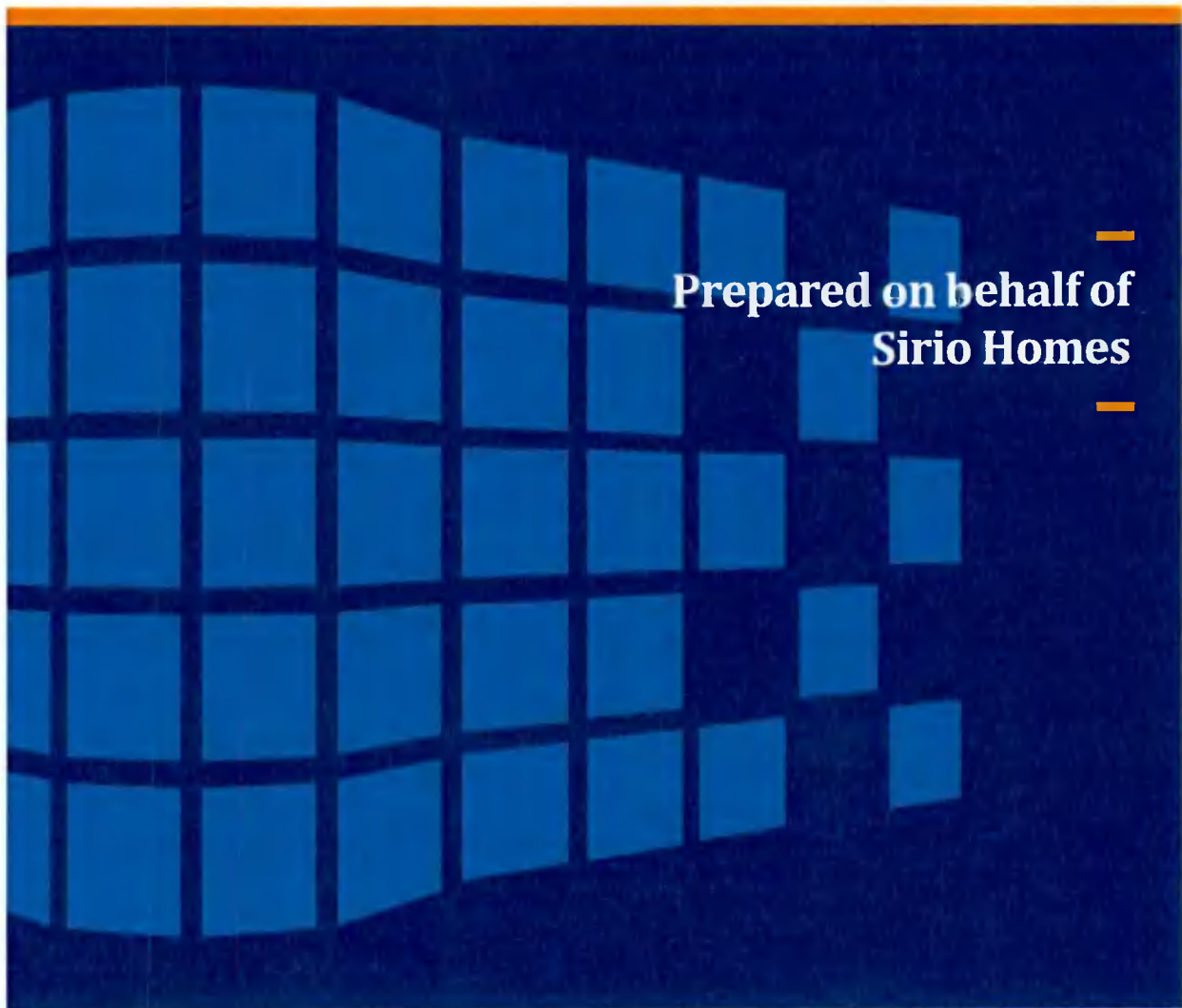


Appropriate Assessment Screening Report

Proposed Residential Development at the site of a Former Filling Station, Nutgrove Avenue, Rathfarnham, Dublin 14.

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www.mhplanning.ie


DUBLIN
Kreston House, Arran Court
Arran Quay, Dublin 7
D07 K271
T. +353 (0) 1 804 4477
E. info@mhplanning.ie

CORK
6 Joyce House, Barrack
Square
Ballincollig, Co. Cork
P31 YX97
T. +353 (0)21 420 8710
E. info@mhplanning.ie

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1 Introduction

1.1 Introduction

This report contains information required for the Competent Authority (South Dublin County Council) to undertake screening for Appropriate Assessment (AA) for a proposed residential development.

This report has been prepared by McCutcheon Halley Chartered Planning Consultants, on behalf of the Applicant, Sirio Homes, to accompany an application seeking permission for the construction of a four (4)-storey residential development (total gross floor area c. 2640 sq.m) incorporating 28 No. apartments, at grade car-parking and bicycle parking facilities and all associated ancillary works at Nutgrove Avenue, Rathfarnham, Dublin 14. It provides information on and assesses the potential for the proposed development to impact on identified Designated European Sites (termed Natura 2000 sites).

It is necessary that the proposed development or project has regard to Article 6 of the Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the Habitats Directive). This is transposed in Ireland primarily by S.I. No. 477 of 2011, European Communities (Birds and Natural Habitats) Regulations 2011 (thereafter referred to as the Birds and Habitats Regulations) and by the Planning and Development (Amendment) Act 2010, as amended.

It is the responsibility of the Competent Authority to determine as to whether or not the proposed development is likely to have significant effects, either individually or in combination with other plans or projects, on Natura 2000 sites. If likely significant effects cannot be ruled out, then it would be necessary to undertake a Natura Impact Assessment of the implications of the proposed development on the integrity of Natura 2000 sites in view of their conservation objectives.

This AA Screening Report is set out under the following headings;

1. Introduction
2. Regulatory Context & Legislation
3. Methodology
4. Proposed Development
5. AA Screening
6. Consideration of Findings

1.2 General Site Description

The site, as shown in **Figure 1** below, benefits from an approximate 90m wide frontage to Nutgrove Avenue (R821). A cycle path and pedestrian pathway transverses the front of the site along Nutgrove Avenue. The site provides a total area of 0.3157 hectares.

