
Flemington Local Area Plan

Adopted by Council on 9th December 2024

Appendix II:

Appropriate Assessment Screening

Appropriate Assessment Screening Determination

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1 Introduction

1.1 Background

Fingal County Council (FCC) has prepared a Local Area Plan (LAP) for the Flemington lands in Balbriggan, Co. Dublin. The LAP seeks to establish a land use strategy for the proper planning and sustainable development of these lands.

A Local Area Plan (LAP) is a statutory document prepared in accordance with Part II, Section 20 of the Planning and Development Act 2000 (as amended). The purpose of an LAP is to examine a specific area in detail, identifying and analysing the various issues affecting the area and then setting principles and objectives for its future development.

The Fingal County Development Plan 2023-2029 identified Flemington as lands for which a Local Area Plan was to be prepared during the lifetime of the Development Plan.

Brady Shipman Martin was appointed to prepare a report to assist Fingal County Council 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 implementation of the LAP (hereinafter known as 'the Plan', 'the LAP' or 'Flemington LAP'), 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.

A comprehensive study has been undertaken and the potential impacts on European sites, both as a result of the implementation of the Plan and in-combination with other plans and projects, are appraised in this report.

This AA Screening Report should be read in conjunction with the Flemington Local Area Plan (December 2024) and the Strategic Environmental Assessment (SEA) Screening Report (prepared by Brady Shipman Martin, 2024).

1.2 Expertise and Qualifications

This AA Screening Report has been prepared by Senior Ecologist and Associate, Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM, of Brady Shipman Martin. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. 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 Communities (Birds and Natural Habitats) Regulations 2011 (as amended)¹ (the "Birds and Natural Habitats Regulations") and the Planning and Development Act, 2000 (as amended) (the "Planning Acts").

¹ SI No. 477 of 2011
Brady Shipman Martin

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:

- (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.”

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

This assessment focused on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) in the designations for European sites. During the assessment the potential for *ex-situ* effects on European sites was also appraised.

This report takes the following guidance documents into account:

- Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority (National Parks and Wildlife Services (NPWS) (2021)).
- Practice Note PN01 Appropriate Assessment Screening for Development Management (Office of the Planning Regulator, March 2021);
- Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive (Directorate – General for Environment (European Commission, 2021);
- 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);
- Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission, 2021);
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10;
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision).

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;
- 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);
- Ireland's 4th National Biodiversity Action Plan 2023-2030 (Department of Housing, Local Government and Heritage, 2024);
- Fingal County Development Plan 2023-2029 and the accompanying reports.

The report is in compliance with the following legislative instruments:

- Planning and Development, Act 2000, as amended;
- Planning and Development Regulations 2001, as amended;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- European Communities (Birds and Natural Habitats) Regulations 2011 (as amended).

The report takes full account of the details of the Plan and a detailed examination of all relevant elements was undertaken. The Strategic Environmental Assessment Screening Report (Brady Shipman Martin, 2024) was also reviewed in the preparation of this report.

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 Plan 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.

The first test is to establish whether, in relation to a particular plan or project, appropriate assessment is required. Section 177U of the Planning Acts requires that screening for appropriate assessment must be carried out:

- To assess, in view of best scientific knowledge, if the development (in this case the implementation of the LAP), 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 (in this case, the implementation of the LAP), individually or in combination with other plans or projects, will have a significant effect on a European site.

Screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

In addition to the foregoing, OPR's Practice Note "Appropriate Assessment Screening for Development Management", dated March 2021 – also details a number of key concepts relevant to AA Screening, including "Best Scientific Knowledge/Information in the Field" (pg.5), stating:

"The screening determination must be based on scientific information relevant to the likely effects on the conservation objectives of the relevant European sites. The information should be up-to-date and based on the best available techniques and methods to estimate the presence and extent of effects. This is because if there is any scientific uncertainty as to the absence of significant effects, the project must be screened in for appropriate assessment.

In the vast majority of cases the information provided by the applicant (including the project description) and publicly available information in relation to the European sites in question and information published by the NPWS, the EPA and others in relation to such sites, should provide a sufficient level of objective scientific information to allow the planning authority to make an informed decision on screening."

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 under section 177V of the Planning Acts for the purposes of compliance with 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 implementation of the LAP, 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

This assessment is based on the source-pathway-receptor model, which dictates that, for an 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 two (such as a watercourse). 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.

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

There are no set recommended distances for projects to consider European sites as being relevant for assessment. DoEHLG (2010a, pp. 31 – 32) states that:

"The approach to screening is likely to differ somewhat for plans and projects, depending on scale and on the likely effects, but the following should be included:

1. Any Natura 2000 sites within or adjacent to the plan or project area
2. Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006).

For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must 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.

- 3. Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the cases of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment."*

The 2021 OPR guidelines, *Practice Note PN01: Appropriate Assessment Screening for Development Management*, state that the Zone of Influence "should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km)" (p. 8).

Therefore, considering the nature, scale and location of the Flemington Local Area Plan, and in accordance with the source-pathway-receptor model, the potential Zone of Influence for the Plan is:

- Any site to which there is a pathway from the Plan area, regardless of distance, upon which significant effects could arise, resulting from the implementation of any element of the Plan, as set out in the following sections.

Throughout the preparation of the Plan the Vision, Key Themes and Strategic Objectives were reviewed in the context of Article 6(3) of the Habitats Directive, in order to ensure that no elements of the Plan would have a significant impact on any European site.

4 Description of the Flemington Local Area Plan

The text in this section of the report is extracted (unedited but abridged) from the LAP – for full details please refer to the document itself.

4.1 Overview

As set out in the Plan, the Vision, Key Themes and Strategic Objectives for Flemington are intended to guide the long term and sustainable development of the identified LAP lands.

The LAP area comprises significant parcels of undeveloped land that are strategically located within the northern area of Balbriggan and directly adjacent to the existing urban footprint of the town. Existing residential areas are located to the south of Flemington Lane with rural lands situated to the north.

The lands are within walking and cycling distance of the coastal area to the east and town centre to the south. It is also noteworthy that the LAP lands are proximate to the proposed Fingal Coastal Way and Bremore Regional Park. The strategic and undeveloped nature of the LAP lands can offer new residents a good quality of life while respecting the amenities of those who presently reside in the local area.

4.2 Vision, Key themes and Strategic Objectives

4.2.1 Vision

The principal aim of the LAP is to facilitate the co-ordinated and sustainable development of the LAP lands through the provision of a framework of specific LAP policies and development objectives alongside those contained within the Fingal Development Plan.

The LAP is underpinned by a vision which is intended to guide the future growth of the lands as a new residential neighbourhood within the settlement of Balbriggan and to be consistent with its Residential Area (RA) zoning objective which seeks to “provide for new residential communities subject to the provision of the necessary social and physical infrastructure”.

The vision statement for the LAP has been principally informed by comments and feedback received during the public consultation process, a detailed analysis of the existing local context, the identification of key themes and requisite planning policy and guidance.

Comments received during the consultation process are important as they give the local community the opportunity to positively inform the shared vision and to shape the future development of their local area.

The Vision Statement is as follows:

“The shared vision for Flemington is to promote the sustainable development of the LAP lands at a level that is appropriate for the existing local context through the delivery of a new residential neighbourhood that will offer a variety of new homes and a quality place to live. The new residential neighbourhood will be supported by community facilities, high quality public open space and active travel measures that will meet the needs of the future population in the area and generate a strong sense of community.”

Achieving this vision will incorporate a development approach for the LAP lands that will sustainably balance the need for a new residential neighbourhood alongside key environmental considerations through the application of objectives as set out in the following sections of this chapter and throughout this LAP.

4.2.2 Key themes

4.2.2.1 Homes for All

A key objective of the LAP is to provide new homes within a new urban neighbourhood for people of all ages and to accommodate a variety of housing needs.

The Fingal Development Plan 2023-2029 states that Fingal County Council will ensure that suitable housing for older people is a mandatory inclusion in all future LAPs and Masterplans. Objective SPQHO19 '*Range of Housing Options for Older People*' of the Development Plan seeks to promote a range of housing options within Fingal to cater for the housing needs and care requirements of older people. This includes independent and assisted living options and to support and promote the provision of specific purpose-built accommodation, including retirement villages, 'right-sizing' housing options and measures to ensure housing is adaptable to enable older people to continue living in their homes or in a home more suited to their needs. All LAPs and Masterplans will be assessed for suitability to provide housing for older people. Where there is an identified need or local demand, the appropriate housing option(s) will be included in the plan.

4.2.2.2 Creating Communities

The LAP is being brought forward to ensure the co-ordinated and proper planning of the identified lands. This approach can positively assist with creating communities within a liveable neighbourhood where people will feel welcome and part of a new place.

The creation of a new sustainable community in Flemington will be dependent on a number of factors. In particular, it will be important that the new resident population is supported by the delivery of an appropriate level of social infrastructure. It will also be important that the design of the new buildings and open spaces, for example, on the LAP lands promotes social inclusion especially in terms of accessibility and use. Such development can generate a strong sense of community spirit.

4.2.2.3 Active Travel

The objectives of the LAP will seek to ensure that active travel infrastructure is identified for the LAP lands so that residents have realistic alternative options to the private car. This accords with the Development Plan that seeks to secure the development of a high-quality, connected and inclusive pedestrian and cycling network and provision of supporting facilities / infrastructure across the County.

An active travel spine has been identified to run centrally through the LAP lands. This infrastructure provision will enable sustainable connectivity to all Character Areas within the LAP lands and to other active travel proposals along the R132 Route to the east, thereby promoting increased levels of pedestrian and cyclist activity.

4.2.2.4 Green Spaces & Public Spaces

The character areas proposed within the LAP lands will provide a variety of green and public spaces for future residents to enjoy. It is anticipated that the existing community in Flemington will avail of these areas also.

A key element regarding the open space areas in general is to ensure they are shared spaces that are welcoming and inclusive to all. Their design and quality will play a role in how successful these spaces are, so it is imperative they are visually attractive, safe and secure, well maintained and accessible for people of physical abilities.

The green spaces and public spaces that will be brought forward on the LAP lands will provide a key infrastructural role supporting the future population growth in Flemington. They will also make a positive contribution to healthy placemaking that forms a key part of the strategic vision of the Development Plan.

4.2.2.5 Environment & Climate Action

Strategically, the preparation of an LAP for Flemington will ensure that its future development as a new residential neighbourhood will be undertaken in a sustainable manner that affords as much protection as possible to the natural environment and provides for a climate resilient environment.

4.2.2.6 Character Areas

The overall LAP layout is shown in **Figure 4.1**. The character areas are shown in **Figure 4.2**.

The development strategy for the LAP lands is proposed through the creation of 4 no. character areas-that will comprise a variety of residential typologies, open space areas, active travel routes, community uses and Active Travel Hubs. Each character area will respond specifically to its defined area within the LAP lands.

Advantages of implementing a strategy centred around different character areas will ensure that future development is, *inter alia*, defined by providing variety in the built form and avoiding monotony in architectural design and scale. It also assists in creating a mix of residential typologies across the LAP lands, uses that can be spatially arranged and placed in the optimum locations, a diversity of open spaces areas that support residential buildings and ensuring all areas are accessible by active travel infrastructure.

Detailed information in respect of the character areas is provided in Chapter 5 of the LAP.

Figure 4.1 Proposed Flemington LAP Development Layout



Figure 4.2 Proposed Flemington LAP Character Areas



4.2.2.6.1 Character Area 1

Character Area 1 (CA1) is located at the eastern end of the LAP lands and has frontage to the adjacent R132 route that provides onward access to Drogheda to the north and Balbriggan town centre to the south. The existence of mature vegetation to the eastern boundary obscures views of CA1 from the public road. Adjacent and south of CA1 is a long established ribbon of detached and semi-detached dwellings accessed via Flemington Lane and which are set on elongated plots. To the east of CA1 and on the opposite side of the R132 route are the new grounds of O'Dwyers GAA Club incorporating new playing pitches and clubhouse building. The Club has relocated from its previous site on Hamlet Lane to the south of Flemington.

