



22<sup>nd</sup> December 2020

**Screening for Appropriate Assessment**  
**Determination under the**  
**European Communities (Birds and Natural Habitats) Regulations, 2011 (as**  
**amended)**

**CONCERNING PROPOSED UPDATE OF THE SUSTAINABLE URBAN**  
**HOUSING: DESIGN STANDARDS FOR NEW APARTMENTS -GUIDELINES**  
**FOR PLANNING AUTHORITIES (MARCH, 2018).**

In order to comply with the requirements of Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477, as amended), this determination has been made by the Minister for Housing, Local Government and Heritage relating to the potential for the proposed update of the *Sustainable Urban Housing: Design Standards For New Apartments -Guidelines For Planning Authorities* (March, 2018) to have likely significant effects on European sites<sup>1</sup>, either alone or in combination with other plans and projects.

This determination has been made following a consideration of the information contained in the AA Screening Report (attached as Appendix A(a) to this determination) and the text of the proposed updated Guidelines (attached as Appendix B to this determination).

Following an analysis and evaluation of the relevant information, including in particular, the nature of the proposed updated Guidelines and their potential relationship with European sites that could result from the implementation of the proposed updated Guidelines, as well as considering other plans and projects, and applying the

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<sup>1</sup> As defined by S.I. 477 of 2011.



precautionary principle, the Minister has agreed with the recommendation of the AA Screening report that there is no possibility that the proposed updated Guidelines would be likely to have any significant effects on any European sites.

The principal reasons for this conclusion included the lack of geographic specificity in the nature of the updated Guidelines and the fact that the update comprises a presumption against a specific development type; and in the event that any development was considered permissible, it is likely that this would be taking place in highly disturbed modified urban environments.

Therefore, an appropriate assessment is not required for the proposed updated Guidelines.

The Minister for Housing, Local Government and Heritage having carefully considered the information in the AA Screening Report and having regard to the advice of my officials, agrees with and adopt the reasoning and conclusion of the AA Screening Report. The Minister hereby determines pursuant to Regulation 42 of S.I. 477 of 2011 and for the purposes of Article 6(3) of the Habitats Directive that on the basis of objective information, the proposed updated Guidelines, individually, or in combination with other plans and projects would not have likely significant effect on a European site and therefore an appropriate assessment is not required.

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**Darragh O'Brien, TD,**  
**Minister for Housing, Local Government and Heritage**