The site is located to the south of Nutgrove Avenue. The northern side of Nutgrove Avenue is occupied by two-storey housing (operating as an aged care facility) and Rathfarnham Golf Club is located beyond these developments. To the east of the site, a two-storey building is located, which is occupied by the Rathfarnham scout group.

A portion of the site located to the south is provided with frontage to an internal road used for access to the Stone Park Orchard residential estate. The remainder of the southern boundary adjoins No.s 17 and 18 Stone Park Orchard, which provide two-storey residential developments and one single-storey dwelling referred to as "Whitehall", which directly abuts the boundary to the east. To the west of the site, a two-storey residential dwelling known as "Spabeck House" is located.

The site is currently vacant with the exception of some trees and landscaping. The historical use of the site was a filling station which was decommissioned in 2008. It is understood that the site has remained vacant since this time. Reports have been prepared prior to, and post, the decommissioning of the fuel sales use of the site, which are appended to the Planning Statement included under separate cover. The information presented in the reports confirms the site is in an appropriate condition to safely accommodate the proposed residential use.



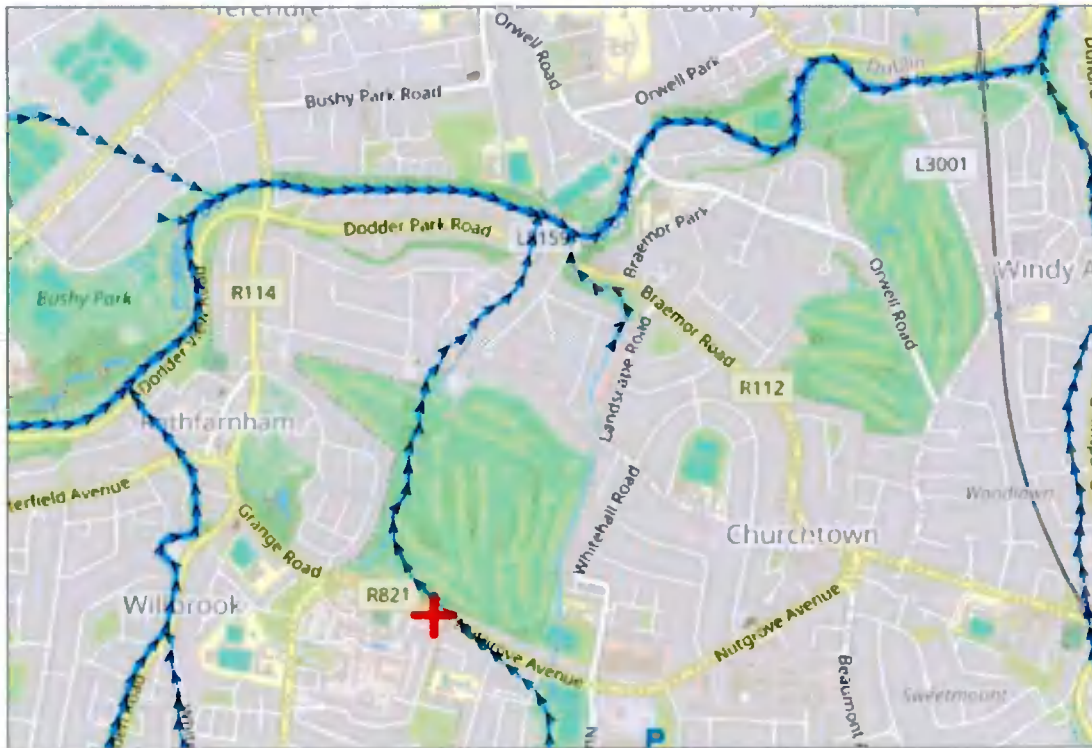
FIGURE 1: SUBJECT SITE LOCATED AT NUTGROVE AVENUE, RATHFARNHAM, DUBLIN 14 (SOURCE: GOOGLE MAPS)

The site is located in a predominantly residential neighbourhood within an accessible suburban location. The surrounding built context provides for a mix of primarily two-storey houses, some sparsely located single-storey dwellings and residential apartment developments.



FIGURE 2: EXISTING SITE WHEN VIEWED FROM NUTGROVE AVENUE (SOURCE: GOOGLE EARTH)

There are no surface water features within the site. As indicated in **Figure 3**, the closest surface water feature is the Little Dargle River which runs near to the north eastern corner of the site where it is culverted and flows under Nutgrove Avenue, through Castle Golf Club before discharging to the River Dodder approx. 1.2km north of the proposed development site. The River Dodder does not benefit from European or national designations. It is assigned a 'Moderate' status under the Water Framework Directive.



**FIGURE 3: EXISTING SURROUNDING HYDROLOGICAL ENVIRONMENT (SITE DENOTED BY RED CROSS)
(SOURCE: EPA MAPPING TOOL)**

A **Site Specific Flood Risk Assessment (SSFRA)** prepared by PUNCH Consulting Engineers accompanies this application under separate cover.

Appendix D of the SSFRA report provides flood Maps prepared as part of the Dodder Catchment Floor Risk Assessment Management (CFRAM) study which were consulted to establish the Flood Zone for the site. It was determined that the proposed development site is located in a Flood Zone C for fluvial, pluvial, and coastal flooding. On this basis, the proposed development is considered to be at low risk of flooding and is deemed appropriate within the proposed site location.

The geology of the site was reviewed using data from the Geological Survey of Ireland. The GSI quaternary maps for the region indicate that the soil type is at the interface between two types of soil; till derived limestone (boulder clay) and gravels derived from limestones as shown in **Figure 4** below.

A review of the underlying bedrock in accordance with National Groundwater Vulnerability Ireland classifies the bedrock groundwater vulnerability in the region of the subject site 'Low', which indicates a general overburden depth potential of >10m, indicating a natural protection of the underlying bedrock. See **Figure 5** below.