CA1 measures an area of c.4.38 ha (net). Residential development within this character area will comprise a mix of residential typologies and may include townhouse, duplexes and apartment typologies with unit sizes generally ranging from 1-4 bedrooms.

In terms of public open space, CA1 will provide c.0.35 ha along with c.1,000 sqm - c.1,100 sqm of commercial floorspace and c.700 sqm - c.800 sqm of community floorspace. An active travel hub adjacent to the R132 route is proposed alongside the community use. CA1 will provide the eastern point for accessing the active travel spine that will be accessible from the R132.

4.2.2.6.2 Character Area 2

Character Area 2 (CA2) is situated within the eastern portion of the LAP lands and west of CA1. The southern boundary of CA2 adjoins the aforementioned ribbon of dwellings on Flemington Lane. Access to this agricultural field is taken via an informal laneway off Flemington Lane. For clarity, this laneway is not included within the boundary of the LAP lands.

CA2 measures an area of c.2.26 ha (net). Residential development within this character area will comprise a mix of residential typologies such as townhouses and duplex units with unit sizes generally ranging from 2-4 bedrooms. Areas of public open space in CA2 measure c.0.34 ha.

4.2.2.6.3 Character Area 3

Character Area 3 (CA3) is located centrally within the LAP lands and has frontage to Flemington Lane and existing dwellings situated at Dún Saithne View. This character area is located west of CA2.

CA3 measures c.2.8 ha in area (net). Residential development in this character area will comprise a mix of typologies such as townhouse and duplex units ranging in size from 2-4 bedrooms. Community use floorspace (c.1,500 sqm – c.1,600 sqm) will be provided within CA3. Areas of public open space measure c.0.62 ha.

4.2.2.6.4 Character Area 4

Character Area (CA4) is situated within the western portion of the LAP lands and north of the established Dún Saithne and New Haven residential developments. This character area has direct frontage to Flemington Lane and measures c.3.27 ha in area (net). CA4 will provide a mix of residential typologies such as townhouses, duplexes and apartment units, with unit sizes generally ranging from 1-4 bedrooms.

4.2.3 Strategic Objectives

Strategically, the LAP lands will assist with meeting the identified need for new housing in Balbriggan as set out by the Core Strategy of the Fingal Development Plan.

It is imperative that new residential development is brought forward at a density that is appropriate for its location and local context. New and existing local residents will benefit from the proposed areas of open spaces, active travel infrastructure, proximity to local services and amenities both within the LAP lands and within the wider locale.

The LAP is underpinned by the following strategic objectives emerging from the key themes that will deliver the Vision and guide the future sustainable development of the LAP lands.

4.2.3.1 Homes for All

Strategic Objective: Promote mixed typologies, tenures and sizes of residential development that will accommodate a diverse range of identified local housing requirements and assist with promoting balanced community development.

4.2.3.2 Creating Communities

Strategic Objective: Support the provision of socially inclusive community development and associated infrastructure that will contribute to the growth and development of a new residential neighbourhood, thereby creating a sustainable community where residents will enjoy a good quality of life.

4.2.3.3 Active Travel

Strategic Objective: Facilitate the use of active modes of travel through the delivery of physical infrastructure that promotes sustainable movement by walking and cycling modes within a connected, legible and accessible residential neighbourhood.

4.2.3.4 Green Spaces & Public Spaces

Strategic Objective: Identify the appropriate locations within the LAP lands to facilitate a variety of high quality green spaces and public spaces that appropriately complement the built form and which provide attractive, safe and inclusive amenity areas for residents.

4.2.3.5 Character Area

Strategic Objective: Implement a development approach for the future growth of the LAP lands that identifies individual character areas as that will support a variety of residential, commercial and community development, public open space areas and active travel infrastructure in order to achieve balanced community development.

4.2.3.6 Environment

Strategic Objective: Ensure the future growth of the LAP lands are undertaken in a manner that is sustainable over the long term, where new development proposals can assist with decarbonising the built environment while mitigating any significant impacts upon the natural green and blue environment.

4.2.4 Environmental and Sustainability Objectives

Objective 4.1: Development of the LAP lands will be undertaken in a sustainable manner so as to assist with County's decarbonisation targets as set out within the Fingal County Council Climate Action Plan 2024-2029.

Objective 4.2: Planning applications for new proposals should, in terms of best practice, be accompanied by a Sustainability Statement (or similar) detailing the overall sustainability of the proposed scheme.

Objective 4.3: Development of each character area should seek to maximise its biodiversity value through the inclusion of an interconnected network of green and blue infrastructure that will maximise the biodiversity value of the LAP lands.

Objective 4.4: Development proposals within each character area shall be accompanied by botanical tree and hedgerow surveys and should seek to retain existing trees and hedgerows in so far as possible in order to protect the biodiversity value of the LAP lands.

Objective 4.5: Planting plans will accompany development proposals and provide detailed information regarding the retention, removal and new planting of hedgerow and trees and other vegetation as appropriate. Development proposals shall also be accompanied by bird surveys.

Objective 4.6: Development proposals shall be sensitively designed in order to account of the existing local landscape character of the LAP lands.

Objective 4.7: Planning applications shall clearly demonstrate that development proposals on the LAP lands will not result in any adverse impacts upon archaeology or the built heritage.

Objective 4.8: All new buildings shall be designed to be as energy efficient as possible and to be constructed from materials that have low to zero embodied energy and CO₂ emissions.

Objective 4.9: Support and promote best practice in the use of renewable energy infrastructure and technologies in all new residential, commercial and community buildings.

Objective 4.10: New residential, commercial and community developments will be encouraged to explore the possibility of providing on-site energy production, where feasible, as part of development proposals.

Objective 4.11: The objectives and actions as contained within the Fingal Biodiversity Action Plan 2023-2030 shall be taken into consideration for all development proposals.

4.2.5 Character Area Objectives

Objective 5.1: Facilitate the sustainable development of the LAP lands in collaboration with landowners and stakeholders.

Objective 5.2: Support new proposals that have due regard to the identified character areas in order to promote a co-ordinated development strategy across the entirety of the LAP lands.

Objective 5.3: Ensure proposals provide for an appropriate level of connectivity and sustainable linkage between the character areas in order to prevent piecemeal development.

Objective 5.4: Proposals within each character area must provide a variety of residential development that will be suitably complemented by shared open space areas, public realm and active travel routes.

Objective 5.5: Design of new proposals must take account of the requirement to facilitate the development of a central active travel spine through the entirety of the LAP lands commencing in CA4 at Flemington Lane (west) and terminating in CA1 on the R132 Route (east).

Objective 5.6: Provide good quality housing that can accommodate specific needs through the provision of a range of typologies and unit sizes and, in particular, the housing requirements of the elderly, marginalised groups and those with disabilities.

Objective 5.7: Promote and encourage a Universal Design approach for all new development within each character area in order to facilitate an inclusive and sustainable urban environment (as per Policy SPQHP06 of the Fingal Development Plan).

Objective 5.8: Design of new housing should take account of the occupier as they age and incorporate flexible and adaptable layouts.

Objective 5.9: Enhance the visual quality of the streetscape by requiring residential development to have frontage onto Flemington Lane so as to assist with fostering a sense of community engagement within a pedestrian-friendly streetscape.

Objective 5.10: Promote high standards of building facade design to ensure integration with the existing local context thereby enhancing visual character and sense of place.

Objective 5.11: Ensure that public open space and recreation areas are appropriately located so as to avail of passive surveillance so as to safeguard the welfare and safety of users.

Objective 5.12: The hierarchy of proposed open space areas within the character areas shall conform with Table 4.2 ('Public Open Space and Play Space Hierarchy and Accessibility Standards') of the Fingal Development Plan.

Objective 5.13: Planning applications for all medium to large scale proposals shall be accompanied by a Design Statement that clearly demonstrates compliance with Development Plan Standards and addresses the contextual and design issues that have been considered as part of the proposal.

4.2.6 Movement and transport Objectives

Objective 6.1: Ensure delivery of the appropriate infrastructure in line with the proposed hierarchy of streets and in accordance with the Design Manual for Urban Roads and Streets and the Cycle Design Manual to function as urban streets and to accommodate multi-modal movements, create a sense of place and contribute to the public realm.

Objective 6.2: Deliver the link street and necessary works for residential development as provided for within the Fingal Development Plan and in accordance with the Phasing Strategy set out in Chapter 9 of this Plan.

Objective 6.3: Provide safe walking and cycling links within the character areas in order to support a comprehensive sustainable movement network with appropriate directional signage including cyclist priority crossings and cycling parking.

Objective 6.4: Provide two new Active Travel Hubs, one at the northern gateway in CA1 along the R132 Route and a second hub on Flemington Lane in CA4.

Objective 6.5: Ensure that engagement with residents, businesses, and transportation providers is undertaken in understanding their needs and ensuring that the Active Travel Hubs serve the community effectively.

Objective 6.6: Facilitate a central active travel spine commencing in CA4 at Flemington Lane (west) and terminating in CA1 on the R132 Route (east) in order to promote sustainable movement for future residents.

Objective 6.7: Promote increased active travel linkages from the character areas onto Flemington Lane in order to facilitate increased permeability and sustainable travel patterns.

Objective 6.8: Examine the feasibility of providing a new signalised pedestrian/cyclist crossing on the R132 Route so as to provide increased and safe connectivity with the LAP lands.

Objective 6.9: Promote the provision of reduced parking standards for residential and commercial land uses.

Objective 6.10: Minimise the requirement for surface car parking through innovative design and the implementation of a Mobility Management Plan for all residential developments.

4.2.7 Sustainable Water Management Objectives

Objective 7.1: Development proposals shall incorporate Sustainable urban Drainage Systems (SuDS) measures in order to facilitate nature-based infrastructure solutions and an urban greening approach.

Objective 7.2: Development proposals shall be designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works (as amended) and have particular regard to Fingal County Council's Green and Blue Infrastructure for Development Guidance Note (November 2021) (and as subsequently amended).

Objective 7.3: Development proposals shall be supported by a Surface Water Management Plan that will comprehensively assess the existing and future surface water network conditions.

Objective 7.4: Development proposals shall provide for separate surface water and wastewater networks in accordance with the Fingal Development Plan and in agreement with Uisce Éireann.

Objective 7.5: Promote the inclusion of rainwater harvesting and grey water reuse measures and other appropriate water-efficient systems within the design of new buildings.

Objective 7.6: Development proposals will only be permitted where it can be clearly demonstrated there is availability of and adequate capacity within the water supply, surface water and wastewater disposal networks and in agreement with Uisce Éireann.

Objective 7.7: Require development proposals to demonstrate that, both individually and cumulatively with other developments, that it would not adversely impact the objectives of the Water Framework Directive.

4.2.8 Creating Communities Objectives

Objective 8.1: Proposals within each character area must clearly demonstrate how they promote balanced development and will contribute to the establishment of sustainable communities.

Objective 8.2: Engage with local community groups and residents and other interested parties to identify the optimal use of proposed community use floorspace.

Objective 8.3: Facilitate and deliver a range of community-related uses in character areas CA1, CA3 and CA4 to encourage community participation while promoting such uses as being flexible in nature to accommodate changing needs over time.

Objective 8.4: Large residential and mixed use development proposals shall be supported by a social infrastructure audit to identify community-related requirements.

Objective 8.5: Community amenities and facilities that will support the future resident population should be multi-functional in use in order to accommodate the needs of all age groups and to promote community cohesion.

Objective 8.6: Development proposals shall incorporate the principles of Universal Design so as to deliver accessible, useable, safe and connected streetscapes and public spaces that will positively influence the quality of life of future residents and promote social interaction.

