



Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

Information to inform Habitats Regulation Assessment Pursuant to Article 6(3)

Proposals at Rookwood, Stocking Lane, Dublin 16.

APPROPRIATE ASSESSMENT SCREENING REPORT

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July 2021

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Introduction

The projects assessed seeks consent for the development of 11 houses at Rookwood, Stocking Lane, Dublin 16.

It is the responsibility of every competent authority and statutory undertaker (in respect of any and all consents required) to conduct assessments pursuant to Article 6 of the Habitats Directive. This document is intended to assist in that process.

However, it is considered best practice to develop development proposals and potential proposals with regard to this assessment and test potential proposals and mitigation measures prior to the formal submission of applications for consent. To that end, this assessment is intended to: -

- Undertake a review of the environmental baseline;
- Review potential mitigation plans and requirements;
- Identify potentially significant ecological impacts;
- Conduct assessment based on this information; and,
- Produce a shadow Habitats Regulations Assessment (Natura Impact Statement).

This assessment has a narrow focus. It is protection-led, conducted with due regard to the Precautionary Principle and concerned exclusively with the maintenance of the integrity of Natura 2000 Sites, specifically assessment of the nature and significance of all potential effects on site selection features and conservation objectives of Natura 2000 sites concerned.



1 PROJECT DESCRIPTION

Consent is sought for the construction of 11 houses at Rookwood, Stocking Lane, Dublin 16; the plans are shown on the relevant documents however a site location plan is appended to this document at PA-001. The ecological context of the site is shown in the relevant aerial photography.

Hydrology

1.1 Hydrogeology

The site is hydrologically linked to the River Liffey and thence to the European sites detailed below

1 LEGISLATIVE CONTEXT

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora, commonly known as the Habitats Directive, is the relevant European statute.

Article 6(3) of the Habitats Directive establishes the requirement that any plan or project likely to have a significant effect on any Natura 2000 Site(s) shall first be subject to an Appropriate Assessment (AA) of the implications for the site(s), and further that 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(s) concerned:

"Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication 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"

The Natura 2000 network is comprised of sites designated, or in the latter stages of designation, under both the EU Birds Directive and EU Habitats Directive. Specifically:



- Special Areas of Conservation (SAC) designated under the EU Habitats Directive for flora, fauna and habitat interest which have been adopted by the European Commission (EC) and formally designated by the national government;
- Special Protection Areas (SPA) designated under the EU Birds Directive for rare, vulnerable or migratory bird interest which have been adopted by the EC and formally designated by the national government;
- Candidate and proposed sites (cSAC and pSPA), being those that have been submitted to the EC but not yet formally adopted; and
- Sites of Community Importance (SCI), being those that have been adopted by the EC, but not yet formally designated by the national government. Once a site is adopted as an SCI it is subject to Article 6 (2), (3) and (4) of the EC Habitats Directive 92/43/EEC.

- Ramsar Sites are listed under the International Convention on Wetlands of International Importance (the Ramsar Convention) and usually share boundaries with SACs and/or SPAs.

2 METHODOLOGY

Assessments pursuant to the requirements of Article 6 of the Habitats Directive are completed in accordance with the EC recommended methodology, set out in the following documents:

- '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'; and
- 'Managing Natura 2000 Sites, The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC'.

The methodology recommends a four-staged approach, where the results obtained upon completion of each stage determines the requirement for and scope of the subsequent stage:

Stage One: Screening or Test of Likely Significance: The process which identifies the likely impacts of a project or plan upon Natura 2000 sites, either alone or in combination with other projects or plans and determines whether or not these impacts are likely to be significant. A baseline environmental assessment is required to identify potential sources of impact and environmental receptors. Mitigation measures intended to reduce, eliminate or otherwise ameliorate likely significant impacts are not considered in Stage One, as such consideration naturally falls within the scope of Stage Two, the Appropriate Assessment.

Stage Two: Appropriate Assessment: The consideration of the impact on the integrity of Natura 2000 sites of the likely significant impacts of the plan or project identified in Stage 1. Impacts are assessed alone and in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

Stages Three and Four are unlikely to be of relevance to the current assessment. They provide a methodology for the further assessment of plans or projects where likely significant effects cannot be excluded on the basis of the first two stages of assessment. These stages are concerned respectively with alternative methods of achieving the objectives of a plan or project which avoids adverse impacts and of assessing and designing compensatory measures for plans or projects which must progress for established Reasons of Overriding Public Interest.

To permit this assessment process to be followed in the current instance this report reviews and assesses the environmental baseline and identifies potential sources of impact. Where such impacts may exist, a review of mitigation and the scientific literature is carried out to determine whether or not they are likely to be significant.



1.1 Sources of Information

The data and information employed in the course of this assessment was sourced from the following documents and publicly available resources:

The NPWS designation viewer.¹

Architect's Design Statement: Proposed Development of 11 houses at Rookwood,
Stocking Lane, Dublin 16

2 SCREENING OF EUROPEAN SITES

A review of the project proposals has indicated that the following Natura 2000 Sites are potentially implicated in terms of adverse impacts resulting directly or indirectly from the proposed development:

- Special Protection Areas South Dublin Bay and River Tolka Estuary SPA
- Special Area of Conservation: South Dublin Bay SACS
- Special Area of Conservation: North Dublin Bay SAC
- Special Protection Areas: North Bull Island SPA
- Special Area of Conservation: Rockabill to Dalkey Island SAC
- Special Area of Conservation: Howth Head SAC
- Special Protection Areas: Howth Head Coast SPA
- Special Protection Areas: Dalkey Islands SPA

2.1 Screening Rationale: Direct Impacts

As the project is not located within any Natura 2000 site it is considered that there will be no direct impacts on any Natura 2000 site as a result of the extant proposals.