FIGURE 4: MAP EXTRACT (SITE DENOTED BY RED CROSS) FROM QUATERNARY MAP (SOURCE: WWW.GSI.IE)

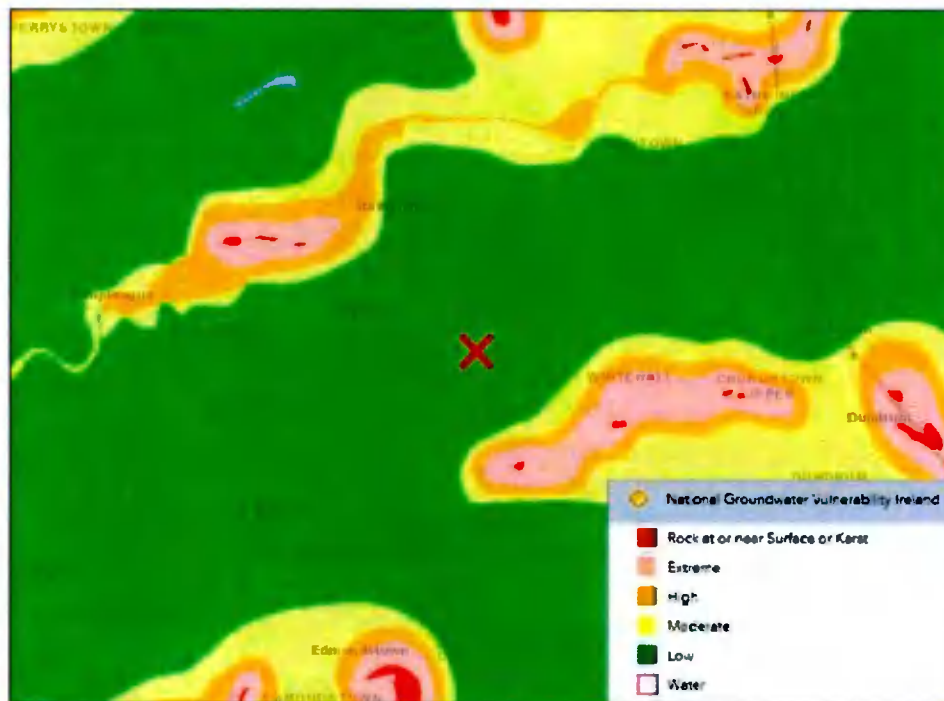


FIGURE 5: MAP EXTRACT (SITE DENOTED BY RED CROSS) FROM NATIONAL GROUNDWATER VULNERABILITY IRELAND (SOURCE: WWW.GSI.IE)

Any Natura 2000 sites within the likely zone of impact (Zol) must be considered. 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, the sensitivities of the ecological receptors, and the potential for in combination effects.

Having regard to the Department Guidelines on Appropriate Assessment of Plans and Projects in Ireland, the nature, size and location of this proposed development and the source-pathway-receptor approach, the Zol of the proposed development encompasses 10kms, having regard to the source of water supply and the discharge of foul and storm water from the site.

The nearest Natura 2000 sites are located in excess of 5km of the subject site. The below list of Designated Sites was identified within 10km:

- South Dublin Bay SAC (000210)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- Wicklow Mountains SAC (002122)
- Glenasmole Valley SAC (001209)
- North Dublin Bay SAC (00206)
- Knocksink Wood SAC (000725)
- Wicklow Mountains SPA (004040)
- North Bull Island SPA (004006).

There are no direct pathways between the proposed development site and any of the Designated Sites listed above. For the purposes of this report, only those sites where an indirect pathway (employing the source – pathway – receptor approach) have been brought forward to screening stage. These are identified in Section 5 of this report.

The Poulaphouca Reservoir SPA (004063) is not located within the 10km Zol and is located approximately 18.9km from the subject site. However, the source of water supply for the proposed development will come from Poulaphouca Reservoir. The pre-connection enquiry to Irish Water advised the proposed connection to the Irish Water network(s) could be facilitated, based on the current capacity available in the Irish Water networks(s). Therefore, it is not considered necessary to bring this forward for screening.

1.3 Brief Description of the Project

A full description of the proposed development is detailed under Section 4.

Briefly, the proposed development will consist of residential development comprising a total of 28 no. apartments in a building up to 4-storeys in height located at the former Esso filling station, Nutgrove Avenue, Rathfarnham, Dublin 14. The cumulative gross floor is proposed to be 2,640sq.m on the 0.3157 hectare site.

Vehicular access will be provided directly from Nutgrove Avenue to the at grade carpark located to the rear of the site which will provide for 16 no. car parking spaces, together with a total of 62 no. surface level bicycle spaces across the site. The development will also provide for a communal courtyard, public open space area, all associated landscaping works, and all ancillary site development works required to facilitate the proposed development.

2 Regulatory Context & Legislation

2.1 European Nature Directives (Habitats & Birds)

Special Areas of Conservation (SAC) are designated under the Conservation of Natural Habitats and of Wild Fauna and Flora Directive 92/43/EEC (Habitats Directive) which is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011). Special Protection Areas are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds). Collectively, SACs and SPAs are referred to as Natura 2000 sites. In general terms, they are considered to be of exceptional importance in terms of rare, endangered or vulnerable habitats and species within the European Community.

Under Article 6(3) of the Habitats Directive an Appropriate Assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An Appropriate Assessment is an evaluation of the potential impacts of a plan or project on the conservation objectives of a Natura 2000 site. Where necessary, mitigation or avoidance measures should be proposed to preclude negative effects.

Article 6, paragraphs 3 of the Habitats Directive state that: *"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"*.

2.2 EC (Birds & Natural Habitats) Regulations 2011

Part 5 of the EC (Birds and Natural Habitats) Regulations 2011 sets out the circumstances under which an 'appropriate assessment' is required. Section 42(1) requires that 'a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.'

2.3 Planning and Development Regulations 2011, as amended

Section 250 of the Planning and Development Regulations 2001 as amended sets out the circumstances under which an 'appropriate assessment' is required. Section 250 (1) requires that 'In order to ascertain whether an appropriate assessment is required in respect of a development which it proposes to carry out a local authority shall carry out a screening of the proposed development to assess, in view of best scientific knowledge, if the development, individually or in combination with other plans or projects, would be likely to have a significant effect on a European site.'

Section 250 (2) states that "If on the basis of a screening under sub- article (1) it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, would have a significant effect on a European Site, the local authority shall determine that an appropriate assessment of the proposed development is required and shall prepare an NIS in respect of the proposed development and shall submit the proposed development to the Board for approval under section 177AE of the Act.

3 Methodology

3.1 Introduction

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures to be addressed in the AA process.

Firstly, a plan/project should aim to avoid any negative impacts on Natura 2000 sites by identifying possible impacts early and designing the project/plan to avoid such impacts.

Secondly, mitigation measures should be applied during the AA process to the point where no adverse impacts on the site(s) remain.