Objective 8.7: Promote a variety of shared and inclusive open space and recreation areas within each character area that can be accessed by persons of all ages and abilities.

Objective 8.8: Childcare requirements shall be identified within development proposals and brought forward in accordance with the provisions of the Childcare Facilities: Guidelines for Planning Authorities (2001) (and as subsequently amended).

Objective 8.9: Community development proposals shall be supported by the required level of infrastructural services in agreement with the appropriate service providers.

4.2.9 Phasing of Development Objective

Objective 9.1: It is an objective of this Local Area Plan that the central active travel spine and new link street are provided as part of the overall development proposals brought forward in Phase 1.

5 Description of the receiving environment

5.1 Overview of the site

The LAP lands are situated on the northern periphery of Balbriggan and comprise of a number of agricultural fields with an overall rectangular shape. The lands are primarily enclosed by a combination of mature hedgerows and tree lines. Individual field boundaries are also defined by hedgerows.

In terms of physical characteristics, the topography of the LAP lands gradually fall in a west to east direction towards the Irish Sea, from a high point of c.41m OD to c.24m OD over a distance of 1,000 metres.

The LAP lands are situated in close proximity to established residential areas and one-off dwellings including Braemore Cottages located off Flemington Lane to the south. The R132 Route runs parallel to the eastern boundary of the LAP lands. The coastline is situated approximately 700 metres to the east at its closest point.

Lands situated to north of the LAP lands are zoned as 'Rural' (RU) which seeks to '*protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.*'

The LAP lands are 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, 2022* or the *EU Habitats Directive*, are known to occur within the site.

The hedgerows and other features on the site have local ecological value, however no features of any ecological significance in the context of European sites are present within the LAP lands. No evidence of any habitats or species with links to European sites was recorded in the desk study undertaken and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest/Special Conservation Interest species in any European site) are present. The fields are not known to be used by significant numbers of wintering birds (such as light-bellied Brent geese) associated with European sites.

There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the implementation of any elements of the LAP. There is no evidence that the land within the Flemington LAP area in any way acts as an important *ex-situ* site for any European site (SPA) SCIs.

5.2 Watercourses, and pathways to European sites

A review of the Environmental Protection Agency (EPA) web-tool indicates that the LAP lands are located within the Nanny-Delvin catchment (08), Palmerstown (SC_010) and Delvin (SC_010) sub-catchments and the Matt_010 and Delvin_040 river sub-basins.

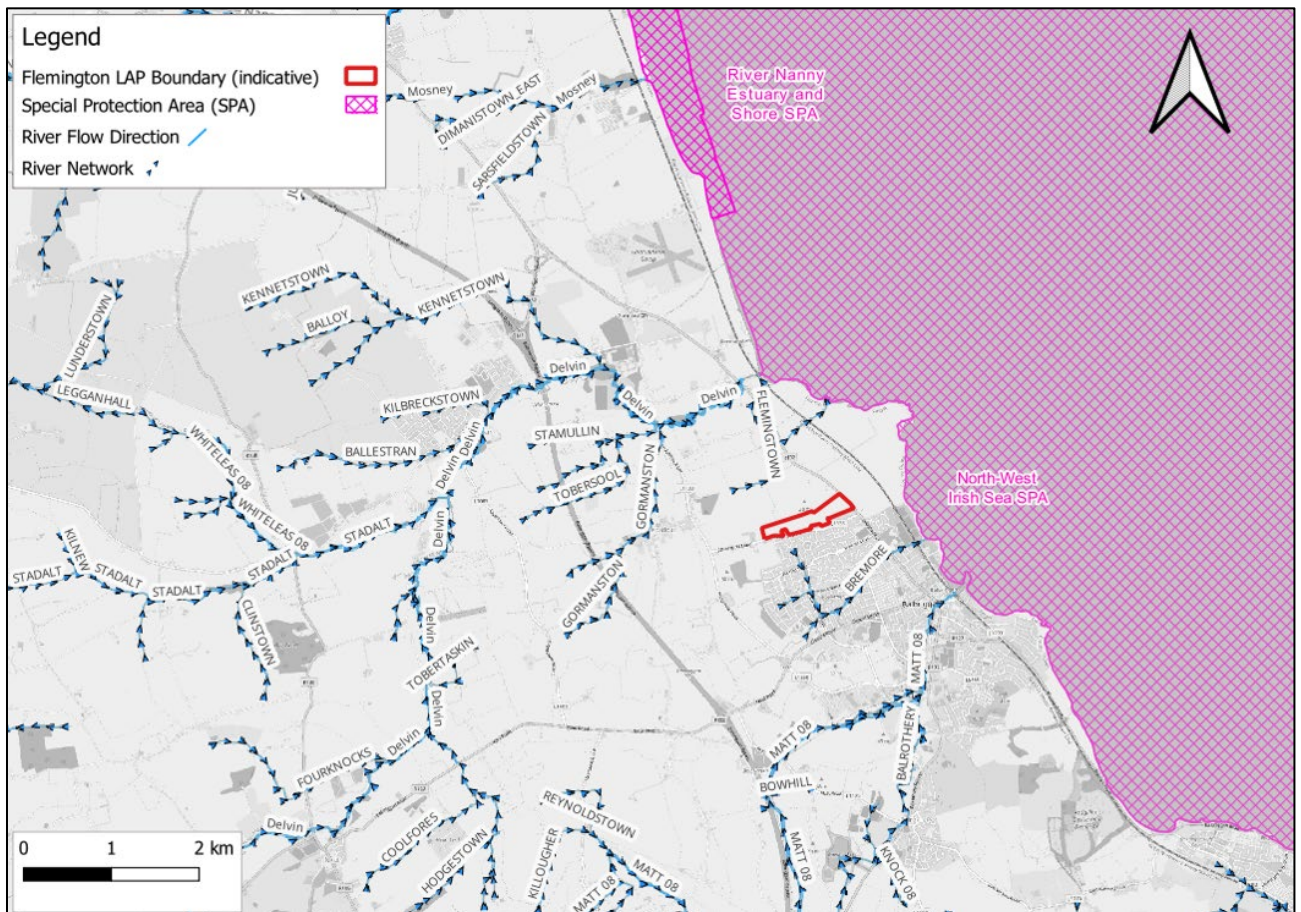
There are no mapped streams within the lands, and no open channels. There is a stream (the Matt_010 (also known as Bremore) stream (EPA Code: IE_EA_08M010900)) to the south of the lands. This very minor watercourse is culverted along much of its length and flows through the northern suburbs of Balbriggan before entering the sea at Tankardstown Bay beach. As per the WFD 2016-2021 status, the Matt_010 Stream is of 'poor' status and are 'At risk' for river waterbodies risk.

Given the nature of the LAP lands and the nature of the watercourses in the immediate area there is no realistic surface water link or pathway between the LAP lands and the European Sites to the east – including the North-West Irish Sea SPA. Refer to **Figure 5.1**.

There is a potential link to coastal European sites via the emission point of the Balbriggan Wastewater Treatment Plant (WwTP) which would be expected to receive foul water flows from the LAP lands. However,

the Balbriggan WwTP operates under licence from the EPA (Licence no. D00023) and as confirmed in the Annual Environmental Report (AER) for 2022² 'the discharge from the wastewater treatment plant does not have an observable negative impact on the Water Framework Directive status.' Further, Objective 7.6 states that *Development proposals will only be permitted where it can be clearly demonstrated there is availability of and adequate capacity within the surface water and wastewater disposal networks and in agreement with Uisce Éireann.*

Figure 5.1 EPA waterbodies in proximity to the Flemington LAP area



5.3 Designated European Sites

The LAP lands at Flemington are not under any designation for nature conservation. There are no European sites in the immediate vicinity.

The nearest sites are as follows (see also Figure 5.2):

- **Special Areas of Conservation (SAC)**
 - Rockabill to Dalkey Island SAC (site code 003000), c.9.3km to the east;
 - Boyne Coast and Estuary SAC (site code 001957), c.9.6km to the north west;
 - Rogerstown Estuary SAC (site codes 000208), c.12.7km to the south east;
 - River Boyne and River Blackwater SAC (site code 002299), c.13.1km to the north west;
 - Malahide Estuary SAC (site code 000205), c.16.2km to the south east;
 - Lambay Island SAC (site code 000204), c. 17.7km to the south east;

² https://www.water.ie/docs/aers/2022/d0023-01_2022_aer.pdf
 Brady Shipman Martin 7140_2024-12-01_RPAA01_02

- Clogher Head SAC (site code 001459), c.18.9km to the north;
- Baldoyle Bay SAC (site code 000199), c.22.6km to the south east;
- Ireland's Eye SAC (site code 002193), c.25km to the south east;

■ **Special Protection Areas (SPA)**

- North-West Irish Sea SPA (site code 004236), c. 1.2km to the east;
- River Nanny Estuary and Shore SPA (site code 004158), c.3.6km to the north west;
- Skerries Islands SPA (site code 004122), c.8.2km to the south east;
- Rockabill SPA (site code 004014), c.9.8km to the east;
- Boyne Estuary SPA (site code 004080), c.11.5km to the north west;
- Rogerstown Estuary SPA (site code 004015), c.12.7km to the south east;
- Malahide Estuary SPA (site code 004025), c.16.2km to the north east;
- River Boyne and River Blackwater SPA (site code 004232), c.16.9km to the north west;
- Lambay Island SPA (site code 004069), c.17.4km to the south east;
- Baldoyle Bay SPA (site code 004016), c.22.6km to the south east;
- Ireland's Eye SPA (site code 004117), c.24.6km to the south east;

Note that the above-listed distances are linear (i.e. 'as the crow flies').

The Conservation Objectives of these sites are to maintain or restore the favourable conservation condition of the QIs / SCIs in question. Where specific conservation objectives have been set out by the NPWS, 'favourable conservation condition' is defined in respect of specific attributes and targets for the habitat or species in question. For further information, refer to **Appendix II**. Site specific detailed conservation objectives are available on the NPWS website³.

5.4 Nationally Designated Sites

Nationally Designated Sites include Natural Heritage Areas (NHAs) which are legally protected areas that are considered important for their habitats, or which holds species of plants and animals whose habitat needs protection. Proposed Natural Heritage Areas (pNHAs) are also of significance for wildlife and habitats but have not yet been statutorily designated. However, under the Wildlife Amendment Act (2000) NHAs are legally protected from damage from the date they are formally proposed for designation⁴.

