Rialtas na hÉireann
Government of Ireland

Screening for Appropriate Assessment

Determination on Tree maintenance works within the Glen of the Downs Special Area of Conservation in accordance with Regulation 42A EC (Birds and Natural) Habitats Regulations 2011-2021

Prepared by the Department of Housing, Local Government and Heritage
npws.ie

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Introduction

This determination on Screening for Appropriate Assessment (AA) has been made by the Ecological Assessment Unit (EAU) of the Department of Housing, Local Government and Heritage (DHLGH) in accordance with Regulation 42A(8) of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 ('the 2011 Regulations").[1]

On the 12th February 2026, in accordance with the requirements of Regulation 42A(3) of the 2011-2021 Regulations, the Minister for Housing, Local Government and Heritage ('the Minister') furnished the EAU with a request for a Screening for Appropriate Assessment (AA) determination on proposed updated tree maintenance works in Glen of the Downs Nature Reserve, within the Glen of the Downs SAC [Site code: 000719] Co. Wicklow. An initial request was subject to AA Screening in November 2024. This report outlines modifications to the original request, to be implemented in 2025. Hereafter referred to as "the project".

The EAU have been provided with copies of the tree survey carried out to identify the schedule of works that must be completed for human health and public safety reasons and site management purposes. Results of a bat survey of the site are also provided.

The EAU have evaluated and analysed the information contained in the referred to above documents and location maps provided and carried out a determination. The purpose of this document is to provide a record and an audit trail of the EAU reasoned thinking in view of best scientific knowledge and the Conservation Objectives of European Sites. This determination does not constitute consent or authorisation for the proposed works. The proponent is responsible for ensuring that all other necessary consents, licences, or permissions are obtained, including, where relevant, a declaration under Section 5 of the Planning and Development Act 2000 (as amended).

[1] As inserted by Regulation 7 of the European Union (Birds and Natural Habitats) (Amendment).

1. Background

Pursuant to Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), a Screening for AA is required to be carried out on the project. AA is a process required under Article 6(3) of the EU Habitats Directive. Article 6(3) is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, and by Part XAB of the Planning and Development Act, 2000, as amended.

All plans and projects which are not directly connected with or necessary to the management of a European Site, but which either individually or in combination with other plans or projects, are likely to have a significant effect on a “European Site”, require an AA of these effects to determine if they will adversely affect the integrity of these sites. The proposed conservation measures are considered to fall under the requirements of AA as applied to all plans and projects.

The Screening for AA process scrutinises the plan or project to determine if there is potential for likely significant effects either individually or in combination with other plans or projects, on a European Site. European Sites are part of the Natura 2000 network and include those designated as Special Areas of Conservation (SAC), Candidate SACs (cSACs) or Special Protection Areas (SPA). This Screening for Appropriate Assessment describes the outcome of this analysis in respect of the project.

2. Legislation and Guidance.

This section provides details on the adopted methodology with sources of guidance and information gathered to inform the preparation of the report.

2.1. Guidance and Data Sources

- Communication from the Commission on the precautionary principle. European Commission (2000);
- European Commission. (2001) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- European Commission. (2007) Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC;
- Department of Environment, Heritage and Local Government. (2010) Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities;
- Appropriate Assessment under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;
- European Commission. (2018) Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC;
- Office of the Planning Regulator. (2021) Practice Note PN01 - AA Screening for Development Management; and,
- Official Journal of the European Union. (2021) Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (Volume 64; 2021/C 437/01).

2.2. Assessment Methodology

This report is based on review of desktop data. Sources of information utilised for this report and accessed during February 2026 include the following:

- National Parks & Wildlife Service (NPWS) Designations Viewer[2]; and,
- National Biodiversity Data Centre (NBDC) Maps[3].

2.3. Legislative Background

According to the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC), Member States are required to establish a Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

In Ireland, the Natura 2000 network of European sites comprises SACs, candidate SACs and SPAs.

SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and all migratory birds and their habitats. The Annex habitats and species, for which each site is selected, are the qualifying interests (QI) for SACs and special conservation interests (SCI) for SPAs of each site. Conservation objectives for the site are defined for these qualifying interests.