Under a worst-case scenario, a plan/project may have to undergo an assessment of alternative solutions. Under this stage of the assessment, compensatory measures are required for any remaining adverse effects, but they are permitted only if (a) there are no alternative solutions and (b) the plan/project is required for imperative reasons of overriding public interest (the 'IROPI test'). European case law highlights that consideration.

3.2 The Stages in an Appropriate Assessment

There are 4 stages in an AA as outlined in the European Commission Guidance document (EC, 2001). The following is a brief summary of these steps. This report addresses Stage 1 – Screening.

Stage 1 - Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 Site and considers whether it can be objectively concluded that these effects will not be significant.

Stage 2 - Appropriate Assessment: In this stage, the impact of the project on the integrity of the Natura 2000 site is considered with respect to the conservation objectives of the site and to its structure and function.

Stage 3 - Assessment of Alternative Solutions: Should the Appropriate Assessment determine that adverse impacts are likely upon a Natura 2000 site, this stage examines alternative ways of implementing the project that, where possible, avoid these adverse impacts.

Stage 4 - Assessment of where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the Natura site will be necessary.

3.3 Approach

The approach taken in preparing this document is set out below and is broadly based on standard methods and best practice guidance, as listed in Section 7, References.

- Identify Natura 2000 sites, within the potential zone of influence (ZoI) of the proposed development.
- Identify features of interest of the Natura 2000 sites and review their conservation objectives.
- Review whether there is a potential for the features of interest to be affected by the proposed development based on information such as the vulnerabilities of the Nature 2000 site, proximity to the site and the nature and scale of the works associated with the proposed development.
- Consider the likelihood of potential impacts occurring based on the information collated and professional judgement.

For the risk of an adverse impact 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 source and the receptor, such as a watercourse that links the construction site to the designated site. Where a pathway exists, but the magnitude of the potential impact generated at the source is sufficiently small, the pathway can be ruled out.

Identification of a risk 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 risk and the characteristics of the receptor, the qualifying habitats and species therein, and applicable conservation objectives.

3.3.1 Assessment of Impact Significance

Potential impacts on qualifying habitats, species and conservation objectives may result from:

- Habitat loss and/or fragmentation;
- Impacts on habitat structure;
- Disturbance to species of conservation concern;
- Impacts on water quality;
- Air pollution;
- Noise pollution;
- Mortality to species (such as roadkill).

In addition, the significance of potential impacts depends on:

- Effectiveness of mitigation measures;
- Distance of pathway between source and receptor;
- Character of existing environment; and
- Tolerance of receptor to potential impacts.

3.4 Desk Study

A desk study was carried out to collate the available information on the ecological environment with respect to Nature 2000 sites identified within the potential zone of influence of the proposed development.

The location of the site is at Nutgrove Avenue, Rathfarnham and the surrounding area was viewed using google maps www.google.com/maps (last accessed on 23 March 2021). The National Parks and Wildlife Service (NPWS) website (www.npws.ie) and National Biodiversity Data Centre (NBDC) online database (<http://www.biodiversityireland.ie/>) were accessed for information on Natura 2000 sites in the vicinity of the proposed development (last accessed 23 March 2021). The planning authority website (www.sdcc.ie) (last accessed on 23 March 2021) was reviewed for information on plans or projects in the area that may result in cumulative impacts where considered with the application for the proposed development.

Data on rivers and catchment areas was accessed through the EPA website and the EPA interactive map viewer tool (last accessed on 23 March 2021).

4 Proposed Development

4.1 Development Description

The proposed scheme will consist of residential development comprising a total of 28 no. apartments, in a building up to 4-storeys in height located at the former Esso filling Station site, Nutgrove Avenue, Rathfarnham, Dublin 14. The cumulative gross floor area is proposed to be 2,640sq.m on the 0.3157 hectare site.

The application area includes the site of the former filling station (0.2821 ha – under Applicant ownership) and a portion of land (0.0326ha) located to the north of the filling station site, where the existing traffic lights and pedestrian crossing are located along Nutgrove Avenue. To accommodate access to the Site, it is proposed to relocate the existing traffic lights and pedestrian crossing which traverses both South Dublin County Council and Dun Laoghaire-Rathdown County Council boundaries.

The development will consist of:

- i. The development proposes a development with a maximum height of c.11.7m and a total gross floor area of 2,640 sq.m consisting of 28 no. residential units comprising:
 - o 8 x 1-bedroom apartments
 - o 17 x 2-bedroom apartments
 - o 3 x 3-bedroom apartments;
- ii. Communal amenity space (433 sq.m) and public open space (286 sq.m) located to the rear and western side of the Site;
- iii. At grade car parking is proposed to the rear of the site which will provide 16 no. residents' car parking spaces (including 2 no. electric vehicles spaces and 1 no. accessible spaces) and 2 no. motorcycle parking spaces;
- iv. Two (2) resident waste bin storage areas are proposed along the north-western and north-eastern corner of the Site, fronting Nutgrove Avenue (Total 25 sq.m);
- v. A new vehicular entrance from Nutgrove Avenue;
- vi. A total of 62 no. surface level bicycle parking spaces comprising 48 no. spaces located at the rear of the Site and 14 no. spaces within the residents' communal area, located along the north-western portion of the Site;
- vii. Relocation of the existing traffic lights and pedestrian crossing located on Nutgrove Avenue to the west of its existing position to accommodate access to the Site; and
- viii. All ancillary site development works including installation of drainage and water supply infrastructure, lighting and provision of an ESB substation and switch room.

Vehicular access is proposed directly from Nutgrove Avenue, along the northern boundary which provides access to an at grade carpark located to the rear of the Site. Pedestrian access to the building and the rear communal spaces are provided at numerous points along Nutgrove Avenue. The location of the existing pedestrian crossing and traffic lights conflict with the proposed access and egress points of the proposal. As a result, they are proposed to be relocated approx. 11m to the west of their current location.

4.2 Engineering Services

An **Engineering Planning Report** has been prepared by PUNCH Consulting and is included with this application under separate cover which sets out the proposed drainage works in detail.

Briefly, a new surface water and foul network are proposed to service the development, together with a diversion of the existing surface water system through the site. The surface water runoff from the proposed development will be distinctly separate from the development's foul sewerage network. Please refer to PUNCH Drawing No. DR-C-0100 for the proposed drainage layout.

4.2.1 Surface Water Drainage

Surface water from the proposed development will discharge to the public surface water network to an outfall location at the Castle Stream located within the golf course, north of the subject site.