Designated Sites other than European sites are included in this assessment in order to address their potential to act as supporting sites for the European sites. The NHAs and pNHAs within the Zone of Influence include:

- Natural Heritage Areas (NHA):
 - Skerries Islands NHA (site code 001218), c. 8.2km to the south;
- Proposed Natural Heritage Areas (pNHA):
 - Knock Lake pNHA (site code 001203), c.3.6km to the south;
 - Bog of Ring pNHA (site code 001204), c.4.3km to the south west;
 - Laytown Dunes/Nanny Estuary pNHA (site code 000554), c.5.4km to the north west;
 - Cromwell's Bush Fen pNHA (site code 001576), c.8.5km to the west;
 - Boyne Coast and Estuary pNHA (site code 001957), c.9.6km to the north west;
 - Loughshinny Coast pNHA (site code 002000), c.9.9km to the south east;
 - Rogerstown Estuary pNHA (site code 000208), c.12.6km to the south east;

³ NPWS website 2024: <https://www.npws.ie/protected-sites/conservation-management-planning/conservation-objectives>

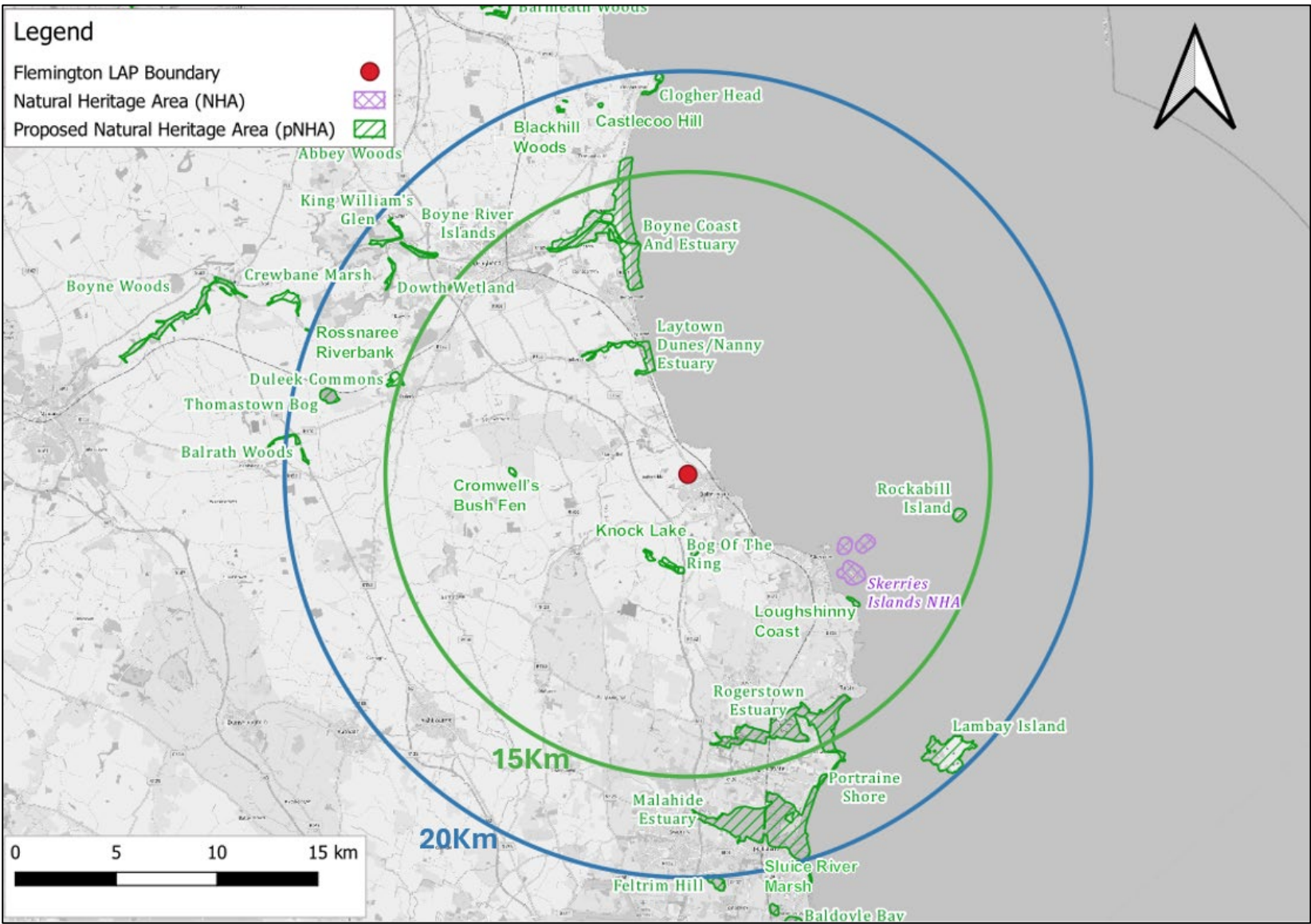
⁴ NPWS website 2024: <https://www.npws.ie/protected-sites/nha>

- Rockabill Islands pNHA (site code 000207), c.13.3km to the south east;
- Duleek Commons pNHA (site code 001578), c.14.8km to the north west;
- Portraine Shore pNHA (site code 001215), c.15.6km to the south east;
- Malahide Estuary pNHA (site code 000205), c.16.2km to the south east;
- Boyne River Islands pNHA (site code 001862), c.16.6km to the north west;
- Dowth Wetlands pNHA (site code 001861), c.17.6km to the north west;
- Lambay Island pNHA (site code 000204), c.17.7km to the south east;
- Thomastown Bog pNHA (site code 001593), c.17.7km to the north west;
- Castlecoo Hill pNHA (site code 001458), c.18.7km to the north west;
- King William's Glen pNHA (site code 001804), c.18.8km to the north west;
- Balrath Woods pNHA (site code 001579), c.18.9km to the north west;
- Blackhall Woods pNHA (site code 001293), c.19km to the north west;
- Clogher Head pNHA (site code 001459), c.19km to the north;
- Feltrim Hill pNHA (site code 001208), c.19.9km to the south;
- Rossnaree Riverbank pNHA (site code 001589), c.20.1km to the north west;
- Crewbrane Marsh pNHA (site code 000553), c.20.9km to the north west;
- Sluice River Marsh pNHA (site code 001763), c.21.7km to the south east;
- Baldoyle Bay pNHA (site code 000199), c. 22.5km to the south east;
- Boyne Woods pNHA (site code 001592), c.23.6km to the north west;
- Santry Demesne pNHA (site code 000178), c.24km to the south west;
- Barmeath Woods pNHA (site code 001801), c.24.4km to the north west;
- Mellifont Abbey Woods pNHA (site code 001464), c.24.7km to the north west;
- Ireland's Eye pNHA (site code 000203), c.25km to the south east;

Note that above distances are as crow flies (i.e. linear distances). No impacts are expected on any pNHA in the zone of influence.

Figure 5.3 illustrates all of the pNHA within the potential Zone of Influence (including those which overlap with European sites).

Figure 5.3 The Flemington LAP, with Nationally designated sites shown



6 Potential Impacts due to the Implementation of the Flemington Local Area Plan

Potential pathways for impacts to European sites are presented in [Table 6.1](#), and an appraisal of the Objectives of the LAP and the likelihood of a significant effect is presented in [Table 6.2](#).

Table 6.1 Potential impacts on designated sites in the potential Zone of Influence

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
Special Areas of Conservation (SAC)			
Rockabill to Dalkey Island SAC (site code 003000), c. 9.3km to the east	<p>[1170] Reefs [1351] Harbour porpoise (<i>Phocoena Phocoena</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 7 May 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible in Rockabill to Dalkey Island SAC.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 9km (straight line distance) from the SAC), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No
Boyne Coast and Estuary SAC (site code 001957), c.	<p>[1130] Estuaries [1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonizing mud and sand</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
9.6km to the north west	<p>[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2110] Embryonic shifting dunes [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') [2130] *Fixed coastal dunes with herbaceous vegetation ('grey dunes')</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 31 October 2012), for the listed QI, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.</p>	<p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the Boyne Coast and Estuary SAC.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 9km (straight line distance) from the SAC), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
Rogerstown Estuary SAC (site codes 000208), c.12.7km to the south east	<p>[1130] Estuaries [1140] Mudflats and sandflats not covered by seawater at low tide [1310] <i>Salicornia</i> and other annuals colonising mud and sand [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 14 August 2013), for the listed QI, the Conservation Objective is to maintain or restore the favourable</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	<p>water quality locally, it is reasonable to assume that this would not be perceptible at the Rogerstown Estuary SAC.</p> <p>This is due to the significant separation between the LAP area and the European site (it is almost 13km (straight line distance) from the SAC), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
River Boyne and River Blackwater SAC (site code 002299), c.13.1km to the north west	<p>[1099] River Lamprey (<i>Lampetra fluviatilis</i>) [1106] Salmon (<i>Salmo salar</i>) [1355] Otter (<i>Lutra lutra</i>) [7230] Alkaline fens [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 3 Dec 2021), for the listed QI, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the River Boyne and River Blackwater SAC.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 13km (straight line distance) from the SAC), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.	
Malahide Estuary SAC (site code 000205), c.16.2km to the south east	<p>[1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonising mud and sand [1320] Spartina swards (<i>Spartinion maritimae</i>) [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 3 Dec 2021), for the listed QI, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the Malahide Estuary SAC.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 16km (straight line distance) from the SAC), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No
Lambay Island SAC (site code 000204), c. 17.7km to the south east	<p>[1170] Reefs [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts [1364] Grey seal (<i>Halichoerus grypus</i>) [1365] Harbour seal (<i>Phoca vitulina</i>)</p> <p>According to this SAC's site Conservation Objectives document (Version 1, dated 22 Jul 2013), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SAC. It is almost 18km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	the Annex I and/or the Annex II species for which the SAC has been selected.	No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.	
Clogher Head SAC (site code 001459), c.18.9km to the north	[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 27 Jan 2017), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no hydrological link or any other pathway between the LAP lands at Flemington and this SAC. It is almost 19km distant and is completely unconnected. There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.	No
Baldoyle Bay SAC (site code 000199), c.22.6km to the south east	[1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonizing mud and sand [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) According to this SAC's site Conservation Objectives document (Version 1, dated 19 November 2012), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no hydrological link or any other pathway between the LAP lands at Flemington and this SAC. It is almost 23km distant and is completely unconnected. There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.	No
Ireland's Eye SAC (site code 002193), c.25km to the south 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 Jan 2017), for the listed QI, the Conservation Objective is to maintain the favourable conservation condition of the Annex I and/or the Annex II species for which the SAC has been selected.	There is no hydrological link or any other pathway between the LAP lands at Flemington and this SAC. It is circa 25km distant and is completely unconnected. There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.	No
Special Protection Area (SPA)			
North-West Irish Sea SPA (site code 004236), c. 1.2km to the east;	[A001] Red-throated Diver (<i>Gavia stellata</i>) [A003] Great Northern Diver (<i>Gavia immer</i>) [A009] Fulmar (<i>Fulmarus glacialis</i>) [A013] Manx Shearwater (<i>Puffinus puffinus</i>)	No significant effects on water quality, and therefore on the site's SCIs, are predicted.	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>[A017] Cormorant (<i>Phalacrocorax carbo</i>) [A018] Shag (<i>Phalacrocorax aristotelis</i>) [A065] Common Scoter (<i>Melanitta nigra</i>) [A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A182] Common Gull (<i>Larus canus</i>) [A183] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A184] Herring Gull (<i>Larus argentatus</i>) [A187] Great Black-backed Gull (<i>Larus marinus</i>) [A188] Kittiwake (<i>Rissa tridactyla</i>) [A192] Roseate Tern (<i>Sterna dougallii</i>) [A193] Common Tern (<i>Sterna hirundo</i>) [A194] Arctic Tern (<i>Sterna paradisaea</i>) [A195] Little Tern (<i>Sterna albifrons</i>) [A199] Guillemot (<i>Uria aalge</i>) [A200] Razorbill (<i>Alca torda</i>) [A204] Puffin (<i>Fratercula arctica</i>) [A862] Little Gull (<i>Hydrocoloeus minutus</i>)</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 19 September 2023), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the North-West Irish Sea SPA.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 1km (straight line distance) from the SPA), and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
River Nanny Estuary and Shore SPA (site code 004158), c.3.6km to the north west;	<p>[A130] Oystercatcher (<i>Haematopus ostralegus</i>) [A137] Ringed Plover (<i>Charadrius hiaticula</i>) [A140] Golden Plover (<i>Pluvialis apricaria</i>) [A143] Knot (<i>Calidris canutus</i>) [A144] Sanderling (<i>Calidris alba</i>) [A184] Herring Gull (<i>Larus argentatus</i>) [A999] Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 21 September 2012), for each of the listed SCIs, the Conservation Objective is to maintain the favourable</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	conservation condition of the species and wetland habitat for which the SPA has been selected.	<p>event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the River Nanny Estuary and Shore SPA.</p> <p>This is due to the significant separation between the LAP area and the European site (it is almost 4km (straight line distance) from the SPA) and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
Skerries Islands SPA (site code 004122), c.8.2km to the south east;	<p>[A017] Cormorant (<i>Phalacrocorax carbo</i>) [A018] Shag (<i>Phalacrocorax aristotelis</i>) [A046] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A148] Purple Sandpiper (<i>Calidris maritima</i>) [A169] Turnstone (<i>Arenaria interpres</i>) [A184] Herring Gull (<i>Larus argentatus</i>)</p> <p>According to this SPA's Site Specific Conservation Objectives document (Version 1.0, dated 19 November 2024), 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..</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at Skerries Islands SPA.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 8km (straight line distance) from the SPA) and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		<p>LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
Rockabill SPA (site code 004014), c.9.8km to the east;	<p>[A148] Purple Sandpiper (<i>Calidris maritima</i>) [A192] Roseate Tern (<i>Sterna dougallii</i>) [A193] Common Tern (<i>Sterna hirundo</i>) [A194] Arctic Tern (<i>Sterna paradisaea</i>)</p> <p>According to this SPA's Conservation Objectives document (Version 1.0, dated 8 May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the Rockabill SPA.</p> <p>This is due to the significant separation between the LAP area and the European site (it is almost 10km (straight line distance) from the SPA) and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No
Boyne Estuary SPA (site code 004080), c.11.5km to the north west;	<p>[A048] Shelduck (<i>Tadorna tadorna</i>) [A130] Oystercatcher (<i>Haematopus ostralegus</i>) [A140] Golden Plover (<i>Pluvialis apricaria</i>) [A141] Grey Plover (<i>Pluvialis squatarola</i>) [A142] Lapwing (<i>Vanellus vanellus</i>)</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially contain pollutants</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>[A143] Knot (<i>Calidris canutus</i>) [A144] Sanderling (<i>Calidris alba</i>) [A156] Black-tailed Godwit (<i>Limosa limosa</i>) [A162] Redshank (<i>Tringa tetanus</i>) [A169] Turnstone (<i>Arenaria interpres</i>) [A195] Little Tern (<i>Sterna albifrons</i>) [A999] Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 8 May 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.</p>	<p>(foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the Boyne Estuary SPA.</p> <p>This is due to the significant separation between the LAP area and the European site (it is over 11km (straight line distance) from the SPA) and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
<p>Rogerstown Estuary SPA (site code 004015), c.12.7km to the south east;</p>	<p>[A043] Greylag Goose (<i>Anser anser</i>) [A046] Brent Goose (<i>Branta bernicla hrota</i>) [A048] Shelduck (<i>Tadorna tadorna</i>) [A056] Shoveler (<i>Anas clypeata</i>) [A130] Oystercatcher (<i>Haematopus ostralegus</i>) [A137] Ringed Plover (<i>Charadrius hiaticula</i>) [A141] Grey Plover (<i>Pluvialis squatarola</i>) [A143] Knot (<i>Calidris canutus</i>) [A149] Dunlin (<i>Calidris alpina alpina</i>) [A156] Black-tailed Godwit (<i>Limosa limosa</i>) [A16]2 Redshank (<i>Tringa tetanus</i>) [A999] Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1, dated 20 May 2013), for each of the listed SCIs, the</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during any construction arising as a result of the implementation of the objectives of the LAP could potentially 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 from there, eventually, to the sea.</p> <p>There would be no significant effects on the conservation objectives of the European site should this occur, given the nature and location of the LAP lands at Flemington and the policies and objectives set out in the LAP. Even in the event of a pollution incident significant enough to impact upon surface/ground water quality locally, it is reasonable to assume that this would not be perceptible at the Rogerstown Estuary SPA.</p>	<p>No</p>

