

**Appropriate Assessment (AA) Screening of
Variation No. 29 of Dublin City Development Plan 2016-2022: Lands at 5-6
Malahide Road, Dublin 17**

In compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011 and Planning and Development Act 2000, as amended, (Part XAB, Section 177U)

1.0 Initial Screening Determination

Proposed Variation No. 29 as published in public notice on 8th July 2020

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z1 – To protect, provide and improve residential amenities.

An Appropriate Assessment (AA) Screening of the above proposed Variation of the Dublin City Development Plan 2016-2022 was undertaken in March 2020, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC).

Following an assessment of the nature and extent of the likely development associated with the proposed Variation, the initial screening carried out on the proposed Variation of the lands (from Z6 employment/ enterprise zoning to a Z1 residential zoning) concluded that there was no likelihood of significant effects on European sites.

The Stage 1 Screening of proposed Variation No. 29 carried out in March 2020, determined that Appropriate Assessment of the proposed Variation was not required as the proposal, individually or in combination with other plans or projects, was not likely to have a significant effect on a European site. On this basis, Dublin City Council as Competent Authority (in compliance with Part XAB of the Planning and Development Act 2000, as amended), taking into account observations received from the EPA and the Waste Policy and Resources Efficiency Division of the Department of Communications, Climate Action and Environment on 24th March 2020 and 13th March 2020 respectively, determined that an Appropriate Assessment of the proposed Variation was not required.

An Appropriate Assessment Screening Determination stating that an AA of the proposed Variation was not required formed part of both the Report on the Proposed Variations which was placed on public display (from 8th July 2020 – 6th August 2020 inclusive) and the Chief Executive's Report (No. 240B/2020) which was presented to Elected Representatives in advance of the September 2020 City Council Meeting.

2.0 Agreed Variation

Elected Members resolved to make the proposed Variation outlined above at the City Council Meeting which took place on 14th September 2020.

3.0 Screening Conclusion

There were no changes made to the proposed Variation at the City Council meeting on the 14th September 2020 and on this basis, the findings and conclusion of the original Appropriate Assessment Screening carried out on Variation No. 29 in March 2020 – which found that there were no likelihood of significant effects on a European site - are still valid in respect of the agreed Variation.

APPROPRIATE ASSESSMENT SCREENING DETERMINATION

Determination of Appropriate Assessment Screening in compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011 and Planning and Development Act 2000 (as amended) (Section 177U) for Variation (No. 29) of the Dublin City Development Plan 2016-2022 to change the land use zoning of lands at 5-6 Malahide Road, Dublin 17.

An Appropriate Assessment (AA) Screening in accordance with Section 177U of the Planning and Development Act, as amended, was undertaken on Variation No. 29 to the Dublin City Development Plan 2016 – 2022.

The Planning Authority has determined that an Appropriate Assessment of Variation (No. 29) is not required, as the Variation, individually or in combination with other plans or projects, does not have the potential to result in any land use effects that could in turn result in likely significant effects on a European sites. Therefore, it is not considered necessary to undertake any further stages of the Appropriate Assessment process.

In carrying out this Assessment, the Council took into account the relevant matters specified under Part XAB of the Planning and Development Act 2000, as amended, and also:

- The Dublin City Development Plan 2016-2022
- The Strategic Environmental Assessment Screening of the Variation
- The Strategic Flood Risk Assessment of the Variation
- Submissions received during the public consultation period
- The Chief Executive's Report and Recommendations (No. 240B/2020)

The determination and documentation is available for public inspection at the Council Offices.