The existing surface water sewer pipe which traverses the site is to be diverted along the south of the subject site to facilitate the construction of the proposed development. The proposed buildings will be clear of the proposed and retained surface sewer wayleave, as agreed with the planning authority. The proposed diverted sewer has been sized such that it provides greater volume in the proposed drainage diversion compared to the existing pipeline.

All surface water run-off from roof areas and hardstanding areas are designed to be collected by the gravity pipe network. The surface water from any open deck parking areas or pavement shall be collected *via* a series of gullies, channels and permeable paving, and are to be discharged to the diverted surface water drainage network. An attenuation tank with a hydrobrake flow restriction device will be installed to provide surface water flow control. The outlet from the attenuation tank is designed to discharge to the proposed downstream manhole along the diverted surface sewer within the site. A new manhole is to be utilised for connection, with the new pipe to connect at invert level of existing surface water sewer.

The proposed drainage system has been designed with a view to providing a sustainable drainage system and ensuring, insofar as is practicable, that a minimal impact on the existing public surface water sewer system will result.

Proposed Sustainable Urban Drainage Systems (SuDS) measures to decrease the impact of the development on the receiving environment include: permeable pavers for the car parking areas, green roof areas on the apartment blocks insofar as space permits and pervious landscape areas at ground level. Please refer to the accompanying **Engineering Planning Report** for further detail relating to the proposed SUDs measures.

4.2.2 Foul Water Drainage

Foul sewerage from the proposed development will discharge to a public foul sewer which discharges to an outfall location at Ringsend.

The site was formerly developed as a service station, and there may be an existing redundant foul drainage line on site. Irish Water record drawings indicated that 2 no. separate foul water drainage pipes exist north and west of the subject site. The northern foul sewer line is positioned on Nutgrove Avenue, north of the subject site, and drains in an east to west direction. There is an existing site service which connects to this foul sewer line. The southern foul sewer line along the residential development, Stonepark Orchard, runs in an east to west direction.

It is proposed that the foul sewer will discharge by gravity to the existing 225mm concrete foul sewer pipe on Nutgrove Avenue north of the subject site. It is noted that both the new and existing component of the drainage network will incorporate water conservation measures in sanitary facilities throughout with a view to reducing foul discharge from the development.

During the construction phase of development, the appointed contractor will be required to apply for a temporary connection.

4.2.3 Water Supply

The proposed development site will be serviced by Dublin's public water supply network, which primarily originates from the Poulaphouca Reservoir in County Wicklow. The reply received from Irish Water in response to the pre-connection enquiry advised that the proposed connection to the Irish Water network(s) could be facilitated based on the current capacity available in the Irish Water networks(s).

Irish Water record drawings indicated that 3 no. public watermains exists adjacent to the subject site, including 1 no. asbestos watermain east of the site, and 2 no. uPVC watermains on Nutgrove Avenue and along Stonepark Avenue which connect to the asbestos watermain on site.

A new water supply network is proposed on site to service the new proposed buildings. It is proposed to connect the development to existing watermain on Stonepark Orchard. A 100m watermain is proposed to serve the proposed development based on the water supply calculations set out in the accompanying **Engineering Planning Report** which estimates a daily flow rate of 11,400 litres/day. As mentioned under Section 4.2.2, water conservation measures will be incorporated throughout the development to reduce water demand on Local Authority water supplies.

4.3 Traffic & Transport

A Traffic Impact Statement (TIS) has been prepared by PUNCH Consulting Engineers and is contained within the **Engineering Planning Report**.

Access to the proposed development site will be provided *via* a north eastern entrance at the north eastern corner of the site from Nutgrove Avenue. The development is proposed to provide a junction to Nutgrove Avenue, the location of which conflicts with an existing pedestrian crossing which is proposed to be relocated to the west of its existing location.

The predicted traffic flows arising from the proposed development are found to be relatively low and would have a minimal impact on the existing traffic arrangements along Nutgrove Avenue. The proposed provision of car and bicycle parking facilities is in compliance with Local Authority standards, included the provision of accessible parking spaces, electric car parking spaces and motorcycle spaces.

Based on the scale of the proposed development, it is anticipated that the proposed development can be supported by the existing surrounding road network and surrounding public transport facilities. Overall, the analysis of the TIS concludes that the development will have a negligible impact on traffic flows on the existing road network.

During the construction phase of development, construction traffic will be responsible for ensuring there is no conflict between pedestrians and vehicles entering and exiting the site. Traffic will arrive along Nutgrove Avenue, prior to entering the proposed development site. Further information in relating to traffic and transport arrangements during the construction phase of development is available in the accompanying **Outline Construction and Demolition Waste Management Plan**.

4.4 Arboriculture

An Arboricultural Report has been prepared by the **Tree File Consulting Arborists** which accompanies this application under separate cover.

The report outlines that 27 no. trees are located within the Site boundary, all of which are proposed to be removed to facilitate the proposed development. Notwithstanding this, the review of site trees has raised several issues in respect of suitability for retention. The arborist notes that many trees arise from positions directly adjoining existing structures and thus the trees will be disturbed as a result of ongoing growth. Examples of this would relate to the trees arising from the footing of the existing stone-built boundary wall located along the southern boundary.

The number of trees proposed to be removed will be replaced and further result in an overall increase across the site, as set out under Section 4.5 below.

4.5 Landscaping

A **Landscape Plan** and **Landscape Design Report** has been prepared by Murphy + Sheanon Horticulture & Landscape Architecture and is included under separate cover.

The proposed landscaping strategy has been designed to complement the scheme within the established site context. On foot of commentary provided by the Local Authority relating to a previous planning application on the subject site, a comprehensive tree scaping plan forms a significant element of the proposed landscaping arrangements.

Whilst the existing 27 no. trees located on the Site are proposed to be removed, adequate replacement is proposed, with a total of 45 no. trees of mixed description (silver wattle trees, Himalayan birch trees, hornbeam trees, and ornamental pear trees) proposed along the southern boundary to provide screening from the adjoining residential properties.

There are several existing mature trees on site, for which an **Arboricultural Report** has been prepared by the Tree File Consulting Arborists and accompanies this application.

4.6 Waste Management

An **Outline Construction and Demolition Waste Management Plan** (OCWMP) and an **Outline Construction Management Plan** (OCMP) prepared by PUNCH Consulting is included under separate cover.