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>This is due to the significant separation between the LAP area and the European site (it is almost 13km (straight line distance) from the SPA) and the lack of a realistic pathway. In addition, significant dilution and mixing of surface and sea water would occur.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP. The LAP lands, comprising agricultural fields, are of no value to the SCI species of this SPA.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	
<p>Malahide Estuary SPA (site code 004025), c.16.2km to the north east;</p>	<p>[A005] Great Crested Grebe (<i>Podiceps cristatus</i>) [A046] Brent Goose (<i>Branta bernicla hrota</i>) [A048] Shelduck (<i>Tadorna tadorna</i>) [A054] Pintail (<i>Anas acuta</i>) [A067] Goldeneye (<i>Bucephala clangula</i>) [A069] Red-breasted (<i>Merganser Mergus serrator</i>) [A130] Oystercatcher (<i>Haematopus ostralegus</i>) [A140] Golden Plover (<i>Pluvialis apricaria</i>) [A141] Grey Plover (<i>Pluvialis squatarola</i>) [A143] Knot (<i>Calidris canutus</i>) [A149] Dunlin (<i>Calidris alpina alpina</i>) [A156] Black-tailed Godwit (<i>Limosa limosa</i>) [A157] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A162] Redshank (<i>Tringa tetanus</i>) [A999] Wetlands</p> <p>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.</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SPA. It is over 16km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	<p>No</p>

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
River Boyne and River Blackwater SPA (site code 004232), c.16.9km to the north west;	<p>[A229] Kingfisher</p> <p>According to this SPA's Conservation Objectives document (Version 1.0, dated 2 July 2024 for the list SCI, the Conservation Objective is to maintain the favourable conservation condition of the bird species listed as a Special Conservation Interest for this SPA.</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SPA. It is almost 17km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No
Lambay Island SPA (site code 004069), c.17.4km to the south east;	<p>[A009] Fulmar (<i>Fulmarus glacialis</i>) [A017] Cormorant (<i>Phalacrocorax carbo</i>) [A018] Shag (<i>Phalacrocorax aristotelis</i>) [A043] Greylag Goose (<i>Anser anser</i>) [A183] Lesser Black-backed Gull (<i>Larus fuscus</i>) [A184] Herring Gull (<i>Larus argentatus</i>) [A188] Kittiwake (<i>Rissa tridactyla</i>) [A199] Guillemot (<i>Uria aalge</i>) [A200] Razorbill (<i>Alca torda</i>) [A204] Puffin (<i>Fratercula arctica</i>)</p> <p>According to this SPA's Site-specific Conservation Objectives document (Version 1.0, dated 19 November 2024), 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.</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SPA. It is over 17km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No
Baldoyle Bay SPA (site code 004016), c.22.6km to the south east	<p>[A046] Brent Goose (<i>Branta bernicla hrota</i>) [A048] Shelduck (<i>Tadorna tadorna</i>) [A137] Ringed Plover (<i>Charadrius hiaticula</i>) [A140] Golden Plover (<i>Pluvialis apricaria</i>) [A141] Grey Plover (<i>Pluvialis squatarola</i>) [A157] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A999] Wetlands</p> <p>According to this SPA's site Conservation Objectives document (Version 1 - dated 27 February 2013), for each of the listed SCIs, the</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SPA. It is over 22km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No

Site	Reasons for designation (information correct as of December 2024) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.		
Ireland's Eye SPA (site code 004117), c.24.6km to the south east	<p>[A017] Cormorant (<i>Phalacrocorax carbo</i>) [A184] Herring Gull (<i>Larus argentatus</i>) [A188] Kittiwake (<i>Rissa tridactyla</i>) [A199] Guillemot (<i>Uria aalge</i>) [A200] Razorbill (<i>Alca torda</i>)</p> <p>According to this SPA's Site-specific Conservation Objectives document (Version 1.0, dated 12 November 2024), 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.</p>	<p>There is no hydrological link or any other pathway between the LAP lands at Flemington and this SPA. It is almost 25km distant and is completely unconnected.</p> <p>There will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the implementation of the objectives of the LAP.</p> <p>No operational impacts on this European site are envisaged as a result of the implementation of the objectives of the LAP.</p>	No

Table 6.2 Appraisal of the Objectives of the LAP and the likelihood of a significant effect

Objective	Discussion	Likely Significant Effect?
<p>Vision</p> <p><i>“The shared vision for Flemington is to promote the sustainable development of the LAP lands at a level that is appropriate for the existing local context through the delivery of a new residential neighbourhood that will offer a variety of new homes and a quality place to live. The new residential neighbourhood will be supported by community facilities, high quality public open space and active travel measures that will meet the needs of the future population in the area and generate a strong sense of community.”</i></p>	<p>The Vision for the LAP is focussed on sustainable development, appropriate to the site and its context. No specific projects are set out in the Vision and no significant effects on European sites will arise.</p>	<p>No</p>
<p>Key Themes and strategic Objectives</p> <p>Homes for All Strategic Objective: <i>Promote mixed typologies, tenures and sizes of residential development that will accommodate a diverse range of identified local housing requirements and assist with promoting balanced community development.</i></p> <p>Creating Communities Strategic Objective: <i>Support the provision of socially inclusive community development and associated infrastructure that will contribute to the growth and development of a new residential neighbourhood, thereby creating a sustainable community where residents will enjoy a good quality of life.</i></p> <p>Active Travel Strategic Objective: <i>Facilitate the use of active modes of travel through the delivery of physical infrastructure that promotes sustainable movement by walking and cycling modes within a connected, legible and accessible residential neighbourhood.</i></p> <p>Green Spaces & Public Spaces Strategic Objective: <i>Identify the appropriate locations within the LAP lands to facilitate a variety of high quality green spaces and public spaces that appropriately complement the built form and which provide attractive, safe and inclusive amenity areas for residents.</i></p>	<p>Homes for All This Objective will support sustainable development within the LAP lands. Delivering a range of housing types is not likely to result in significant effects on any European sites.</p> <p>Creating Communities This Objective will support sustainable development within the LAP lands. Delivering socially inclusive housing is not likely to result in significant effects on any European sites.</p> <p>Active Travel This Objective will support sustainable development within the LAP lands. Facilitating sustainable active travel is not likely to result in significant effects on any European sites.</p> <p>Green Spaces & Public Spaces This Objective will support sustainable development within the LAP lands. Delivering a range of housing types is not likely to result in significant effects on any European sites.</p>	<p>No</p>

Objective	Discussion	Likely Significant Effect?
<p>Character Areas Strategic Objective: <i>Implement a development approach for the future growth of the LAP lands that identifies individual character areas that will support a variety of residential, commercial and community development, public open space areas and active travel infrastructure in order to achieve balanced community development.</i></p> <p>Environment Strategic Objective: <i>Ensure the future growth of the LAP lands are undertaken in a manner that is sustainable over the long term, where new development proposals can assist with decarbonising the built environment while mitigating any significant impacts upon the natural green and blue environment.</i></p>	<p>Character Areas This Objective will support sustainable development within the LAP lands. Delivering a variety of uses in each character area, resulting in balanced community development is not likely to result in significant effects on any European sites.</p> <p>Environment This Objective will support sustainable development within the LAP lands. No specific projects arise that are likely to result in significant effects on any European sites.</p>	
<p>Environmental and Sustainability Objectives</p> <p>Objective 4.1: <i>Development of the LAP lands will be undertaken in a sustainable manner so as to assist with County’s decarbonisation targets as set out within the Fingal County Council Climate Action Plan 2024-2029.</i></p> <p>Objective 4.2: <i>Planning applications for new proposals should, in terms of best practice, be accompanied by a Sustainability Statement (or similar) detailing the overall sustainability of the proposed scheme.</i></p> <p>Objective 4.3: <i>Development of each character area should seek to maximise its biodiversity value through the inclusion of an interconnected network of green and blue infrastructure that will maximise the biodiversity value of the LAP lands.</i></p> <p>Objective 4.4: <i>Development proposals within each character area shall be accompanied by botanical tree and hedgerow surveys and should seek to retain existing trees and hedgerows in so far as possible in order to protect the biodiversity value of the LAP lands.</i></p> <p>Objective 4.5: <i>Planting plans will accompany development proposals and provide detailed information regarding the retention, removal and new planting of hedgerow and trees and other vegetation as appropriate. Development proposals shall also be accompanied by bird surveys.</i></p>	<p>All of the Environmental and Sustainability Objectives are intended to ensure that any development that arises as a result of the implementation of the LAP is sustainable. They prioritise environmental protections and enhancements, and contribute positively to Fingal County Council’s intention to have a positive effect on the environment, with measures to address climate change and biodiversity enhancement incorporated.</p> <p>The implementation of these Environmental and Sustainability Objectives is not likely to result in significant effects on any European sites.</p>	No

