



APPROPRIATE ASSESSMENT SCREENING REPORT

FOR

PROPOSED STRATEGIC HOUSING
DEVELOPMENT

AT

GLENINA AND KARUNA, SANDYFORD
ROAD, SANDYFORD, DUBLIN 18

ON BEHALF OF

Midsal Homes Ltd.

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Midsal Homes Ltd. to undertake a screening for Appropriate Assessment in respect of a Proposed Strategic Housing Development at the site at Glenina and Karuna, Sandyford Road, Sandyford, Dublin 18. This Appropriate Assessment Screening Report contains information to enable the competent authority to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Development.

1.2 Legislative Background

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). SACs and SPAs are collectively known as Natura 2000 or European sites. It is the responsibility of each member state to designate SPAs and SACs. 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 other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the qualifying interests of the sites; from these the conservation objectives of the site are derived.

An 'Appropriate Assessment' (AA) is a required assessment to determine the likelihood of significant impacts, based on best scientific knowledge, of any plans or projects on European sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of such sites.

1.2.1 Legislative Context

An Appropriate Assessment is required under Article 6 of the Habitats Directive where a project or plan may give rise to significant effects upon a European site. Paragraph 3 states that:

“6(3) 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 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.”

These obligations in relation to Appropriate Assessment have been implemented in Ireland under Part XAB of the Planning and Development Act 2000, as amended (“the 2000 Act”), and in particular Section 177U and Section 177V thereof. The relevant provisions of Section 177U in relation to AA screening have been set out below:

“**177U.**— (1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.

(2)...

(3)...

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.

(5) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.”

1.2.2 Stages of AA

This Appropriate Assessment Screening Report (the “**Screening Report**”) has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 Appropriate Assessment is required.

The AA process is a four-stage process, with issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

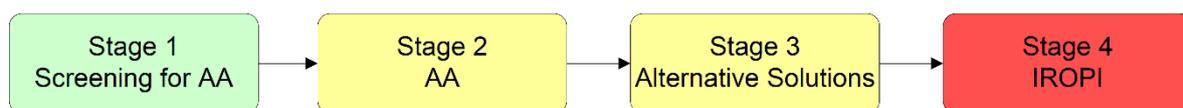


FIGURE 1. THE FOUR STAGES OF THE APPROPRIATE ASSESSMENT PROCESS (DEHLG, 2010).

The four stages of an AA, can be summarised as follows:

- Stage 1 *Screening* addresses:
 - whether a plan or project is directly connected to or necessary for the management of the site, or

- whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- **Stage 2: *Natura Impact Statement (NIS)*.** The second stage of the AA process assesses the impact of the project or plan (either alone or in combination with other projects or plans) on the integrity of the European site, having regard to the conservation objectives of the site and its ecological structure and function. A NIS must provide the objective scientific information to enable the competent authority to carry out an appropriate assessment of the proposed development. It should describe any mitigation measures to avoid and reduce significant negative impacts.
- **Stage 3: *Assessment of alternative solutions*.** If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: *Assessment where no alternative solutions exist and where adverse impacts remain*.** The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

2 METHODOLOGY

2.1 Guidance

This AA Screening Report has been undertaken in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010 revision),
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10,
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001),
- *Communication from the Commission on the precautionary principle* (European Commission, 2000),
- *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), and,
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021*

2.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site.
- Description of the plan or project and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the European site.
- Identification of European sites potentially affected.
- Identification and description of potential effects on the European site.
- Assessment of the likely significance of the effects identified on the European site; and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

2.3 Desk Study

A desktop study was carried out to collate and review available information, datasets and documentation sources relevant for the completion of this Screening Report. The desktop study relied on the following sources:

- Information on the network of European sites, boundaries, qualifying interests and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at www.npws.ie.
- Text summaries of the relevant European sites taken from the respective Standard Data Forms and Site Synopses available at www.npws.ie.
- Information on species records and distributions, obtained from the National Biodiversity Data Centre (NBDC) at www.maps.biodiversityireland.ie.
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.gis.epa.ie.
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at www.gsi.ie.
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland.
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development available at the National Planning Application Database and Dún Laoghaire-Rathdown County Council.

For a complete list of the specific documents consulted as part of this assessment, see *Section 5 References*.

2.4 Assessment of Significant Effects

The potential for significant effects that may arise from the Proposed Development were considered through the use of key indicators, namely:

- Habitat loss or alteration
- Habitat/species fragmentation
- Disturbance and/or displacement of species
- Changes in population density
- Changes in water quality and resource

In addition, information pertaining to the conservation objectives of the European sites, the ecology of the designated habitats and species and known or perceived sensitivities of the habitats and species were considered.

3 STAGE 1 SCREENING

3.1 Management of European Sites

The Proposed Development is not directly connected with or necessary to the management of European sites.

3.2 Description of Proposed Development

3.2.1 Site location

The Site is currently comprised of two residential units, approximately 0.829Ha, and is accessed via the R117 (Sandyford Road), almost 330m south of the M50. The east, north and south boundaries of the Site are abutted by residential dwellings, and the west of the Site is bounded by Sandyford Road. The surrounding landscape is primarily urban in nature, although a woodland, Fitzsimon's Wood, lies approximately 90m west of the Site.

