps cristatus*) A999 Wetlands According to this SPA's site Conservation Objectives document (Version 1, dated 16 August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.	there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.
Ireland's Eye SPA (site code 004117), c.12.8km to the north east	A017 Cormorant (*Phalacrocorax carbo*) A184 Herring Gull (*Larus argentatus*) A188 Kittiwake (*Rissa tridactyla*) A199 Guillemot (*Uria aalge*) A200 Razorbill (*Alca torda*) According to this SPA's Generic Conservation Objectives document (Version 8, dated 23 March 2021), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is almost 13km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.
Howth Head SPA (site code 004113), c.13.1km to the east	A188 Kittiwake (*Rissa tridactyla*) According to this SPA's Generic Conservation Objectives document (Version 6, dated 21 February 2018), for each of the listed SCIs, the Conservation Objective is to maintain or restore	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is over 13km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.

European Site	Reasons for designation (information correct as of 5 July 2021) (*denotes a priority habitat)	Source – Pathway – Receptor link
	the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.	
Dalkey Islands SPA (site code 004172), c.14.2km to the south east	A194 Arctic Tern (*Sterna paradisaea*) A193 Common Tern (*Sterna hirundo*) A192 Roseate Tern (*Sterna dougallii*) According to this SPA's site Generic Conservation Objectives document (Version 8, dated 23 March 2021), for each of the listed SCIs, the Conservation Objectives are to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is approximately 14km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.
Wicklow Mountains SPA (site code 004040), c.14.4km to the south	A098 Merlin (*Falco columbarius*) A103 Peregrine (*Falco peregrinus*) According to this SPA's site Generic Conservation Objectives document (Version 8, dated 23 March 2021), for each of the listed SCIs, the Conservation Objectives are to maintain or restore the favourable conservation condition of the species for which the SPA has been selected.	There is no hydrological link or any other pathway between the Proposed Project site at Holy Cross College and this SPA. It is over 14km distant and is completely unconnected. Furthermore there will be no loss of species, fragmentation or disturbance to the special conservation interests of this SPA as a result of the Proposed Project.

*For completeness, this table includes all sites within 15km of the site, however, as confirmed in Section 5.1, only the offshore sites are linked in any way to the Proposed Project site. None of the other listed sites, and no sites further afield, are remotely linked to the Proposed Project site, by virtue of distance, lack of a pathway and the reasons for their designation.

5.2 Summary of potential impacts of the Proposed Project

There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the Proposed Project. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

There will also be no significant effects on any European sites as a result of:

- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution/vibration impacts;
- Light pollution;
- Air pollution.

6 Other issues

Japanese knotweed and giant hogweed as well as three-cornered leek and Himalayan balsam, invasive plant species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011-2015*, have been identified on the wider Holy Cross College site. A long-term management plan is currently being implemented in order to eradicate the plants from the wider site.

Additionally, for the reasons outlined in this report for the European sites, no impacts on any other designated sites including proposed Natural Heritage Areas, will occur.

7 Mitigation specific to European sites

This screening assessment is consistent with the judgment of the European Court in Case C-323/17, People Over Wind & Sweetman v Coillte (Judgment of the Court (Seventh Chamber) of 12 April 2018) and the recent case-law of the High Court, including Heather Hill Management Company CLG v An Bord Pleanála [2019] IEHC 450 and Sweetman v An Bord Pleanála [2020] IEHC 39. It is also consistent with the judgment in Eco Advocacy CLG v An Bord Pleanála [2021] IEHC 265. In that case, Humphreys J identified a core legal principle, being that regard should not be had to mitigation measures at AA screening stage. Humphreys J decided in that case that clarification was required from the CJEU on the matter and the decision of the CJEU is currently awaited. Regardless of the outcome of that case however, in relation to European sites, there will be no impacts as a result of the Proposed Project. Therefore no mitigation is necessary or proposed for the protection of European sites or which was intended to avoid or reduce impacts on any European sites.

As noted in Section 5.1.1 the results of the comprehensive wintering bird surveys undertaken over two survey seasons demonstrate that the Proposed Project site is not of significant value for any SCI species. There will be no significant effects on European sites as a result.

As set out in the HHQRA there are no pollutant linkages as a result of the construction or operation (without mitigation) of the proposed development which could result in a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay. As noted in the HHQRA and as discussed in Section 5.1.2 above, *"there is a risk (temporary and localised) to the River Tolka (unmitigated) which bounds the site to the north. DCC Drainage Division requested details of protections to the river from any site runoff or other forms of possible pollution from site activities during construction. In response BMCE have drafted an Outline Construction Surface Water Management Plan."* The CSWMP "*includes mitigation measures to be included during construction. During operation, the potential for an impact to ground or storm water is negligible, based on the low loading. There is therefore no potential impact on water quality in south Dublin Bay SAC/pNHA and South Dublin Bay and River Tolka*

SPA. In addition, measures are incorporated within the proposed development to manage stormwater run-off quality. These specific measures will provide further protection to the receiving soil and water environments. However, the protection of downstream European sites is in no way reliant on these measures and has not been taken into account in assessing the impact on water quality for the European sites in and around Dublin Bay."