A key requirement of the Habitats Directive is that the effects of any plan or project, which is not directly connected with or necessary to the management of a European Site, but which alone, or in combination with, other plans or projects, are likely to have a significant effect on a European Site, should be assessed before any decision is made to allow that plan or project to proceed. The obligation to undertake a screening for AA, and if necessary, an AA, derives from Article 6(3) of the Habitats Directive and both involve a number of steps and tests that need to be applied in sequential order.

Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances.

[2] National Parks & Wildlife Service Designation Viewer. Accessed at ArcGIS Web Application 12/02/2026

[3] National Biodiversity Data Centre Maps. Accessed at Maps - Biodiversity Maps (biodiversityireland.ie) 12/02/2026

Article 6(3) of the Habitats Directive states:

> "Any plan or project not directly connected with, or necessary to, the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and 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 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".

Article 6(4) states:

> "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 competent authority is required to carry out a screening for AA, and if necessary, an AA as required by Article 6(3) of the Habitats Directive. If the competent authority determines that the plan or project will adversely affect the integrity of a European site, it may only authorise that plan or project by following the Article 6(4) procedure.

The Article 6(3) and 6(4) procedures are outlined as follows:

Stage 1 - Screening for Appropriate Assessment – to assess, in view of best scientific knowledge, if the project or plan, individually or in combination with another plan or project is likely to have a significant effect on the Natura 2000 site.

Stage 2 - Appropriate Assessment – This is required if it cannot be excluded, on the basis of objective information, that the project or plan, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. The AA must include a final determination by the competent authority as to whether or not a proposed project would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the competent authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps.

Stage 3 – Assessment of alternative solutions - the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain - an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

Under Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), the Ecological Assessment Unit is the competent authority in relation to screening for AA of projects and plans (such as the proposed project) which the Minister proposes to undertake or adopt.

3. Overview of the Project

Glen of the Downs SAC [Site Code: 000719] (Figure 1) and National Nature Reserve is a semi-natural oak wood situated within an impressive glacial overflow channel. Much of the site comprises Sessile Oak (*Quercus petraea*) woodland. Sessile Oak is especially dominant on the mid to upper slopes. The quality of the Oak-dominated areas is variable with the association being well developed and especially pure on the western side, while in some places it occurs as coppice scrub. The site includes some areas of mixed woodland, in which Beech (*Fagus sylvatica*), Sycamore (*Acer pseudoplatanus*), Scots Pine (*Pinus sylvestris*) and other non-native species occur. A narrow band of alluvium associated with a small stream occurs on the valley floor. Here, the woodland is dominated by Ash (*Fraxinus excelsior*) and Hazel (*Corylus avellana*). Although exploited heavily in the past, this woodland is well developed, rich in species and is of high conservation significance.

The National Parks and Wildlife Service manages the Glen of the Downs Nature Reserve for conservation of woodland and for enjoyment of nature by the public. The Nature Reserve spans both sides of the N11 dual carriageway, along a section between junction 9 and junction 10. The N11 is managed by Transport Infrastructure Ireland (TII). Woodland habitat is present immediately on both sides of the N11. This project proposes to carry out tree maintenance of roadside trees in NPWS lands at Glen of the Downs SAC.

3.1. Purpose

In collaboration with TII, on lands owned by NPWS along the N11 and slip roads for which TII has responsibility, NPWS seeks to fell and trims trees primarily for safety. The works are; all tree safety works listed in the “Glen of the Downs roadside trees arborist report 2025, and; ivy management outlined in a previous (2023) arborist report.

As the removal of dangerous and non-native tree species will open the area up for regeneration of native tree species, the project is deemed to be directly connected with the management of the site for nature conservation. The majority of the proposed works are to remove fractured or dead branches/limbs overhanging public pathways or roads therefore posing a safety risk. Ash dieback is prevalent and the removal of affected trees along with some non-native species such as sycamore, cherry laurel and beech is necessary site management for nature conservation.