3.2.2 Description of Development

The Proposed Development principally consists of the demolition of the existing dwelling and ancillary buildings known as 'Glenina', the existing dwelling known as 'Karuna' and the existing boundary wall fronting Sandyford Road, and the construction of a residential development principally comprising 137 No. apartments (32 No. 1-bed units, 78 No. 2-bed units and 27 No. 3-bed units) in 4 No. blocks ranging in height from part-1 No. storey to part-6 No. storeys with a part-basement/part-undercroft level (at Blocks B, C and D).

The Proposed Development which has a gross floor space of 13,144 sq m (over a part-basement/part-undercroft level measuring 4,508 sq m, principally providing car and cycle parking and plant) also includes: internal communal amenities and support facilities (404 sq m); 137 No. car parking spaces, which include 127 No. spaces and 6 No. GoCar spaces located at basement level (accessed beneath Block B) and 4 No. set down spaces located at surface level adjacent to Block A; motorcycle parking spaces; cycle parking spaces; bin store; substation; switch room; meter rooms; plant rooms; new telecommunications infrastructure at rooftop level including microwave link dishes concealed in shrouds; hard and soft landscaping, including communal amenity space; private amenity space with balconies facing north, south, east and west; boundary treatments; and all associated works above and below ground.

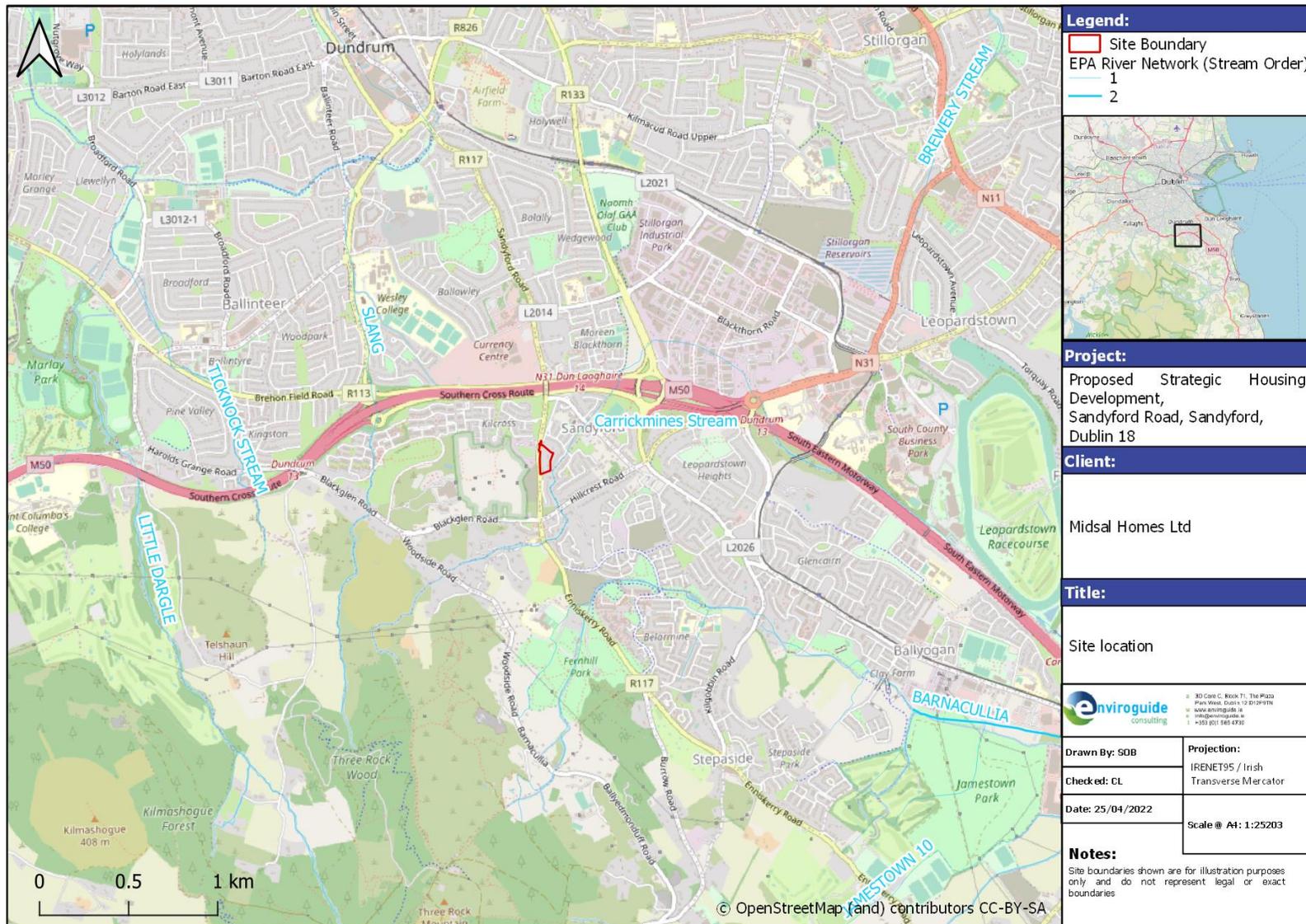


FIGURE 2. SITE LOCATION

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is located primarily within the Avoca-Vartry catchment and the Dargle_SC_010 sub-catchment, however the northwest area of the Site falls within the Liffey and Dublin Bay catchment and Dodder_SC_010 sub-catchment. The closest watercourse to the Site is Carrickmines Stream approximately 13m southeast of the Site, which flows into the Shanganagh River approximately 6.7km to the southeast of the Site, and ultimately into Killiney Bay. The status of the Shanganagh River was designated as *Good* by the EPA in 2020 (station code: RS10S010600). The River Slang is located approximately 950m west of the Site, and this watercourse flows into the River Dodder 4.6km northwest of the Site of the Proposed Development, and ultimately into Dublin Bay. The River Dodder was designated as *Moderate* by the EPA in 2010 (station code: RS09D010800).