4.6.1 Construction Phase

The site will be enclosed by hoarding. A waterproof membrane will be fixed to the base of the hoarding and the ground. The compound area will be of hardstanding material.

In order to provide fuel to the relevant items of plant on site, a certified metal fuel tank will be situated in a secure area on the construction Site, located within a bund. Sand piles and emergency clean up spill kits will be readily available in the event of a fuel spill. A hazardous bin will also be available to contain any spent sand or soak pads.

During the construction phase of development, the disposal of water, wastewater, and all site facilities will be located entirely within the site. Surface water (i.e., water from excavations etc.) will be pumped to a holding tank on site prior to onward movement to a series of settlement tanks. They will then be discharged through the existing surface water system with approval from the local authority. Visual checks of the pumping station and settlement system will be carried out on a routine basis. During this phase, foul sewerage will be discharged to the public foul sewer network, and the appointed contractor will be required to apply for a temporary connection.

4.6.2 Operational Phase

In terms of operational waste management, waste storage for residents is proposed at the north-eastern and north-western corner within 2 no. designated bin storage areas. The locations have been chosen to facilitate ease of access for the residents. Waste can be transferred by the Management Company/Building Manager on the day of collection and placed at an allocated kerb-side area for collection.

5 Appropriate Assessment Screening

5.1 Identification of Natura 2000 Sites

The 'zone of influence' (ZoI) for a project is the area over which ecological features may be subject to significant effects as a result of the proposed project and associated activities. This is likely to extend beyond the site where are ecological and hydrological links to site boundaries.

Although there is a generally prescribed distance of 15km as a potential ZoI for projects to consider European Designated Sites as being of relevant for assessment, there is no set recommendation. Rather, NPWS (2010) recommends that *'the distance should 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'*.

As previously noted in Section 1.2, the proposed development site is not located within or adjacent to any Natura 2000 sites, and there are no sites located within a 5km distance of the site. To determine the ZoI of the proposed project, this report uses the source-pathway-receptor approach.

The identified sources that may occur during construction phase are;

- i. Accidental leakage may occur from construction site equipment: potential risk to local ground and surface water, due to the size of the proposed development any such incidence would be minor in nature with a brief duration (i.e. less than a day).
- ii. Excavation of soils to facilitate the development: potential risk to local ground and surface water due to the size of the proposed development, any such incident would be minor in nature with a brief duration (i.e. less than a day).
- iii. Surface water from the proposed development will discharge to the public surface water network to an outfall location at the Castle Stream located within the gold course north of the subject site.

The identified sources that may occur during the operational phase are;

- i. Accidental leakage of petrol/diesel fuel may occur from individual cars.
- ii. The development will be serviced with a foul discharge pipe from the site to the existing public foul sewer on Nutgrove Avenue north of the development site. The foul discharge from the site will join the public sewer and will be treated at the Irish Water Ringsend Waste Water Treatment Plant (WWTP) prior to subsequent discharge to Dublin Bay. This WWTP is required to operate under an EPA license and as such must meet environmental legislative requirements as set out in such licenses. It is noted that an application to this facility has recently received planning and is expected to be fully operational with greater treatment capacity within 5 years.
- iii. Surface water from the proposed development will discharge to the public surface water network to an outfall location at the Castle Stream located within the gold course north of the subject site.
- iv. The proposed development site will be serviced by Dublin's public water supply network, which primarily originates from the Poulaphouca Reservoir in County Wicklow, located approximately 18.9km from the subject Site.

The following pathways have been identified:

- i. Should any silt-laden stormwater from construction enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes by the time the stormwater reaches any open water.
- ii. Surface water from the proposed development will discharge to the public surface water network to an outfall location at the Castle Stream located within the gold course north of the subject site.

- iii. Vertical migration to the underlying bedrock: The GSI (2019) guidance classifies the bedrock aquifer vulnerability in the region of the subject site as 'Low' (See **Figure 5**) which indicates a general overburden depth potential of >10m, indicating a natural protection of the aquifer by low permeability alluvial/glacial clays. Based on this 'Low Vulnerability' classification, the potential for any leakage of oil etc. to ground to migrate to the underlying bedrock is relatively low.
- iv. Foul wastewater discharge from the proposed development will be treated at the Irish Water WWTP at Ringsend prior to discharge to Dublin Bay.

For the purpose of this assessment, a precautionary approach was adopted, and Designated Sites located within 10km of the project site were identified, however it was concluded that there was no likelihood of any significant impacts on the majority of those sites identified.

Given the minor nature of the works, the reasonable receptors are Designated Sites positioned immediately adjacent to the outfall from the Irish Water WWTP at Ringsend, which is located c.1km east of the plant, just east of the ESB Poolbeg Power Station.

The outfall is located outside the following European Designated Sites; adjacent to the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA, and south of the North Bull Island SPA and North Dublin Bay SAC (See **Figures 6 and 7**).



FIGURE 6: SITE LOCATION (DENOTED BY RED CROSS) AND PROXIMATE SPAs (SOURCE: WWW.EPA.IE)

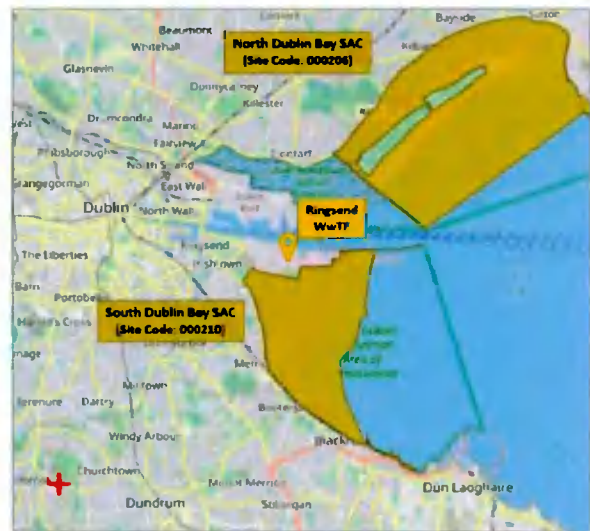


FIGURE 7: SITE LOCATION (DENOTED BY RED CROSS) AND PROXIMATE SACs (SOURCE: WWW.EPA.IE)

5.2 Screening

Accordingly, these 4 no. Designated Sites are taken forward to the screening assessment, and the potential indirect impacts were considered for the 4 no. Designated Sites noted above.