In accordance with the GDSDS and the requirements of Dublin City Council SuDS measures will be provided. However as is made clear in Section 5.1.3, even if no SuDS measures were to be incorporated into the design and surface water arising at the site were to be diverted in its entirety to the existing sewer system there would be no impacts on the European sites of Dublin Bay. The natural characteristics of the bay ensure rapid mixing of water such that there is no appreciable effect on water quality in European sites in any event.

8 In-combination effects

It is a requirement of Section 177U of the Planning Acts that when considering whether a plan or project will have a significant effect on a European site the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved)[8]. If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

The Dublin City Development Plan 2016-2022 contains a number of objectives intended to protect and enhance the natural environment, while encouraging development in appropriate areas. The Development Plan was itself subject to Appropriate Assessment, and a Natura Impact Report (NIR) was prepared. In its conclusions the NIR noted that "*the council's commitments to the Habitats Directive and Appropriate Assessment that are presented in the plan will be sufficient to prevent inappropriate development that could result in adverse impacts on the conservation objectives of European sites"*.

A number of other plans were considered when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

- National Planning Framework;
- Regional Spatial and Economic Strategy;
- Greater Dublin Strategic Drainage Study;
- Greater Dublin Transport Strategy;
- Climate Action and Mitigation Plan;
- National Biodiversity Plan; and,
- River Basin Management Plan.

Screening for appropriate assessment was undertaken for a proposal to develop a 7-storey Hotel development together with the existing boundary wall, repositioning of gate piers and the widening of the entrance on Clonliffe Road together with all ancillary works (DCC Reg Ref.:2 935/20 (ABP 308193-20)). Significant effects on European sites were excluded. There are no elements of this development, or any other development, that could act in-combination with any potential effects of the Proposed Project to give rise to significant effects.

As assessed in Section 5.1.3, the Proposed Project will make a very small contribution to the overall capacity of the licensed WwTP at Ringsend. While there are capacity issues at the WwTP, substantial upgrades to capacity are expected to be delivered over the medium term. The drainage and water attenuation design included in the

[8] *Assessment of Plans and Projects Significantly Affecting European sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001)*

Proposed Project will have a net beneficial impact on capacity at the WwTP, particularly during heavy rainfall events. Water quality assessment undertaken in Dublin Bay confirms that Dublin Bay is classified as "*unpolluted*" and there is no evidence that operations from the WwTP are affecting the conservation objectives of the European sites in Dublin Bay. It is assessed that the Proposed Project in combination with the WwTP won't have any significant effects on any European sites including South Dublin Bay and River Tolka Estuary SPA, the South Dublin Bay SAC, the North Dublin Bay SAC and the North Bull Island SPA.

9 Screening conclusion

In view of best scientific knowledge this report concludes that the Proposed Project at the Holy Cross College site, individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow the Competent Authority (An Bord Pleanála) to carry out an AA Screening, and reach a determination that the Proposed Project will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.

Appendix I: Background

The European[9] network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as 'European Sites' or 'Natura 2000 sites') that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

The main aim of the Habitats Directive is *"to contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies".* Any actions taken must be designed to *"maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest".* Under Article 6 of the Habitats Directive, an assessment is required where a plan or project may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Importance (SCI) are considered in this process;

Article 6 (paragraphs (3) and (4)) of the Habitats Directive states that:

> (3) Any plan or project not directly connected with or necessary to the management of the site but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
>
> (4) If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.
>
> Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to 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.

The requirements of the Habitats Directive are transposed into Irish law by means of the Birds and Natural Habitats Regulations and by the Planning Acts.

In Ireland, the statutory agency responsible for the designated areas is NPWS.

Stages in the assessment

European Commission guidance (2001)[10] sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise four distinct stages:

> **Stage 1: Screening** is the process which initially identifies the likely significant effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an Appropriate Assessment. There is European Court of Justice case law to the

[9] The EU Habitats Directive, Article 3.1, states "A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title European"

[10] European Commission (2001) *Assessment of Plans and Projects Significantly Affecting European Sites: Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC*

effect that unless the likelihood of a significant effect can be ruled out on the basis of objective information, then an Appropriate Assessment must be made.

Stage 2: Appropriate Assessment is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

Stage 3: Assessment of alternative solutions is the process which examines alternative ways of achieving the objectives of the project or plan that would avoid impacts on the integrity of the European site, should avoidance or mitigation measures be unable to cancel out adverse effects.

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain. At Stage 4 an assessment is made with regard to whether or not the development is necessary for imperative reasons of overriding public interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the European network.

Conservation Objectives of European sites

The conservation objectives for a European Site are intended to represent the aims of the Habitats and Birds Directives in relation to that site. To this end, habitats and species of European Community importance should be maintained or restored to 'favourable conservation status' (FCS), as defined in Article 1 of the Habitats Directive below:

The conservation status of a natural habitat will be taken as 'favourable' when:

- Its natural range and the area it covers within that range are stable or increasing;
- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Guidance from the European Commission[11] indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

The European Commission guidance recommends that screening should fulfil the following steps:

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;

Assess the likely significance of any effects on European sites.

[11] Managing European sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission 2000)

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