The Site is situated mainly on the Wicklow groundwater body, which is Not at Risk of not meeting its WFD objectives, however the northwest area of the Site is located on the Kilcullen groundwater body, which is *At Risk* of not meeting its WFD objectives. The aquifer type within the Site boundary is a *Poor Aquifer (PI)* aquifer on bedrock which is *Generally Unproductive except for Local Zones*. The groundwater rock units underlying the aquifer are classified as *Granites & other Igneous Intrusive rocks* (GSI, 2022). The level of vulnerability of the Site to groundwater contamination via human activities is *Extreme*. The soil is classified as *Urban*, and the subsoil is man-made (*Made*) (EPA, 2022).

3.4 Identification of Relevant European Sites

In order to identify the European Sites that potentially lie within the Zone of Influence (ZOI) of the Proposed Development, a Source-Path-Receptor method (S-P-R) was adopted, as described in 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021), a practice note produced by the Office of the Planning Regulator, Dublin. This note was published to provide guidance on screening for appropriate assessment (AA) during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Appropriate Assessment Screening Reports such as this.

The guidance document published by the Department of Housing, Planning and Local Government (then DEHLG) 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities' (2009) recommends an arbitrary distance of 15km as the precautionary ZOI for a plan or project being assessed for likely significant effects on European Sites, stating however that this should be evaluated on a case-by-case basis.

As such, the 15km ZOI is used in this report as an initial starting point for collating European sites for AA screening.

The methodology used to identify relevant European sites comprised the following:

- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) to identify European sites which could potentially be affected by the Proposed Development;

- The catchment data were used to establish or discount potential hydrological connectivity between the Project Boundary and any European sites.
- All European sites within the zone of influence (within 15km of the Proposed Development Site) were identified and are shown in Figure 4.
- The potential for connectivity with European sites at distances greater than 15km from the Proposed Development was also considered in this initial assessment. In this case, there is no potential connectivity between the Proposed Development Site and European sites located at a distance greater than 15km from the Proposed Development based on the S-P-R model.
- Table 1 provides details of all relevant European sites as identified in the preceding steps. The potential for pathways between European sites and the Proposed Development Site was assessed on a case-by-case basis using the Source-Pathway-Receptor framework as per the OPR Practice Note PN01 (March 2021). Those European sites where a pathway has been identified are highlighted in green. Pathways considered included:
 - a. Direct pathways (e.g., proximity (i.e., location within the European site), water bodies, air (for both air emissions and noise impacts).
 - b. Indirect pathways (e.g., disruption to migratory paths, 'Sightlines' where noisy or intrusive activities may result in disturbance to shy species).
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report.
- There is absolutely no reliance placed in this Appropriate Assessment Screening Report on measures intended to avoid/reduce harmful effects on the European sites.

The result of this preliminary screening concluded that there is a total of nine SACs and four SPAs located within the ZOI of the Proposed Development Site. The distances to each site listed are taken from the nearest possible point of the Proposed Development Site boundary to the nearest possible point of each European site.

Potential pathways between the Proposed Development Site and four European sites within the ZOI were identified. The European sites linked to the Proposed Development include:

- South Dublin Bay SAC
- North Dublin Bay SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

TABLE 1. EUROPEAN SITES WITHIN THE 15KM PRECAUTIONARY ZONE OF INFLUENCE OF THE PROPOSED DEVELOPMENT AND POTENTIAL PATHWAYS BETWEEN THEM. THOSE EUROPEAN SITES FOR WHICH A S-P-R LINK WAS IDENTIFIED ARE HIGHLIGHTED IN GREEN.

| Site Name & Site Code | Qualifying Interests (*= priority habitats) | Distance to Site | Connections (Source- Pathway- Receptor) |
|--|---|------------------|--|
| Special Areas of Conservation (SAC) | | | |
| Wicklow Mountains SAC (002122) | [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>); [3160] Natural dystrophic lakes and ponds; [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ; [4030] European dry heaths; [4060] Alpine and Boreal heaths; [6130] Calaminarian grasslands of the <i>Violetalia calaminariae</i> ; [6230] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe); [7130] Blanket bogs (* if active bog); [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>); [8210] Calcareous rocky slopes with chasmophytic vegetation; [8220] Siliceous rocky slopes with chasmophytic vegetation; [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; [1355] <i>Lutra lutra</i> (Otter) | 5.0km | None – There is no hydrological connection. In addition, the intervening distances between the Site and the SAC are sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase. |
| South Dublin Bay SAC (000210) | [1140] Mudflats and sandflats not covered by seawater at low tide; [1210] Annual vegetation of drift lines; [1310] Salicornia and other annuals colonising mud and sand; [2110] Embryonic shifting dunes | 5.0km | Yes – Weak hydrological pathway via surface water discharges to the River Slang during the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase |
| Knocksink Wood SAC (000725) | [7220] Petrifying Springs*; [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; [91E0] Alluvial Forests* | 6.2km | None – There is no hydrological connection. In addition, the intervening distances between the Site and the SAC are sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase. |
| Ballyman Glen SAC (000713) | [7220] Petrifying Springs*; [7230] Alkaline fens | 7.8km | |
| Glenasmole Valley SAC (001209) | [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (* important orchid sites)*; [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)* | 8.9km | |