All of the sites identified are of a sufficient distance from the proposed development site to ensure that they will not be affected by any direct loss of habitat. Given the location of the site relative to the Natura 2000 sites and within an existing urban area, the risk of noise and dust arising from construction stage or other disturbance (e.g. emissions from construction vehicles) affecting the sites is not reasonably considered likely.

Each of the 4 no. Natura 2000 sites identified above and brought forward to screening stage are presented in **Table 1** below.

Qualifying Interest (QI)	Special Conservation Interest	NPWS Identified Threats and Pressures
South Dublin Bay SAC (000210)		
<p>[1140] Mudflats and sandflats not covered by seawater at low tide. <i>The following habitats are listed as QI(s) but are not listed in the Conservation Objectives:</i></p> <p>[1210] Annual vegetation of drift lines [1310] Salicornia and other annuals colonising mud and sand [2110] Embryonic shifting dunes</p>	<p>According to this SAC's site Conservation Objectives document (Version 1, dated 22nd August 2013), the conservation objective for this SAC is to:</p> <p><i>To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC.</i></p>	<ul style="list-style-type: none"> • Paths, tracks, cycling tracks [D01.01] • Industrial or commercial uses [E02] • Discharges [E03] • Reclamation of lands from sea [J02.01.02] • Bait digging/collection [F02.03.01] • Non-motorised nautical sports [G01.01.02] • Nautical sports [G01.01] • Walking, horse-riding and non-motorised vehicles [G01.02] • Accumulation of organic material [K02.02] • Urbanised areas, human habitation [E01] • Marine water pollution [H03] • Roads, motorways [D01.02]
South Dublin Bay and River Tolka SPA (004024)		
<p>[A046] Light-bellied Brent Goose (branta bernicla hrota) [A130] Oystercatcher (Haematopus ostralegus) [A137] Ringed Plover (Charadrius hiaticula) [A141] Grey Plover (Pluvialis squatarola) [A149] Dunlin (Calidris alpina) [A157] Bar-tailed Godwit (Limosa lapponica) [A162] Redshank (Tringa tetanus) [A179] Black-headed Gull (Chroicocephalus ridibundus) [A192] Roseate Tern (Sterna dougallii) [A193] Common Tern (Sterna hirundo) [A194] Arctic Terna (Sterna paradisaea) [A999] Wetland and Waterbirds</p>	<p>According to this SPA's site Conservation Objectives document (Version 1, dated 9th March 2015), the conservation for each of the QI's listed is to:</p> <p><i>To maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</i></p>	<ul style="list-style-type: none"> • Industrial or commercial uses [E02] • Bait digging/collection [F02.03.01] • Walking, horse-riding and non-motorised vehicles [G01.02] • Nautical sports [G01.01] • Leisure fishing [F02.03] • Urbanised areas, human habitation [E01] • Reclamation of land from sea [J02.01.02] • Eutrophication [K02.03] • Discharges [E03] • Roads, motorways [D01.02]

North Dublin Bay SAC (000206)		
<p>[1140] Mudflats and sandflats not covered by seawater at low tide</p> <p>[1210] Annual vegetation of drift lines</p> <p>[1310] <i>Salicornia</i> and other annuals colonising mud and sand</p> <p>[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>[1395] Petalwort <i>Petalophyllum ralfsii</i></p> <p>[1410] Mediterranean salt meadows (<i>Juncetalia maritima</i>)</p> <p>[2110] Embryonic shifting dunes</p> <p>[2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>[2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>[2190] Humid dune slacks</p>	<p>According to this SAC's Conservation Objectives document (dated 6th November 2013), the conservation for each of the Qis listed is to:</p> <p><i>'To [maintain/restore] the favourable condition of [QI] in the North Dublin SAC.'</i></p>	<ul style="list-style-type: none"> • Leisure fishing [F02.03] • Industrial or commercial uses [E02] • Grazing [A04] • Intensive maintenance of public parks/cleaning of beaches [G05.05] • Invasive non-native species [I01] • Burning down [J01.01] • Urbanised areas, human habitation [E01] • Antagonism of domestic animals [K03.06] • Bait digging/collection [F02.03.01] • Golf course [G02.01] • Diffuse pollution to surface waters fur to other sources not listed [H01.09] • Other point source pollution to surface water [H01.03] • Walking, horse-riding and non-motorised vehicles [G01.02] • Discharges [E03] • Nautical sports [G01.01]
North Bull Island SPA (004006)		
<p>[A046] Light-bellied Brent Goose (<i>branta bernicla hrota</i>)</p> <p>[A048] Shelduck (<i>tadorna tadorna</i>)</p> <p>[A052] Teal (<i>anas crecca</i>)</p> <p>[A054] Pintail (<i>anas acuta</i>)</p> <p>[A056] Shoveler (<i>anas clypeata</i>)</p> <p>[A130] Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>[A140] Golden Plover (<i>pluvialis apricaria</i>)</p> <p>[A141] Grey Plover (<i>pluvialis squatarola</i>)</p> <p>[A143] Knot (<i>calidris canutus</i>)</p> <p>[A144] Sanderling (<i>calidris alba</i>)</p> <p>[A149] Dunlin (<i>Calidris alpina</i>)</p> <p>[A156] Black-tailed Godwit (<i>limosa limosa</i>)</p> <p>[A157] Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>[A160] Curlew (<i>numenius arquata</i>)</p> <p>[A162] Redshank (<i>Tringa tetanus</i>)</p> <p>[A169] Turnstone (<i>arenaria interpres</i>)</p> <p>[A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>)</p> <p>[A999] Wetlands</p>	<p>According to this SPA's Conservation Objectives (dated 9th March 2015), the conservation for each of the QI's listed is to:</p> <p><i>To maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</i></p>	<ul style="list-style-type: none"> • Shipping Lanes [D03.02] • Discharges [E03] • Nautical Sports [G01.01] • Golf Course [G02.01] • Bait digging/collection [F02.03.01] • Industrial or commercial areas [E02] • Roads, motorways [D01.02] • Continuous Urbanisation [E01.01] • Other patterns of habitation [E01.04] • Walking, horse-riding and non-motorised vehicles [G01.02] • Bridge, viaduct [D01.05]

TABLE 1: NATURA 2000 SITES BROUGHT FORWARD TO SCREENING STAGE

5.3 Likelihood of Potential Impacts and their Significance on Natura 2000 Sites

The available information in **Table 1** was reviewed to establish whether the proposed development at Nutgrove Avenue, Rathfarnham, Dublin 14 is likely to have an adverse impact. The potential for impacts on the features of interest in the 4 no. Natura 2000 sites are identified using information collated from the desk study and from information provided by the Applicant.