Objective	Discussion	Likely Significant Effect?
<p>Objective 4.6: Development proposals shall be sensitively designed in order to account of the existing local landscape character of the LAP lands.</p> <p>Objective 4.7: Planning applications shall clearly demonstrate that development proposals on the LAP lands will not result in any adverse impacts upon archaeology or the built heritage.</p> <p>Objective 4.8: All new buildings shall be designed to be as energy efficient as possible and to be constructed from materials that have low to zero embodied energy and CO₂ emissions.</p> <p>Objective 4.9: Support and promote best practice in the use of renewable energy infrastructure and technologies in all new residential, commercial and community buildings.</p> <p>Objective 4.10: New residential, commercial and community developments will be encouraged to explore the possibility of providing on-site energy production, where feasible, as part of development proposals.</p> <p>Objective 4.11: The objectives and actions as contained within the Fingal Biodiversity Action Plan 2023-2030 shall be taken into consideration for all development proposals.</p>		
<p>Character Area Objectives</p> <p>Objective 5.1: Facilitate the sustainable development of the LAP lands in collaboration with landowners and stakeholders.</p> <p>Objective 5.2: Support new proposals that have due regard to the identified character areas in order to promote a co-ordinated development strategy across the entirety of the LAP lands.</p> <p>Objective 5.3: Ensure proposals provide for an appropriate level of connectivity and sustainable linkage between the character areas in order to prevent piecemeal development.</p> <p>Objective 5.4: Proposals within each character area must provide a variety of residential development that will be suitably complemented by shared open space areas, public realm and active travel routes.</p> <p>Objective 5.5: Design of new proposals must take account of the requirement to facilitate the development of a central active travel spine through the entirety of</p>	<p>All of the Character Area Objectives are intended to ensure that any development that arises as a result of the implementation of the LAP is sustainable. They support the creation of high-quality building and connected spaces, with high-quality open space and public realm areas, as well as active travel routes, for all tenure types and community requirements.</p> <p>The implementation of these Character Area Objectives is not likely to result in significant effects on any European sites.</p>	<p>No</p>

Objective	Discussion	Likely Significant Effect?
<p>the LAP lands commencing in CA4 at Flemington Lane (west) and terminating in CA1 on the R132 Route (east).</p> <p>Objective 5.6: Provide good quality housing that can accommodate specific needs through the provision of a range of typologies and unit sizes and, in particular, the housing requirements of the elderly, marginalised groups and those with disabilities.</p> <p>Objective 5.7: Promote and encourage a Universal Design approach for all new development within each character area in order to facilitate an inclusive and sustainable urban environment (as per Policy SPQHPO6 of the Fingal Development Plan).</p> <p>Objective 5.8: Design of new housing should take account of the occupier as they age and incorporate flexible and adaptable layouts.</p> <p>Objective 5.9: Enhance the visual quality of the streetscape by requiring residential development to have frontage onto Flemington Lane so as to assist with fostering a sense of community engagement within a pedestrian-friendly streetscape.</p> <p>Objective 5.10: Promote high standards of building facade design to ensure integration with the existing local context thereby enhancing visual character and sense of place.</p> <p>Objective 5.11: Ensure that public open space and recreation areas are appropriately located so as to avail of passive surveillance so as to safeguard the welfare and safety of users.</p> <p>Objective 5.12: The hierarchy of proposed open space areas within the character areas shall conform with Table 4.2 ('Public Open Space and Play Space Hierarchy and Accessibility Standards') of the Fingal Development Plan.</p> <p>Objective 5.13: Planning applications for all medium to large scale proposals shall be accompanied by a Design Statement that clearly demonstrates compliance with Development Standards and addresses the contextual and design issues that have been considered as part of the proposal.</p>		
<p>Movement and Transport Objectives</p> <p>Objective 6.1: Ensure delivery of the appropriate infrastructure in line with the proposed hierarchy of streets and in accordance with the Design Manual for</p>	<p>All of the Movement and Transport Objectives are intended to ensure that any development that arises as a result of the implementation of the LAP is sustainable.</p>	<p>No</p>

Objective	Discussion	Likely Significant Effect?
<p><i>Urban Roads and Streets and the Cycle Design Manual to function as urban streets and to accommodate multi-modal movements, create a sense of place and contribute to the public realm.</i></p> <p>Objective 6.2: <i>Deliver the link street and necessary works for residential development as provided for within the Fingal Development Plan and in accordance with the Phasing Strategy set out in Chapter 9 of this Plan.</i></p> <p>Objective 6.3: <i>Provide safe walking and cycling links within the character areas in order to support a comprehensive sustainable movement network with appropriate directional signage including cyclist priority crossings and cycling parking.</i></p> <p>Objective 6.4: <i>Provide two new Active Travel Hubs, one at the northern gateway in CA1 along the R132 Route and a second hub on Flemington Lane in CA4.</i></p> <p>Objective 6.5: <i>Ensure that engagement with residents, businesses, and transportation providers is undertaken in understanding their needs and ensuring that the Active Travel Hubs serve the community effectively.</i></p> <p>Objective 6.6: <i>Facilitate a central active travel spine commencing in CA5 at Flemington Lane (west) and terminating in CA1 on the R132 Route (east) in order to promote sustainable movement for future residents.</i></p> <p>Objective 6.7: <i>Promote increased active travel linkages from the character areas onto Flemington Lane in order to facilitate increased permeability and sustainable travel patterns.</i></p> <p>Objective 6.8: <i>Examine the feasibility of providing a new signalised pedestrian/cyclist crossing on the R132 Route so as to provide increased and safe connectivity with the LAP lands.</i></p> <p>Objective 6.9: <i>Promote the provision of reduced parking standards for residential and commercial land uses.</i></p> <p>Objective 6.10: <i>Minimise the requirement for surface car parking through innovative design and the implementation of a Mobility Management Plan for all residential developments.</i></p>	<p>The objectives prioritise active travel, reduced parking and safe and easy access to Balbriggan and beyond.</p> <p>The implementation of these Movement and Transport Objectives is not likely to result in significant effects on any European sites.</p>	

Objective	Discussion	Likely Significant Effect?
<p>Sustainable Water Management Objectives</p> <p><i>Objective 7.1: Development proposals shall incorporate Sustainable urban Drainage Systems (SuDS) measures in order to facilitate nature-based infrastructure solutions and an urban greening approach.</i></p> <p><i>Objective 7.2: Development proposals shall be designed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works (as amended) and have particular regard to Fingal County Council’s Green and Blue Infrastructure for Development Guidance Note (November 2021) (and as subsequently amended).</i></p> <p><i>Objective 7.3: Development proposals shall be supported by a Surface Water Management Plan that will comprehensively assess the existing and future surface water network conditions.</i></p> <p><i>Objective 7.4: Development proposals shall provide for separate surface water and wastewater networks in accordance with the Fingal Development Plan and in agreement with Uisce Éireann.</i></p> <p><i>Objective 7.5: Promote the inclusion of rainwater harvesting and grey water reuse measures and other appropriate water-efficient systems within the design of new buildings.</i></p> <p><i>Objective 7.6: Development proposals will only be permitted where it can be clearly demonstrated there is availability of and adequate capacity within the water supply, surface water and wastewater disposal networks and in agreement with Uisce Éireann.</i></p> <p><i>Objective 7.7: Require development proposals to demonstrate that, both individually and cumulatively with other developments, that it would not adversely impact the objectives of the Water Framework Directive.</i></p>	<p>All of the Sustainable Water Management Objectives are intended to ensure that any development that arises as a result of the implementation of the LAP is sustainable. The implementation of SuDS measures and nature-based solutions as part of surface water management in all developments across the LAP area will enable the creation of a sustainable community at Flemington.</p> <p>The implementation of these Sustainable Water Management Objectives is not likely to result in significant effects on any European sites.</p>	No
<p>Creating Communities Objectives</p> <p><i>Objective 8.1: Proposals within each character area must clearly demonstrate how they promote balanced development and will contribute to the establishment of sustainable communities.</i></p>	<p>All of the Creating Communities Objectives are intended to ensure that any development that arises as a result of the implementation of the LAP is sustainable. They support the creation of high-quality, connected communities, with the incorporation of community facilities into the LAP lands. The use of universal design and the creation of shared and inclusive spaces for residents and community groups will foster a sense of identity and community at Flemington.</p>	No

Objective	Discussion	Likely Significant Effect?
<p>Objective 8.2: Engage with local community groups and residents and other interested parties to identify the optimal use of proposed community use floorspace.</p> <p>Objective 8.3: Facilitate and deliver a range of community-related uses in character areas CA1, CA3 and CA4 to encourage community participation while promoting such uses as being flexible in nature to accommodate changing needs over time.</p> <p>Objective 8.4: Large residential and mixed use development proposals shall be supported by a social infrastructure audit to identify community-related requirements.</p> <p>Objective 8.5: Community amenities and facilities that will support the future resident population should be multi-functional in use in order to accommodate the needs of all age groups and to promote community cohesion.</p> <p>Objective 8.6: Development proposals shall incorporate the principles of Universal Design so as to deliver accessible, useable, safe and connected streetscapes and public spaces that will positively influence the quality of life of future residents and promote social interaction.</p> <p>Objective 8.7: Promote a variety of shared and inclusive open space and recreation areas within each character area that can be accessed by persons of all ages and abilities.</p> <p>Objective 8.8: Childcare requirements shall be identified within development proposals and brought forward in accordance with the provisions of the Childcare Facilities: Guidelines for Planning Authorities (2001) (and as subsequently amended).</p> <p>Objective 8.9: Community development proposals shall be supported by the required level of infrastructural services in agreement with the appropriate service providers.</p>	<p>The implementation of these Objectives is not likely to result in significant effects on any European sites.</p>	
<p>Phasing of Development Objective</p> <p>Objective 9.1: It is an objective of this Local Area Plan that the central active travel spine and new link street are provided as part of the overall development proposals brought forward in Phase 1.</p>	<p>The Phasing of Development Objective is intended to ensure that development that arises as a result of the implementation of the LAP is sustainable by prioritising active travel at the very start of the implementation process</p> <p>The implementation of this Objective is not likely to result in significant effects on any European sites.</p>	<p>No</p>

6.1 Description of any likely direct, indirect or secondary impacts of the LAP on European sites by virtue of:

6.1.1 Size and Scale

The Flemington LAP area is located in north Balbriggan, the largest of the Self-Sustaining Towns in the Core Area of Fingal County Council. The lands comprise a number of parcels of agricultural land measuring a total area of c.17.4 hectares. The lands are located adjacent and north of Flemington Lane and adjacent and west of the R132 Route.

Within the Fingal Development Plan 2023-2029, the identified lands are situated within the Balbriggan development boundary and are subject to the 'Residential Area' (RA) zoning objective.

South of the LAP lands are established residential areas while to the north and west are Greenbelt zoned lands (zoning objective 'GB') and lands zoned for rural development objectives (zoning objective 'RU').

The size and scale of the Flemington LAP will not result in any impacts that have the potential, alone or in combination with other plans or projects, to result in likely significant effects to European Sites.

6.1.2 Land take

There is no land take from any European site required to implement the Plan.

6.1.3 Distance from European Sites

The implementation of the Flemington LAP would not give rise to any potential impacts on European sites owing to the limited scale, nature and character of the LAP. There is no realistic pathway to the nearest European site, North-West Irish Sea SPA, nor to any other European site.

6.1.4 Resource requirements

There are no resource requirements from any European site as a result of the Flemington LAP.