| Site Name & Site Code | Qualifying Interests (*= priority habitats) | Distance to Site | Connections (Source- Pathway- Receptor) |
|---|---|------------------|---|
| Rockabill to Dalkey Island SAC (003000) | [1170] Reefs; [1351] Harbour Porpoise (<i>Phocoena phocoena</i>) | 9.2km | |
| North Dublin Bay SAC (000206) | [1140] Tidal Mudflats and Sandflats; [1210] Annual Vegetation of Drift Lines; [1310] Salicornia Mud; [1330] Atlantic Salt Meadows; [1410] Mediterranean Salt Meadows; [2110] Embryonic Shifting Dunes; [2120] Marram Dunes (White Dunes); [2130] Fixed Dunes (Grey Dunes)*; [2190] Humid Dune Slacks; [1395] Petalwort (<i>Petalophyllum ralfsii</i>) | 10.0km | Yes – Weak hydrological pathway via surface water discharges to the River Slang during the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase |
| Bray Head SAC (000714) | [1230] Vegetated Sea Cliffs; [4030] Dry Heath | 12.2km | <p>None – There is an insignificant hydrological pathway to the SAC located within Dublin Bay, and no hydrological connection between the Site of the Proposed Development the remaining SAC.</p> <p>The hydrological pathway via Dublin Bay is insignificant given the considerable open marine water buffer between the Site and the SACs within it over which any potential surface water discharges containing sediment, silt and/or pollutants arising from the Construction/Operation Phases of the Proposed Development would become diluted to non-discernible levels.</p> <p>The intervening distances between the Site and the SACs are sufficient to exclude the possibility of significant effects on the SACs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.</p> |
| Howth Head SAC (000202) | [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts; [4030] European dry heaths | 14.1km | |
| Special Protected Area (SPA) | | | |
| South Dublin Bay and River | [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</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</i> | 5.0 km | Yes – Weak hydrological pathway via surface water discharges to the River Slang during the Construction and Operational |

| Site Name & Site Code | Qualifying Interests (*= priority habitats) | Distance to Site | Connections (Source- Pathway- Receptor) |
|--------------------------------|--|------------------|---|
| Tolka Estuary SPA (004024) | <i>canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A192] Roseate Tern <i>Sterna dougallii</i> ; [A193] Common Tern <i>Sterna hirundo</i> ; [A194] Arctic Tern <i>Sterna paradisaea</i> ; [A999] Wetlands | | Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase |
| Wicklow Mountains SPA (004040) | [A098] Merlin <i>Falco columbarius</i> ; [A103] Peregrine <i>Falco peregrinus</i> | 5.1 km | None – These SPAs are either located within the Dublin Bay area or in the mountains to the southwest of the Proposed Development. |
| Dalkey Islands SPA (004172) | [A192] Roseate Tern <i>Sterna dougallii</i> ; [A193] Common Tern <i>Sterna hirundo</i> ; [A194] Arctic Tern <i>Sterna paradisaea</i> | 8.9 km | <p>The hydrological pathway is deemed to be insignificant given the considerable open marine water buffer between the Site of the Proposed Development and the SPAs; over which any potential surface water discharges containing sediment, silt and/or pollutants arising from the Construction/Operation Phases of the Proposed Development would become diluted to non-discernible levels. In addition, the intervening distances between the Site and the SPAs are sufficient to exclude the possibility of significant effects on the SPAs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.</p> <p>The Site does not provide significant <i>ex-situ</i> habitat for QI/SCI species within the Site of the Proposed Development.</p> |
| North Bull Island SPA (004006) | [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A048] Shelduck <i>Tadorna tadorna</i> ; [A052] Teal <i>Anas crecca</i> ; [A054] Pintail <i>Anas acuta</i> ; [A056] Shoveler <i>Anas clypeata</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> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A156] Black-tailed Godwit <i>Limosa limosa</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A160] Curlew <i>Numenius arquata</i> ; [A162] Redshank <i>Tringa tetanus</i> ; | 10.0 km | Yes – Weak hydrological pathway via surface water discharges to the River Slang during the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase |

| Site Name & Site Code | Qualifying Interests (*= priority habitats) | Distance to Site | Connections (Source- Pathway- Receptor) |
|-----------------------|---|------------------|---|
| | [A169] Turnstone <i>Arenaria interpres</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A999] Wetlands | | |