3.2. Project Description

The schedule of works is tabulated in the tree report conducted by a qualified Arborist and submitted to EAU. The tree work operations will be undertaken in accordance with the British Standard BS 3998: 2010 Tree Work – Recommendations and The European Tree Pruning Standard 2021. Works are proposed to take place in accordance with Section 40 of the Wildlife Act 1976 (as amended), all tree works and Ivy (Hedera helix) removal will be scheduled outside of the bird nesting season (1

March to 31 August) and will be undertaken by trained contractors, using a mobile elevated work platform from the public road or rope access. All current Health & Safety legislation will be adhered to, including the provision of site-specific risk assessments and method statements by the appointed contractors.

Invasive species and hazardous trees will be removed. Dead wood will remain on site where possible to allow for nutrient recycling and to support habitat for fauna and fungi. Works will be carried out in conjunction with Transport Infrastructure Ireland to control traffic, works will most likely be carried out at night to lessen impacts on traffic.

Some of the arisings from the tree work operations may be retained on the forest floor where it is safe to do so. Where material presents a risk of rolling or entering the road corridor, it must be removed. NPWS note that “arisings” means all timber and brash. Where material will be visible from the carriageway it should also be removed to avoid potential for encouraging stopping for timber theft. This is particularly an issue along northbound carriageway. Deadwood retention will be prioritised where it does not present a risk to road users, footpaths or infrastructure.

The roadway and the Three Trout’s Stream, which flows through the site, will be left free of all arisings and debris on completion of the tree work operations. Ivy management work will remove the ivy to 1 m from ground level around the entire tree stem. The removal of ivy will be undertaken with handsaws (silky saws) to avoid bark and trunk damage. If any defects are discovered during the ivy management work, it will be reported to the tree owner.

Assessment of potential habitat for bats will be continuous throughout the project and some variation to works (supervision of felling) will be in place for a small number of trees. Any requirements for “soft felling” (where tree limbs are cut and left grounded overnight to allow any bats to make their way out) will be communicated before works commence.

The tree work list is broken up into sections between the N11 marker posts on the southbound carriageway and the northbound carriageway, with each tree assigned a priority level.

5. Part 1: Necessary conservation measures

Answer these questions if the activity is “directly connected with or necessary to the management of the site”. Otherwise go to Part 2.

a). List the European site(s) and the relevant Conservation Objectives (include version number of the Conservation Objective).

Glen of the Downs SAC [Site code: 000719].

NPWS (2020) Conservation Objectives: Glen of the Downs SAC 000719. Version 1. Accessed 12th February 2026.

Available at: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000719.pdf

Qualifying Interests

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

~ *Overall Conservation status*: Bad

Conservation Objectives for Qualifying Interests.

Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

To restore the favourable conservation condition of Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles in Glen of the Downs SAC, which is defined by the following list of attributes and targets:

- Habitat area.
- Habitat distribution.
- Woodland size
- Woodland structure: Cover and height, Community diversity and extent, Natural regeneration, Dead wood, Veteran trees, Indicators of local distinctiveness, Indicators of overgrazing.
- Vegetation composition: typical species, Negative indicator species.

b). State how this activity furthers the Conservation Objective(s)

Under Article 6 of the EU Habitats Directive, DHLGH is required to ensure the favourable conservation status of all Annex I habitats and Annex II species within SACs.

Under Article 11 of the Directive, DHLGH is obliged to undertake surveillance of the conservation status of the natural habitats and species in the Annexes and under Article 17, to report to the European Commission every six years on their status and on the implementation of the measures taken under the Directive. Article 18 of the Directive encourages the necessary research and scientific work having regard to the obligation set out in Article 11. The project is considered to fall under these legal requirements and align with these obligations.

The Conservation Objectives seek to maintain protected SAC feature(s) where evidence exists that it is in favourable condition in the site, or where there is uncertainty concerning the assessed condition of a feature but no reason to suspect deterioration in condition since designation.

Where evidence exists that a feature is declining and/or damaged and therefore not in a favourable condition in the site, the Conservation Objectives will seek to restore the protected feature. The Conservation Objectives seek to improve unfavourable conditions of QIs.