6.1.5 Emissions (to land, water or air)

The LAP is limited in nature and scale and will not result in significant effects on the environment. Existing and future surface and foul water infrastructure will be able to accommodate developments arising. There will be no significant effect on the environment arising from the implementation of the LAP. All development arising as a result of the Plan will be guided by the development management policies and objectives of the Fingal Development Plan 2023-2029.

6.1.6 Excavation requirements

There are no excavation requirements from any European site as a result of the implementation of the Flemington LAP.

6.1.7 Transport requirements

There are no transport requirements related to any European site as a result of the implementation of the Flemington LAP.



6.2 Description of any likely changes arising as a result of:

6.2.1 Reduction in habitat area

The Flemington LAP proposes no reductions in habitat area in any European site.

6.2.2 Disturbance to key species

The implementation of the Flemington LAP will not result in any disturbance to key species, in designated sites and elsewhere. No habitat or species disturbance will arise.

6.2.3 Habitat or species fragmentation

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

6.2.4 Reduction in species density

The Flemington LAP will not result in any effects that have the potential to result in reduction in the extent of the qualifying habitats of European Sites, disturb qualifying species of European Sites in the wider surrounding area or affect species population.

6.2.5 Changes in key indicators of conservation value

The Flemington LAP will not result in any changes to key indicators of conservation value. The LAP will not result in any interference with the key relationships that define the structure or function of any European site.

6.2.6 Climate change

All development arising as a result of implementation of the Flemington LAP will be guided by the development management policies and objectives of the Fingal Development Plan 2023-2029 and the current Fingal Climate Action Plan. The implementation of the Flemington LAP will not result in any impacts on or due to climate change.

6.3 Description of any likely impacts on European sites in terms of:

6.3.1 Interference with the key relationships that define the structure of the site

The implementation of the Flemington LAP will result in no interference with the key relationships that define the structure of any European site.

6.3.2 Interference with the key relationships that define the function of the site

The implementation of the Flemington LAP will result in no interference with the key relationships that define the function of any European site.

6.4 Summary of potential impacts of the implementation of the Local Area Plan

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 implementation of the Plan. 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:



- Habitat loss and/or fragmentation;
- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution / vibration impacts;
- Light pollution;
- Emissions to air (including dust);
- Emissions to water.

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 Public Consultation – Draft Flemington Local Area Plan

The Draft Flemington Local Area Plan went on public display from Tuesday 10 September 2024 to Tuesday 22 October 2024 (inclusive of both dates) at the Fingal County Council Offices at County Hall, Main Street, Swords, County Dublin and Grove Road, Blanchardstown, Dublin 15, as well as at Balbriggan Library, George’s Square, Balbriggan, County Dublin and on the County Council’s online portal: <https://consult.fingal.ie/en/browse>.

The Draft Plan was screened for the requirement for Appropriate Assessment (AA) (BSM, September 2024) and Strategic Environmental Impact Assessment (SEA) (BSM, September 2024). The screening of the Draft Plan for the requirement for SEA included a screening against the criteria set out in Schedule 2A of S.I. 436/2004, as amended by S.I. 201/2011 (refer to Section 4.2 of the Screening Report for SEA). The finding of the screening assessments was that the Draft Flemington Local Area Plan would not give rise to likely significant effects on the environment, including on European sites, and therefore, would not require Appropriate Assessment or Strategic Environmental Assessment.

A total of 22 no. submissions were received in relation to the Draft Flemington Local Area Plan during the public display period, including submissions from Transport Infrastructure Ireland (TII), the Environmental Protection Agency (EPA), Meath County Council (MCC), the Department of Transport (DoT), the Department of the Environment, Climate and Communications (DECC), the National Environmental Health Service (EHS) of the Health Services Executive (HSE), the Office of Public Works (OPW), the Department of Education (DoEd), the Department of Housing, Local Government and Heritage (DoHLGH), the Office of the Planning Regulator (OPR), Uisce Éireann (UÉ), the National Transport Authority (NTA) and others.

The Chief Executive prepared a report on the Submissions and Observations received on the Draft Flemington Local Area Plan and circulated the report to the Members. The Chief Executive Report responds to each of the submissions and observations and sets out a number of proposed recommendations for non-material amendments to the Draft Plan.

The non-material amendments were screened for the requirement for Appropriate Assessment and Strategic Environmental Assessment and no likely significant environmental effects were identified. Refer to **Table 7.1** below.

In conclusion, the proposed non-material amendments do not result in likely or potential adverse impacts on the environment or on European sites and as such do not require Appropriate Assessment and / or Strategic Environmental Assessment.



A meeting of Fingal County Council was held on 09 December 2024 at which the Draft Flemington Local Area Plan and the Chief Executive's Report on Submissions and Observations were discussed. All of the recommendations in the Chief Executive's Report were accepted.

In the following table, text deleted from the Draft Local Area Plan is shown ~~red strikethrough~~, while new text is shown *green italic*.



Flemington Local Area Plan

Appropriate Assessment Screening Report

Table 7.1 Screening of the Recommended Non-material Amendments for Appropriate Assessment (AA) and for Strategic Environmental Assessment (SEA)

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
<p>CER 1 Executive Summary Public Consultation</p>	<p>Amend as follows: The statutory public consultation period for the Draft Flemington LAP will take <i>took</i> place between 10th September 2024 and 22nd October 2024. <i>A total of 22 no. submissions were received.</i></p>	<p>The recommended amendment provides for update on the progress of the preparation of the local area plan. No potential environmental effects arise. AA is not required. SEA in not required.</p>
<p>CER 2 CH 1 Introduction and Background Section 1.4 Pre-Draft Public Consultation</p>	<p>Amend as follows: 1.4 Pre-Draft Public Consultation The statutory public consultation period for the Draft Flemington LAP will take <i>took</i> place between 10th September 2024 and 22nd October 2024. <i>A total of 22 no. submissions were received.</i> Once the public consultation period has closed, the Council will consider <i>considered</i> all submissions received in the preparation of the Draft Flemington Local Area Plan. Elected Members will then decide to adopt the LAP or to make alterations.</p>	<p>The recommended amendment provides for update on the progress of the preparation of the local area plan. No potential environmental effects arise. AA is not required. SEA in not required.</p>
<p>CER 3 CH 7 Sustainable Water Management Section 7.7 Water Infrastructure Challenges and Opportunities</p>	<p>Under Heading Challenges, text to be amended as follows: The capacity of the existing surface water drainage network in the Balbriggan area must be assessed regarding the expected demand of the development. If there is no capacity for the additional surface water, a new outfall will be required.</p>	<p>The recommended amendment provides for clarification in relation to surface water treatment for the local area plan lands.</p>

Flemington Local Area Plan

Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
	<p>Insert amending text as follows:</p> <p><i><u>The Sustainable Drainage Strategy (SDS) outlines that infiltration is likely to be feasible at the site (subject to standard infiltration / percolation testing as part of detailed design) which would be preferred to other forms of discharge from the site in line with the SuDS discharge hierarchy. In the event that infiltration is shown not to be entirely feasible, in the absence of open channel watercourses, any discharge would be to the surface water sewer network. In such event the capacity of the existing surface water drainage network must be assessed regarding the expected demand of the development. In the event of insufficient capacity and / or absence of available connection point, new connections / sections of sewer may be required. It is noted that in line with requirements of the SDS and Fingal CDP, flow from the site will be required to be limited to greenfield (i.e. pre-development) runoff rate and achieve sufficient pollutant removal in line with SDS and CIRIA SuDS Manual to ensure no increase in flood risk and enhancement of water quality both on- and off-site.</u></i></p>	<p>No potential environmental effects arise.</p> <p>AA is not required.</p> <p>SEA in not required.</p>
<p>CER 4 CH 6 Movement and Transport Figure 6.5 Walking Isochrones Map.</p>	<p>Update Figure 6.5 as follows:</p> <p><i><u>Include the town bus route alignment.</u></i></p>	<p>The recommended amendment provides for update on public transport bus route alignment.</p> <p>No potential environmental effects arise.</p> <p>AA is not required.</p> <p>SEA in not required.</p>
<p>CER 5 Replace and update the following images to address cartographical error</p>	<p><i><u>Figure 1.1 Location of LAP Lands; Character Areas image on page 15; Figure 3.1 Proposed Flemington LAP Development Layout; Figure 4.3 Hedgerow locations; Figure 5.1 Character Areas; Figure 5.2 Character Area 1; Figure 5.5</u></i></p>	<p>The recommended amendment provides for update to 14 figures in</p>



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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
	<p><i><u>Character Area 2; Figure 5.6 Character Area 3; Figure 5.7 Character Area 4; Figure 6.5 Walking Isochrones Map, Figure 6.8 LAP Street Hierarchy; Figure 6.10 Options for Active Travel Linkages onto Flemington Lane and the R132 Route, Figure 7.3 SuDS Concept Masterplan; Figure 8.3 proposed Community Uses in Character Area 1 adjacent to Plaza area and Active Travel Hub; Figure 9.1 Phasing of development.</u></i></p>	<p>the draft local area plan, which corrects a cartographical error. No potential environmental effects arise. AA is not required. SEA in not required.</p>
<p>CER 6 Amend and update land area values as follows to address cartographical error</p>	<p>Executive Summary Page 5 Replace c.17.4 hectares (gross) with 17.2 hectares (gross) CH 1 Introduction and Background Section 1.2 Flemington Page 7 Replace c.17.4 hectares with <i>c.17.2 hectares</i> CH 5 Character Areas Table-Character Area 1 Page 24 Replace Gross Development Area c.5.57 hectares with <i>c.5.6 hectares</i> CH 5 Character Areas Character Table -Character Area 4 Page 27 Replace Gross Development Area c.4.57 hectares with <i>c.4.4 hectares</i></p>	<p>The recommended amendment provides for an update to land area values, which corrects a cartographical error. The changes in the figures presented are marginal and not significant. No potential environmental effects arise. AA is not required. SEA in not required.</p>
<p>CE OPR CH 5 Character Areas Section 5.7 Character Areas Objectives</p>	<p>Insert new Objective (5.14) Character Areas Objectives as follows: <i><u>5.14 Proposals for residential development within each character area will be required to accord with the density ranges as set out for Key Town / Large Town (Suburban/Urban Extension) within the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (or any update thereof).</u></i></p>	<p>The recommended amendment ensures that the local area plan will comply with National Guidelines / Policy for residential densities. Potential positive environmental effects. No potential adverse environmental effects arise.</p>

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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
		AA is not required. SEA in not required.
CE OPR CH 6 Movement and Transport Section 6.8 Movement and Transport Objectives	Insert new Objective (6.11) in Section 6.8 Movement and Transport Objectives as follows: <i><u>6.11 Engage with transport providers regarding improvements in public transport accessibility within the LAP area, in order to develop an integrated, inclusive, and accessible network that supports all residents, including those with mobility challenges, to reach essential services, employment, and recreational destinations.</u></i>	The recommended amendment confirms the requirement to engage with transport providers in terms of improvements in public transport accessibility. Potential positive environmental effects. No potential adverse environmental effects arise. AA is not required. SEA in not required.
CE OPR CH 6 Movement and Transport Figure 6.10	Amend Figure 6.10 as follows: <i><u>Image to illustrate existing bus stops and routes together with the manner in which proposed LAP active travel measures link with existing public transport.</u></i>	The recommended amendment provides for update on public transport bus routes and links. No potential environmental effects arise. AA is not required. SEA in not required.
CE NTA CH 6 Movement and Transport Figure 6.5 Walking Isochrones Map	Update Figure 6.5 Walking Isochrones Page 32 to include town bus route alignment	The recommended amendment provides for update on public transport bus route alignment.