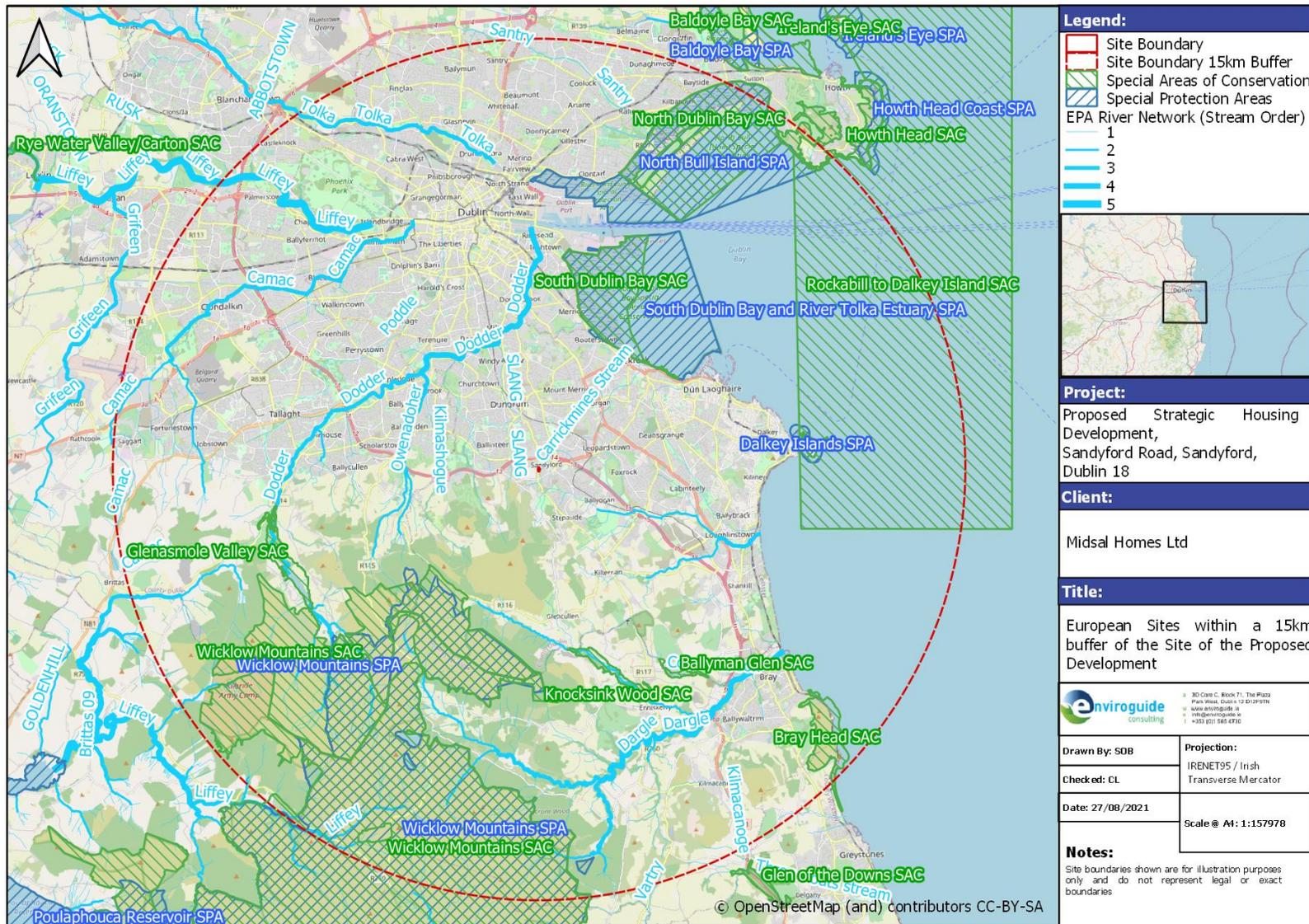


FIGURE 4. EUROPEAN SITES WITHIN 15KM OF THE PROPOSED DEVELOPMENT SITE.

3.5 Assessment of Likely Significant Effects

A European site will only be at risk from likely significant effects where the Source-Pathway-Receptor link exists between the Proposed Development and the European site. As such, the remainder of this AA Screening report will focus on the European sites for which a S-P-R link was identified, namely:

- South Dublin Bay SAC
- North Dublin Bay SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

3.5.1 Conservation objectives

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them.

Site specific conservation objectives (SSCO) have been compiled for the SAC listed above. Site-specific conservation objectives aim to define favourable conservation condition for habitats or species at a site.

The maintenance of habitats and species within European sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and 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.
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved 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.

3.5.2 Identification and Assessment of Likely Significant Effects

The conservation objectives of the European site within the zone of influence were reviewed and assessed in order to establish whether the construction and operation of the Proposed Development has the potential to have a negative impact on any of the qualifying interests and/or conservation objectives of the European site listed above.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., "Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC".

The potential for significant effects resulting from the Proposed Development during the Construction and Operational Phases was determined based on a range of indicators, including:

- Habitat loss or alteration.
- Habitat/species fragmentation.
- Disturbance and/or displacement of species.
- Changes in population density; and
- Changes in water quality and resource.

The following elements of the Proposed Development were assessed for their potential for likely significant effects on European sites.