The likelihood of impacts occurring are established in light of the type and scale of the project, the location of the project with respect to Natura 2000 sites and the features of interest and conservation objectives of each of the sites. The assessment is carried out following the source – pathway – receptor model. The potential impacts are outlined below.

5.3.1 Construction Phase

- i. Surface water arising during the site clearance may hold suspended solids.
- ii. Spillage from construction vehicles.
- iii. Spillage of cementitious products.
- iv. Excavation of soils to facilitate the development: potential risk to local ground and surface water.
- v. Surface water to discharge to the public surface water network.

Contaminated water could potentially discharge to the ground or the local surface water drainage network and from there, to the sea.

Suspended solids will naturally settle within the municipal drainage network before the stormwater reaches Dublin Bay. Should small volumes of suspended solids reach Dublin Bay via the storm water network, they would be diluted during the mixing of surface and sea water and would not be perceptible in any of the Natura 2000 sites identified.

The possibility of vertical migration to groundwater is considered negligible due to the 'Low Vulnerability' classification of the underlying bedrock in the region.

Given the scale of the development, any pollution incident would be minor and the volume would be relatively insignificant, and sand pile and emergency clean up spill kits will be readily available in the event of a spill/leakage.

Due to the small scale of the site, the duration of high frequency Heavy Goods Vehicles (HGVs) entering and existing the site, and thus potential for spillage from these vehicles, will be low.

The construction phase will be short-term and there is no possibility of long-term impacts arising.

Based on the above, it is concluded that there is no likely significant effect arising from the construction phase of the project.

5.3.2 Operational Phase

- i. Accidental leakage of fuel from individual cars.
- vi. Discharge of surface water runoff from roofs, hardstanding areas and roads to the public surface water network.
- ii. Discharge of foul effluent to the municipal foul drainage network to Ringsend WwTP.

16 no. car parking spaces are proposed to serve the future occupants of the development. Accidental spillages could occur during the operational phase, however due to the low volume of carparking, any spillage would be

minor. Further the underlying bedrock in the region has been allocated a 'Low Vulnerability' groundwater vulnerability classification.

All surface water run-off from roof areas and hardstanding areas are designed to be collected by the gravity pipe network. The surface water from any open deck parking areas or pavement shall be collected via a series of gullies, channels and permeable paving, and are to be discharged to the diverted surface water drainage network. An attenuation tank with a hydrobrake at outlet will be installed to provide surface water flow control.

A potential indirect impact arising from this proposal would be the increase in loading on Ringsend WwTP. The total dry weather flow (DWF) was calculated as 0.165 l/s with a peak flow of 0.99 l/s. Given the scale of the proposed development, the peak flow is considered to be in insignificant volume of wastewater in the context of the design of Ringsend WwTP.

Even without treatment at the Ringsend WwTP, the peak would not impact on the overall water quality within Dublin Bay. This conclusion is based on hydrodynamic and chemical modelling within Dublin Bay which has shown that there is significant dilution for contaminants of concern (DIN and MRP) available quite close to the outfall for the treatment plant (*WWTP 2012 EIS, WWTP 2018, EIAR*). Recent water quality assessment of Dublin Bay shows that Dublin Bay on the whole, currently has an 'unpolluted' water quality status (EPA, 2019).

In light of the above and based on the size and scale of the proposed development, it is considered unlikely that the proposed works would have a significant impact on the identified Natura 2000 sites.

Whilst there is a potential linkage between the proposed development and the site(s), no significant effects are predicted. The proposed development is not likely to result in a measurable impact on any of the qualifying features highlighted by the site(s) respective conservation objectives.

There is therefore no potential for significant adverse effects arising from the operational phase.

5.4 Potential for In-Combination Effects

It is a requirement of the Birds and Natural Habitats Regulations 2011 that when considered whether a plan or project will adversely affect the integrity of a European site, the assessment must take into account in-combination effects with other current or reasonably foreseeable plans or projects.

- If it can be clearly demonstrated that the plan or project will not result in any effects on the integrity of a European site, then the plan or project may proceed without considering the in-combination test, further;
- 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), then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

The South Dublin County Council Development Plan 2016-2022 contains a number of objectives intended to protect and enhance the natural environment, while encouraging development in appropriate areas. The Development Plan itself was subject to a Stage I Appropriate Assessment (SDCCDP 2016-2022 'Screening for appropriate Assessment, June 2016) which concluded that no Stage II Appropriate Assessment was required, as there was "no likely significant direct, indirect or secondary impacts of the project (either alone or in-combination with other plans or projects) on any Natura 2000 sites by virtue of:

- *Size and scale*
- *land intake*
- *distance from the Natura 2000 site or key features of the site;*
- *resource requirements (water abstractions etc.);*

- *emissions (disposal to land, water, or air); excavation requirements;*
- *transportation requirements;*
- *duration of construction, operation, decommissioning, etc.;*
- *other.”*

In order to identify any possible ‘in-combination effects’, developments in the vicinity of the application area were identified using South Dublin County Council’s online planning register (last accessed 21st January 2020). At the time of review, there are no planning applications within the immediate surrounding context. This is expected given the location of the proposed development site within an existing developed and built-up urban environment. Accordingly, there no potential for in-combination effects to occur.

6 Consideration of Findings

This AA Screening Report for Appropriate Assessment is based on the best available scientific information and indicates that the proposed development at Nutgrove Avenue, Rathfarnham, Co. Dublin poses no risk of likely significant effects on Natura 2000 sites either alone or in combination with other plans and projects, and therefore does not require progression to Stage 2 Appropriate Assessment. Based on this conclusion it is submitted that the Competent Authority can determine, based on objective scientific information, that an Appropriate Assessment is not required.

7 References

European Commission (2001) Assessment of Plans and Projects significantly affecting Natural 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

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NPWS (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government. Dublin

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NPWS (November 2013) Conservation Objectives: North Dublin Bay SAC 000206. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (March 2015) Conservation Objectives: North Bull Island SPA 004006. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Websites

EPA www.epa.ie

National Parks and Wildlife Service www.npws.ie

Geological Survey Ireland www.gsi.ie