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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
		No potential environmental effects arise. AA is not required. SEA in not required.
CE APP III Surface Water Management Plan and Strategic Flood Risk Assessment	Update Appendix III Strategic Flood Risk Assessment to reflect the requirements of the OPW. Please see amended SFRA document which accompanies this Chief Executive's Report for details of the amendments made.	The recommended amendment provides for revisions and clarifications in relation to baseline flood information having regard to a submission from the Office of Public Works (OPW submission to Draft LAP, 16 October 2024). No potential environmental effects arise. AA is not required. SEA in not required.
CE CH 4 Environment and Sustainability Section 4.9 Environment and Sustainability Objectives.	Include new Objective 4.12 within the Table Pg. 22 <i><u>Objective 4.12: It is a general objective of this LAP to support the achievement of the key messages as contained within the State of the Environment report and any subsequent editions of the report.</u></i>	The recommended amendment ensures that the local area plan has regard to the Key Messages in the State of the Environment Report. Potential positive environmental effects. No potential adverse environmental effects arise. AA is not required.

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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in green italic bold)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
		SEA in not required.
<p>CE CH 7 Sustainable Water Management Section 7.4 Foul Water Drainage</p>	<p>Amend Section 7.4 Foul Water Drainage as follows:</p> <p>The Stamullen Waste Water Upgrade Scheme is currently underway to address the limited capacity of the wastewater treatment plant (WWTP). The WWTP is located to the north west of Flemington in Stamullen, Co. Meath. The project involves two phases—the first of which is the installation of c.2km of twin rising mains and a gravity sewer on the R132 from the Delvin Bridge to Cardy Rock, Balbriggan, at which point it may connect into the sewer network which terminates in Skerries WWTP. Installation of this sewer line was completed in 2022.</p> <p>The second phase is currently under construction and includes a further 4km twin rising main, which has been completed, and the construction of a pumping station in place of the Stamullen Waste Water Treatment Plant. This will allow pumping of wastewater from this location to Skerries.</p> <p>It is proposed that all foul water from future development on the LAP lands be connected into this foul network for treatment at the Skerries WWTP, subject to engagement and agreement with Uisce Éireann and connection applications.</p> <p>It is likely that a pump station will be required for the development on the LAP lands due to the foul network at the proposed point of connection being a rising main.</p> <p>Include updated text as follows:</p>	<p>The recommended amendment provides for clarification in relation to foul water drainage. Uisce Éireann has confirmed (Submission to Draft LAP, 22 October 2024) that there “<i>is sufficient headroom at the Barnageeragh Wastewater Treatment Plant to serve the LAP lands.</i>”</p> <p>No potential environmental effects arise.</p> <p>AA is not required.</p> <p>SEA in not required.</p>



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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
	<p><i><u>Having regard to foul water, it is most likely that the LAP lands will connect to the existing sewer network and go forward to Quay Street Pumping Station and then pumped forward to Barnageeragh Wastewater treatment Plant in Skerries.</u></i></p>	
<p>CE CH 7 Sustainable Water Management Section 7.7 Water Infrastructure Challenges and Opportunities</p>	<p>Amend Section 7.7 Water Infrastructure Challenges and Opportunities as follows:</p> <p>A foul sewage pump station may be required in order to connect to the rising main on the R132 Route to the Skerries Waste Water Treatment Plant (subject to confirmation from Uisce Éireann).</p>	<p>The recommended amendment provides for clarification in relation to foul water drainage. Uisce Éireann has confirmed (Submission to Draft LAP, 22 October 2024) that the “Quay Street wastewater pumping station serves the Balbriggan North area and can cater for the lands located north of Flemington Lane.”</p> <p>No potential environmental effects arise.</p> <p>AA is not required.</p> <p>SEA in not required.</p>
<p>CE CH 4 Environment and Sustainability Section 4.9 Environment and Sustainability Objectives</p>	<p>Amend Objective 4.1 as follows:</p> <p><i>Development of the LAP lands will be undertaken in a sustainable manner <u>so as to support the implementation of the Climate Action Plan 2024 and National Adaptation Framework 2024</u> so as to assist with <u>the County's decarbonisation targets as set out within the Fingal County Council Climate Action Plan 2024-2029.</u></i></p>	<p>The recommended amendment confirms the requirement to support the implementation of the Climate Action Plan 2024 and National Adaptation Framework 2024.</p>

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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
		Potential positive environmental effects. No potential adverse environmental effects arise. AA is not required. SEA is not required.
<p>CE CH 4 Environment and Sustainability Section 4.9 Environment and Sustainability Objectives</p>	<p>Amend Objective 4.4 as follows: Development proposals within each character area shall be accompanied by botanical tree and hedgerow surveys and shall seek to retain existing trees and hedgerows, <i>including townland boundaries</i>, in so far as possible in order to protect the biodiversity value of the LAP lands and <i>its historical context</i>.</p>	<p>The recommended amendment provides for inclusion of townland boundaries as part of the consideration of biodiversity value on the local area plan lands. Potential positive environmental effects. No potential adverse environmental effects arise. AA is not required. SEA is not required.</p>
<p>CE CH 6 Movement and Transport Section 6.5.2 LAP Internal Walking and Cycling Links</p>	<p>Include the following text within Section 6.5.2 LAP Internal Walking and Cycling Links as follows: <i>Fingal County Council will work cooperatively with neighbouring authorities in order to successfully deliver active travel infrastructure and to increase pedestrian and cycle connectivity both within the locality of the LAP lands and the wider area.</i></p>	<p>The recommended amendment provides co-operation with neighbouring authorities on the delivery of active travel infrastructure. Potential positive environmental effects. No potential adverse environmental effects arise.</p>

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Appropriate Assessment Screening Report

Chief Executive's Recommendation (with reference to Draft Flemington LAP)	Recommended Proposed Non-material Amendment (Deleted text in red strikethrough) (Inserted text in <i>green italic bold</i>)	Screening for Appropriate Assessment (AA) and Strategic Environmental Assessment (SEA)
		AA is not required. SEA is not required.



8 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 confirmed the 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 (as it related to the consideration of SUDs and whether these represented mitigation measures).

The CJEU, in its ruling on this case dated 15 June 2023 clarified issues defining mitigation in the context of European sites⁵. It confirmed that Article 6(3) of Directive 92/43 *must be interpreted as meaning that, in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site.*

In relation to European sites, there will be no impacts capable of giving rise to any likely significant effects as a result of the implementation of the Plan.

No mitigation is necessary or proposed for the protection of European sites.

Notwithstanding this conclusion, any future development arising as a result of the implementation of the LAP will be subject to Appropriate Assessment Screening in its own right. All individual planning applications will require assessment within the provisions of the normal planning and sustainable development process.

9 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)⁶. 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 content of the Flemington Local Area Plan has been informed by SEA and AA Screening and by Flood Risk Assessment undertaken in parallel, thereby ensuring full integration and consideration of environmental issues. The Plan is compatible and complementary with the strategies, policies and objectives of the Fingal Development Plan 2023 – 2029, particularly as it relates to population distribution, settlement strategy, and sustainable, mixed-use development with environmental protection measures built in as central themes.

The Flemington lands are situated within the Balbriggan development boundary and are subject to the 'Residential Area' (RA) zoning objective within the Fingal Development Plan 2023-2029,

⁵<https://curia.europa.eu/juris/document/document.jsf?text=&docid=274644&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=21723482>

⁶ 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)

The LAP is in full compliance with all of the relevant policies and objectives of the Fingal Development Plan. The Development Plan was itself subject to Appropriate Assessment. No developments are proposed within the immediate vicinity of the site that would, in combination with the LAP in this report, give rise to significant effects.

On the basis of objective information, it can be excluded that the implementation of the Flemington Local Area Plan, individually or in-combination with other plans or projects, will have a significant effect on a European site.

10 Screening conclusion

Following review of the Flemington Local Area Plan against the Conservation Objectives of the relevant European sites, it is concluded that there is no possibility that the implementation of the Plan could result in any likely significant effects on European sites on its own or in combination with other plans and programmes. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

In view of best scientific knowledge therefore, this report concludes that the implementation of the Flemington Local Area Plan, individually or in combination with another plan or project, is not likely to have a significant effect on European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives. The Plan does not require an Appropriate Assessment and the preparation of a Natura Impact Report.

11 References

- Chartered Institute of Ecology and Environmental Management (CIEEM) (2022). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (Version 1.2).
- DoEHLG (2010a). Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities.
- DoEHLG (2010b). Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.
- DoHLGH (2024). EIA Portal.
- EPA AA Geo Tool: <https://gis.epa.ie/EPAMaps/AAGeoTool>
- European Commission (2021). Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
- European Commission (2018). Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC.
- European Commission Environment Directorate-General (2021). Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive.
- Fingal Development Plan 2023-2029.
- NBDC (2024). Biodiversity Maps.
- NPWS (2021). Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.
- NPWS (2024). Boundary data – Special Area of Conservation (SAC). [Update date 06/12/2024].
- NPWS (2024). Boundary data – Special Protection Area (SPA). [Update date 11/01/2024].
- NPWS (2015). Boundary data – proposed Natural Heritage Area (pNHA). [Update date 01/11/2015].
- NPWS (2019). Boundary data –Natural Heritage Area (pNHA). [Update date 28/06/2019].
- NRA (2009). Guidelines for Assessment of Ecological Impacts of National Road Schemes.
- OPR (2021). Practice Note PN01 Appropriate Assessment Screening for Development Management.
- OPW (2009). The Planning System and Flood Risk Management: Guidelines for Planning Authorities.

Appendix I: Background

The European⁷ 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 *European Union (Birds and Natural Habitats) Regulations 2011-2021* (hereafter referred to as the *Birds and Habitats Regulations*)⁸ and by the *Planning and Development Act 2000*, as amended.

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

Stages in the assessment

European Commission guidance (2021)⁹ 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:

⁷ 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 Natura 2000”

⁸ SI No. 477 of 2011 and subsequent amendments

⁹ *Assessment of Plans and Projects in relation to Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, September 2021)

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 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.

Appendix II 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 Commission¹⁰ 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.

¹⁰ Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission November 2018)

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Appropriate Assessment (AA) Screening Determination under Article 6(3) of the EU Habitats, Regulation 42(1) of the European Union (Birds and Natural Habitats) Regulations 2011 (as amended) and Section 177U of the Planning and Development Act 2000 (as amended) for the Flemington Local Area Plan

Fingal County Council has prepared a Local Area Plan for lands at Flemington, Balbriggan, Co. Dublin. The Flemington Local Area Plan seeks to establish a land use strategy for the proper planning and sustainable development of the lands.

Plans such as the Flemington Local Area Plan must undergo a formal 'test' or 'screening' to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission's Natura 2000 network of sites (European sites). European sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international (European) importance. The Irish Government, and planning authorities, have a legal obligation to protect these sites. The EU Habitats Directive requires the screening of plans and projects. If the screening process concludes that likely significant effects cannot be ruled out, then a more detailed assessment (Appropriate Assessment) is required.

As the Competent Authority for the Flemington Local Area Plan, Fingal County Council, has undertaken screening for Appropriate Assessment (AA) and an AA Screening determination has been made by the planning authority, in accordance with Article 6(3) of the EU Habitats Directive, Regulation 42(1) of the European Union (Birds and Natural Habitats) Regulations 2011 (as amended) and Section 177U of the Planning and Development Act 2000 (as amended).

Following review of the Local Area Plan against the Conservation Objectives of the relevant European sites, it is concluded that there is no possibility that the implementation of the Plan could result in any likely significant effects on European sites either on its own or in combination with other plans and programmes. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

The findings of the AA process are detailed in the AA Screening Report that accompanies this Determination. Fingal County Council has determined the Flemington Local Area Plan, individually or in combination with other plans, does not have the potential to have effects on European Sites. Therefore, Stage 2 AA and the preparation of a Natura Impact Report is not required. The Plan was screened out for Appropriate Assessment based on its nature and in accordance with the source-pathway-receptor model.

Name/Signature

Matthew M. Aheere

Title

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Date

19th December 2024