- **Construction Phase** (estimated duration: 24 months)
 - Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks
 - Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies.
 - Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater.
 - Waste generation during the Construction Phase comprising soils, construction and demolition wastes.
 - Increased noise, dust and/or vibrations as a result of construction activity.
 - Increased dust and air emissions from construction traffic.
 - Increased lighting in the vicinity as a result of construction activity.
- **Operational Phase** (estimated duration: indefinite)
 - Surface water drainage from the Site of the Proposed Development.
 - Increased lighting in the vicinity emitted from the Proposed Development; and
 - Increased human presence in the vicinity as a result of the Proposed Development.

3.5.3 Habitat Loss and Alteration

The project is not located within any European site and therefore there will be no loss or alteration of habitat as a result of the Proposed Development.

3.5.4 Habitat / Species Fragmentation

As there will be no direct habitat loss within any European sites, no habitat fragmentation will arise as a result of the Proposed Development.

3.5.5 Changes in Water Quality and Resource

The Site of the Proposed Development will be served by the existing surface water drainage network to the west of the Site. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary

SPA and North Bull Island SPA via surface water discharges to the River Slang during both the Construction and Operational Phases of the Proposed Development.

- SuDS Measures are included in the Project Design however, they are not being relied upon in any way to mitigate against likely significant effects on a European Site:
 - It is a policy of Dún Laoghaire-Rathdown Council (EI6) to “ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS)”. As such, the Proposed Development design will entail a suite of SuDS measures that will be incorporated into the Proposed Development.

The potential for surface water generated at the Site of the Proposed Development to reach European sites within Dublin Bay and cause significant effects, during both the Construction and Operational Phase, is negligible due to:

- The distance and consequent potential for dilution in the River Slang, River Dodder and Dublin Bay. Surface water discharges would have to travel over 11km along these watercourses before reaching the River Liffey and discharging into Dublin Bay.
- The potential for dilution in the surface water network during heavy rainfall events.

The Site will be served by a newly constructed foul sewer. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA via discharges from Ringsend WwTP during the Operational Phase.

The potential for foul waters generated at the Site of the Proposed Development to reach European sites within Dublin Bay and cause significant effects, during the Operational Phase, is negligible due to:

- The potential for dilution in the surface water network during heavy rainfall events.
- The upgrade works to Ringsend WWTP which will increase the capacity of the facility from 1.6 million PE to 2.4 million PE (see section 3.5.8 below for more details).
- It is considered that effects on marine biodiversity and the European sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely (see section 3.5.9.1 for more details).
- The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).
- The increase of Population Equivalent (PE) at the facility as a result of the Proposed Development, assuming each PE unit was not previously supported by the WwTP, is considered to be an insignificant increase in terms of the overall scale of the facility. The total daily flow of foul water from the Proposed Development is estimated to be 61m³, which is 0.0001% of the volume of raw effluent treated at Ringsend per day. This potential increased load does not have the capacity to alter the effluent released from the WwTP to such an extent as to result in likely significant effects on the

European Sites. In addition, upgrade works are currently on-going at Ringsend WwTP to increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended solids, ammonia, DIN and MRP (Irish Water, 2018).

3.5.6 Disturbance and / or Displacement of Species

As outlined in section 3.5.5 above, the hydrological link between the Site and the European sites in Dublin Bay assessed here will not result in significant effects on the water quality and resource indicator during both the Construction and Operational Phases. As such, QI species within Dublin Bay will not be affected by water quality impacts.

3.5.7 Changes in Population Density

For the same reasons outlined in section 3.5.5.6 above, the Proposed Development does not have the capacity to cause any significant changes in the population density of any species within any European site.

3.5.8 Potential for In-combination Effects

Existing Planning Permissions

There are several existing planning permissions on record in the area ranging from small-scale extensions and alterations to existing residential properties to some larger-scale developments. The larger-scale developments identified within the vicinity of the Proposed Development are as follows:

Planning Application Reference: D14A/0843/E

Demolition of former residence and construction of 6 no. 2 storey 4-bedroom houses (in 2 Terraces of 3 houses each) as well as 4 no. Apartments (2 no. one bedroom apartments, 2 no. two bedroom apartments) and 2 no. three bedroom Duplexes in a 2/3 storey building and associated site development works. **(Decision: Extension of Duration. Decision Date: 27/10/2020).**

Planning Application Reference: D19A/0744

Permission for development. The development will consist of: the construction of 15 no. dwellings comprising 1 no. 1.5 storey 3-bedroom detached dwelling (Type A), 1 no. 1.5 storey 3-bedroom detached dwelling (Type E), 1 no. 1.5 storey 3-bedroom detached dwelling (Type F), 1 no. 1.5 storey 4-bedroom detached dwelling (Type D), 1 no. 2.5 storey 5-bedroom detached dwelling (Type B), 2 no. 2.5 storey 5-bedroom detached dwellings (Type C), 2 no. 2.5 storey 5-bedroom detached dwellings (Type H) and 6 no. duplex units in a single 3 storey block (Type G), consisting of 3 no. 2 bedroom ground floor and 3 no. 3 bedroom upper floors units with vehicular and pedestrian access from the Sandyford Road (Coolkill), including all associated on and off site development works, car parking, soft and hard landscaping pedestrian/cycle link to south-eastern boundary, boundary treatments and 225 mm dia. outfall foul sewer of circa 180 m, which will discharge into the existing foul manhole at Kilcross housing estate to the west of the subject site all on overall application site circa 0.49ha. **(Decision: Grant Permission. Decision Date: 29/07/2020).**