The project is considered necessary to site management for nature conservation and safety for staff and the public. This activity is directly connected with the management of the site for nature conservation, the removal of dangerous and non-native tree species will open the area up for regeneration of native tree species. All work carried out will improve the status of Annex I Habitat Old sessile oak woods with *Ilex* and *Blechnum [91A0]*.

c). Does this activity have the potential to impact negatively on any Conservation Objective (CO), Qualifying Interest (QI)/Special Conservation Interest (SCI) for this or any other European site?

The effect of the project on all QI and SCI features of the SAC listed above have been considered in regard to the activity.

No significant adverse impacts on the QIs or SCIs features of the SAC are anticipated.

Yes ☐ No ☑

d). Are there aspects of this activity which are NOT directly connected with the management of the site?

Yes ☐ No ☑

If the answer to EITHER of the above questions is **Yes** a Screening for AA is required, go to Part 2.

If the answer to BOTH questions is **No** go to Part 5.

6. Part 2: Identification of European Sites within the Potential Zone of Influence of proposed activities

List all European sites which may be affected by this activity because they are linked by an ecological pathway. If the site has a second European designation (SAC, SPA) this also needs to be considered.

7. Part 3: Assess the likelihood of significant effects

Provide this information for **each site** listed in Part 2.

List the QI/SCIs for the site(s), their current conservation condition and the Site Specific Conservation Objectives (SSCO) for that QI/SCI. Then answer the questions about the impact on that QI/SCI. Tick all the boxes below which may apply.

Your answer will determine if the activity is likely to have a (negative) effect on this QI/SCI. Negative effects may arise because of the activity's location within the site; its proximity to the QI/SCI or the size of the land take involved; the abstraction of water or minerals; emissions or waste arising; the types of transport or machinery being used; the length of time involved or seasonality of the work.

a). There is likely to be a reduction in the area of QI/SCI habitat ☐

b). The physical/chemical quality of the environment is likely to be changed in a way which may cause the deterioration of the QI/SCI habitat (e.g. applying lime to an acidic soil) ☐

c). The structure of the ecological community is likely to be altered (e.g. through altered species composition) in a way which will have negative impact on the QI/SCI. ☐

d). A QI/SCI species is likely to be disturbed (e.g. through noise, vibrations) ☐

e). The population size, characteristics or reproductive success of a QI/SCI species is likely to be changed either directly or indirectly (e.g. lighting close to a bat roost entrance) ☐

f). QI/SCI species or habitats are likely to be more vulnerable to change or less resilient to external change (e.g. to flooding, fire or drought) ☐

g). There are likely to be effects on other species /habitats (not a QI/SCI for this site) which are ecologically linked with this QI/SCI and, as a consequence, there are likely to be negative effects on this QI/SCI (e.g. the impacts on geese which are the SCI when their non-QI feeding areas are damaged). ☐

h). This activity will cause a deterioration in the conservation condition of this QI/SCI. ☐

i). There are likely to be other ecological effects not listed above which are likely to have a significant effect on the QI/SCI. ☐

Explain the effects:

_____

If you have ticked a box for any QI/SCI in any of the sites affected by this activity the likelihood of a significant effect cannot be ruled out and the activity MUST be screened IN for AA.

8. Part 4: In Combination Effects

Is this activity likely to cause negative effects in combination with any other plan or project?

(In answering this question you should consider any other consents which have been applied for or granted. For example, other ARCs, planning consents, forestry consents, or activities authorised as part of an agreed farm or land management plan. List the plans or projects considered).

_____

_____

No ☑ **Yes** ☐ **Uncertain** ☐

If the answer is Yes or Uncertain the activity MUST be screened IN for AA. Fill in Part 5 accordingly.

9. Part 5: Findings of the Screening for AA

Screening not carried out as the activity is "directly connected with or necessary to the management of the site". ☑

Likely significant effects are expected or uncertain.

This activity Screens **IN** and AA **is** required. ☐

Likely significant effects are NOT expected.