Planning Application Reference: D20A/0143

Permission for modifications to the previously permitted residential development, permitted under planning reg. ref. D16A/0393, and subsequent planning reg. ref. D18A/0509. Permission for minor amendments to the floor plans and elevations of the apartment block, Dun Gaoithe Hall, which will consist of 18 no. 1 and 2-bedroom apartments. The amendments proposed would provide 61.8m² additional floor area within the building. **(Decision: Grant Permission. Decision Date: 11/01/2021).**

Planning Application Reference: ABP30982821

Permission for a Strategic Housing Development. The site for proposed residential development is generally bounded by Thornberry Road to the north, by Atkinson Drive and the adjoining open space lands to the west, Sandyford Hall residential development adjacent Ferncarriga Avenue to the east and by Village Road and Griannan Fidh residential development to the south (Townland of Woodside). The site for proposed below ground wastewater storage tank is on open space lands generally bounded Griannan Fidh residential development to the north, Sandyford Hall residential development to the east and open space lands (including detention basin) to the south and west (Townland of Kilgobbin). The development will consist of: - 445no. 'Build-to-Rent' apartment units (158no. 1-bedroom units and 287no. 2-bedroom units) arranged in 9no. blocks ranging in height from 2 – 8 storeys over 2no. independent single level basements. Private patios / terraces and balconies are provided for all apartment units. Upper-level balconies are proposed on elevations of all multi-aspect apartment buildings. Blocks A – D are located above Basement 1 (5,949 sq. m gross floor area) and Blocks F – J are above Basement 2 (5,058 sq. m gross floor area). Provision 1no. childcare facility (c. 514.9 sq. m gross floor area) in Block D. Provision of resident amenity space / communal areas (c. 1,455.7 sq. m gross floor area) in Block C and Block G. And all associated and ancillary site development, infrastructural, landscaping and boundary treatment works including: - New vehicular access to / from Basement 1 from Atkinson Drive and new vehicular access to / from Basement 2 from Thornberry Road. Provision of c. 9,799 sq. m public open space, including a public plaza onto Village Road and improvement works to existing open space area to the north of existing Griannan Fidh residential development. Provision of 354no. car parking spaces including basement parking, set down spaces for proposed childcare facility and repositioning of set down area on Atkinson Drive. Provision of 638no. bicycle parking spaces. Provision of 14no. motorcycle parking spaces. Communal bin storage and plant provided at basement level and additional plant provided at roof level. Provision of below ground wastewater storage tank (c. 500 sq.m.) and associated connection to the wastewater networks including ancillary above ground kiosk and appropriate landscaping on open space lands to the south of Griannan Fidh residential development. The application contains a statement setting out how the proposal is consistent with the objectives of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022. The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land. **(Decision: Grant Permission. Decision Date: 15/07/2021).**

Planning Application Reference: D19A/0729

Permission to remove 3 No. single storey prefabricated buildings and the single storey shed structure to the rear/western/northern side of the existing school building in order to construct a new two storey extension in that location. The proposed extension will accommodate 2 No. Classrooms, 5 No. Resource Rooms, a new staff room, an Accessible Toilet, Staff Toilets and other ancillary areas including an internal landscaped Open Well, a new Boiler House, a Store Room and a new exit/accommodation Staircase. The works will also include modifications to the Reception Office at ground floor level within the return building and to the Toilet accommodation at both levels within the main school building. **(Decision: Grant Permission. Decision Date: 21/01/2020).**

Planning Application Reference: D21A/0595

Permission for development. The development will principally consist of the demolition of the single storey dwelling known as 'The Pastures' and ancillary garage (241 sq m) and the construction of a residential development comprising 33 no. apartments (10 no. one bedroom units, 20 no. two bedroom units and 3 no. three bedroom units) in 2 no. apartment blocks ranging in height from part 3 no. to part 5 no. storeys. The development proposes a total gross floor area of 3,112 sq m. The development also proposes public and communal open space, 26 no. car parking spaces; bicycle parking; hard and soft landscaping; and all other associated site works above and below ground. **(Decision: Request Additional Information. Decision Date: 19/08/2021).**

Planning Application Reference: D21A/0344

Permission for proposed development. The proposed development will consist of the following: (i) Works to elevations of Building 1; (ii) Extension of and works to Building 2; (iii) Provision of temporary Building 2 for the duration of the works; (iv) Site security works; (v) Revisions to car parking layout; (v) All associated site development works. **(Decision: Grant Permission. Decision Date: 27/07/2020).**

At the time of writing, there are no proposed or permitted forestry operations (thinning, clear felling, road construction) in close proximity to the Site of the Proposed Development¹.

Given the distance between abovementioned permitted developments/forestry Operations and the European Sites within the zone of influence, it is concluded that there is no potential for in-combination effects to arise as a result of the Proposed Development.

3.5.9 Relevant Policies and Plans

The following policies and plans were reviewed and considered for possible in-combination effects with the Proposed Development.