This activity Screens **OUT** AA **is not** required. ☐

Prepared by: Darren Ellis, Ecologist, Ecological Assessment Unit

Date: 12th February 2026

10. Part 6: Determination

Following an analysis of the project, the EAU determines, in accordance with Regulation 42A(8) of the 2011 Regulations, that the proposed tree maintenance works within Glen of the Downs SAC are entirely comprised of activities that directly support the Conservation Objectives of this European site.

It can be concluded with certainty that the project is a necessary conservation measure that is directly connected with or necessary for the management of the site.

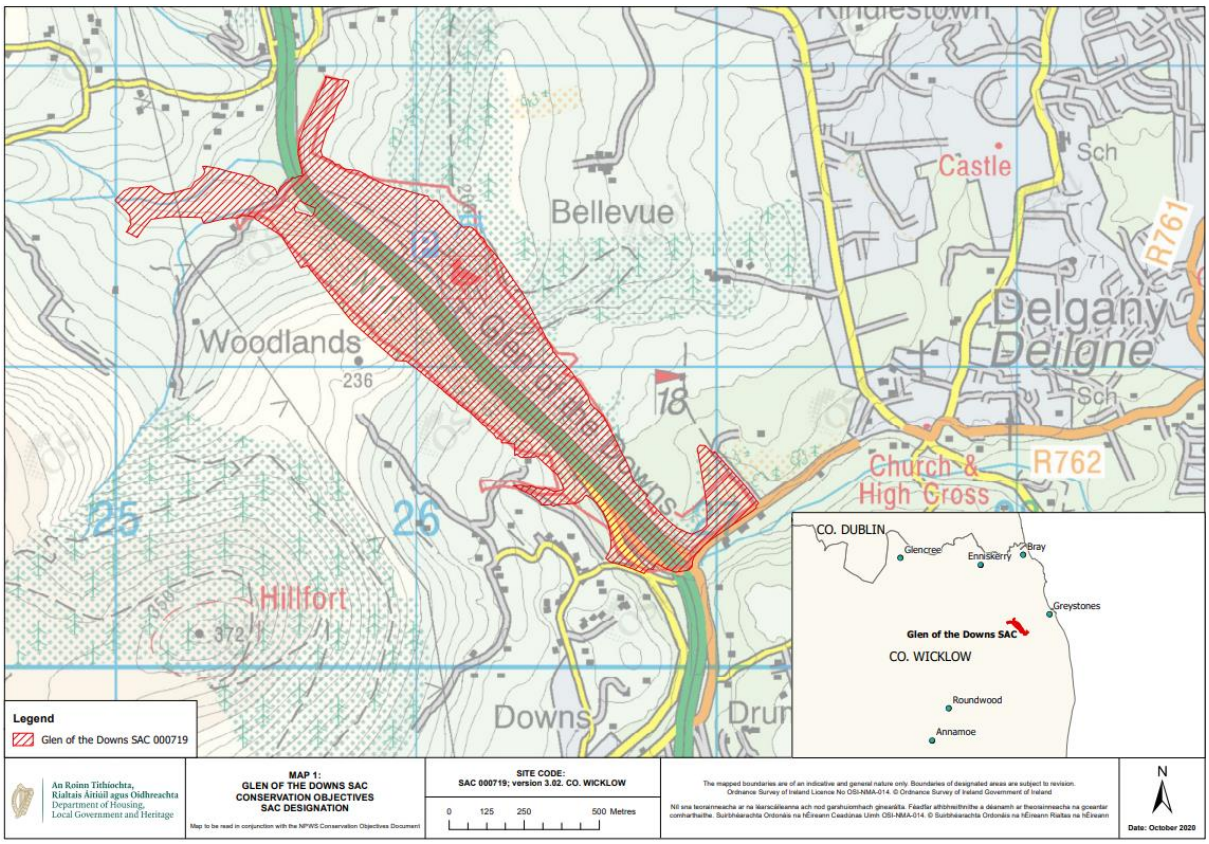
Determined by: Laura Connolly, Ecologist, Ecological Assessment Unit

Signed:

Date: 12th February 2026

11. Supplementary Information

Figure 1. (below): Location of Glen of the Downs SAC as per the NPWS (2020) Conservation Objectives: Glen of the Downs SAC 000719. Version 1.



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