- Dún Laoghaire-Rathdown County Development Plan 2022 – 2028
- Dún Laoghaire-Rathdown Biodiversity Plan 2009 – 2013

The Dún Laoghaire-Rathdown County Development Plan 2022 – 2028 has directly addressed the protection of European Sites through specific policies (GIB19). The relevant recommendations and mitigation measures have been integrated into the plan. The Dún

¹ <https://forestry-maps.apps.rhos.agriculture.gov.ie/>

Laoghaire-Rathdown Biodiversity Plan 2009 – 2013 is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development.

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European sites.

3.5.9.1 Operation of Ringsend WWTP

In June 2018 Irish Water applied for and subsequently received planning permission in 2019 for upgrade works to the Ringsend WwTP facility. There are already on-going upgrading works taking place, which were the subject of a prior permission which are expected to be complete by 2025. These works, together with the further works permitted in 2019 will increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended solids, ammonia, DIN and MRP. An Environmental Impact Assessment Report (EIAR) was submitted by Irish Water as part of this application. The EIAR contains sections relating to Marine Biodiversity and Terrestrial Biodiversity, and each contains a section on the 'do-nothing scenario'. These review the effects of the WwTP on biodiversity in Dublin Bay *in the absence of the upgrade works* and so are relevant to this report.

The EIAR report acknowledges that under the do-nothing scenario *"the areas in the Tolka Estuary and North Bull Island channel will continue to be affected by the cumulative nutrient loads from the river Liffey and Tolka and the effluent from the Ringsend WwTP"*, which could result in a decline in biodiversity and the deterioration of the biological status of Dublin Bay (Irish Water, 2018). Nevertheless, these negative impacts of nutrient over-enrichment are considered "unlikely" (Irish Water, 2018). This is because historical data suggests that pollution in Dublin Bay has had little or no effect on the composition and richness of the benthic macroinvertebrate fauna. The EIAR notes that *"although a localised decline could occur, it is not envisaged to be to a scale that could pose a threat to the shellfish, fish, bird or marine mammal populations that occur in the area."* Indeed, the results of the marine macroinvertebrate studies undertaken for the EIAR show that *"the Inner Tolka Basin is host to macroinvertebrate communities as rich (if not richer) than those found in the north Dublin Bay and south Dublin Bay mudflats and sandflats"*. Furthermore, the EIAR notes that significant impacts on waterbird populations foraging on invertebrates in Dublin Bay due to nutrient over-enrichment are "unlikely" to occur (Irish Water, 2018). What is important in the context of this AA screening report is that the do-nothing scenario predicts that nutrient and suspended solid loads from the WwTP will *"continue at the same levels and the impact of these loadings should maintain the same level of effects on marine biodiversity"* and that *"if the status quo is maintained there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay."*

Therefore, it can be concluded that significant effects on marine biodiversity and the European sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely. Importantly, this conclusion is not dependent upon any future works to be undertaken at Ringsend. Thus, in the absence of any upgrading works, significant effects to European sites are not likely to arise.

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European sites.

TABLE 2. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

| Site | Habitat Loss / Alteration | Habitat or Species Fragmentation | Disturbance and/or Displacement of Species | Changes in Population Density | Changes in Water Quality and/or Resource | In-combination effects | Stage 2 AA Required |
|---|---------------------------|----------------------------------|--|-------------------------------|--|------------------------|---------------------|
| SAC | | | | | | | |
| Wicklow Mountains SAC (002122) | No | No | No | None | None | None | NO |
| South Dublin Bay SAC (000210) | No | No | No | None | None | None | NO |
| Knocksink Wood SAC (000725) | No | No | No | None | None | None | NO |
| Ballyman Glen SAC (000713) | No | No | No | None | None | None | NO |
| Glenasmole Valley SAC (001209) | No | No | No | None | None | None | NO |
| Rockabill to Dalkey Island SAC (003000) | No | No | No | None | None | None | NO |
| North Dublin Bay SAC (000206) | No | No | No | None | None | None | NO |
| Bray Head SAC (000714) | No | No | No | None | None | None | NO |
| Howth Head SAC (000202) | No | No | No | None | None | None | NO |
| SPA | | | | | | | |
| South Dublin Bay and River Tolka Estuary SPA (004024) | No | No | No | None | None | None | NO |
| Wicklow Mountains SPA (004040) | No | No | No | None | None | None | NO |
| Dalkey Islands SPA (004172) | No | No | No | None | None | None | NO |
| North Bull Island SPA (004006) | No | No | No | None | None | None | NO |

4 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Development at Glenina and Karuna, Sandyford Road, Sandyford, Dublin 18 has been assessed taking into account:

- the nature, size and location of the proposed works and possible impacts arising from the construction works.
- the qualifying interests and conservation objectives of the European sites
- the potential for in-combination effects arising from other plans and projects.

In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European sites listed below:

Wicklow Mountains SAC (002122)

South Dublin Bay SAC (000210)

Knocksink Wood SAC (000725)

Ballyman Glen SAC (000713)

Glenasmole SAC (001209)

Rockabill to Dalkey Island SAC (003000)

North Dublin Bay SAC (000206)

Bray Head SAC (000714)

Howth Head SAC (000202)

South Dublin Bay and River Tolka Estuary SPA (004024)

Wicklow Mountains SPA (004040)

Dalkey Islands SPA (004172)

North Bull Island SPA (004006)

In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant effects on any European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a Natura Impact Statement (NIS) is not required.

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