2.2 Screening Rationale: Indirect Impacts

Ecological impact assessment of potential indirect impacts on Natura 2000 sites is conducted utilising a standard SOURCE-RECEPTOR-PATHWAY model, where, in order for an indirect impact to be established all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential impact is not of any relevance or significance.

It is accepted, that the proposed development, operation and decommissioning works represent potentially impacting activities, or SOURCES of potential impacts.

¹ <https://dahg.maps.arcgis.com/apps/webappviewer/index.html>

It is considered, as detailed subsequently, that the only potential PATHWAY for indirect impact upon Natura 2000 sites is via the discharge of materials and effluents as waterborne pollutants into the surface waters and ground waters on and around the proposal site which may drain into downstream designated sites.

The site selection features of the designated sites listed above (and their related conservation objectives), represent valuable ecological RECEPTORS.

It has been concluded (on the basis of the characteristics of the project, and a review of the ecological contexts and locations of other protected sites (and potential sources, pathways and receptors associated therewith) that the source-pathway-receptor mechanism cannot be established for any additional Natura 2000 sites.

2.3 Ecological Requirements of Feature Species and Habitats

When assessing whether impacts upon a feature species or habitat will arise as a result of a development proposal (with reference to the conservation objective of the designated site)s, one must first consider the ecology of the species or habitats considered and how the potentially implicated receptors may be adversely affected by the Proposal.

In the current instance, the Conservation Objectives of Designated sites are:, in general: -

- To maintain each feature in favourable condition.

In the current instance, all ecological impacts are associated either with disturbance (which is unlikely given the physical separation of the project sites and designated sites), habitat loss and fragmentation (again unlikely given the physical separation of the project sites and designated sites) or with the maintenance of water quality. Additionally, the project will not impact upon mobile or migratory species which utilise the European Sites. Therefore it is considered that the maintenance of water quality within the designated site is sufficient to avoid all ecological impact in the current instance.

3 ASSESSMENT STAGE 1: TEST OF LIKELY SIGNIFICANCE (TOLS)

3.1 *In-Combination and Cumulative Impacts*

A review of the project indicates that there are no other development proposals situated close to the proposal site with the potential to give rise to cumulative or synergistic impacts.

3.2 *Individual Elements likely to Impact Natura 2000 Sites*

This section outlines and describes the individual elements of the proposed development which, either alone or in combination with other plans or projects, are likely to give rise to impacts on the implicated Natura 2000 Sites.

Employing a standard source-pathway-receptor model for the assessment of direct or indirect ecological impacts it is established that the only significant mechanism for potential indirect impact upon the designated sites is via the discharge of materials and effluents as waterborne pollutants into the surface water which may drain into the SACs/SPAs

Potentially significant mechanisms for adverse indirect impacts on the Natura 2000 sites arise via reductions in water quality parameters within the designated boundaries resulting from discharges to surface water local to the proposed development site which drain subsequently into the watercourses of the designated areas.

Such discharges are possible from the construction, operational and decommissioning phases of the proposal and are recognised (in the absence of mitigation) as potentially significant impacts.

3.3 *Likely Direct, Indirect or Secondary Impacts on the Natura 2000 Sites*

This section outlines and describes the direct, indirect or secondary impacts of the proposed development which are likely to arise, either alone or in combination with other plans or projects, on the Natura 2000 sites by virtue of:

- Size and Scale;
- Land-take;
- Distance from the Natura 2000 Site;
- Distance from Key Features of the Natura 2000 Site;
- Resource Requirements (water abstraction etc.);
- Emissions (disposals to land, water or air);
- Excavation Requirements;
- Transportation Requirements; and
- Other Project-Specific Factors.



Size and Scale:

- The subject site is linked to the River Liffey . The proposal will not impinge directly upon any European site.
- As such, the proposed development can be considered as a relatively small, localised project which is not expected, by way of size or scale, to present wider implications for the Natura 2000 network as a whole.
- Potential localised impacts on the Natura 2000 site feature interests and conservation objectives are indicated, as detailed below.

Land-take:

- No land area from within the designated boundaries is required to implement the proposed development.

Distance from the Natura 2000 Sites:

- Proximal sites are detailed above.
- All designated sites are physically separated from the proposal site by a distance of at least 5km. It is therefore considered that any potential impacts upon the Natura 2000 sites will be de minimis and that the natural absorptive capacity of the environment is sufficient to avoid impact. In such a situation, there is no PATHWAY for impact the potential for impact cannot be established using the standard SOURCE-PATHWAY-RECEPTOR model.

Distance from Key Features of the Natura 2000 Sites:

- The proposed project is outwith and more than 5km from the boundaries of the designated sites. It is therefore outwith the known limits of any habitats necessary for the maintenance of the integrity of the sites.

Resource Requirements:

- The proposed development requires no resources to be sourced from the Natura 2000 sites.

Discharges:

- As detailed:
 - Discharges to surface waters do not have the potential to result in localised adverse changes to water quality parameters within the designated sites.



Excavation Requirements:

- The proposed development does not require any excavation within the designated boundaries.

Transportation Requirements:

- Transportation requirements for the proposed development do not have the potential to impact upon the Natura 2000 sites.

3.4 Likely Changes to the Natura 2000 Sites as a result of the Project

This section outlines and describes the changes which are likely to arise in the Natura 2000 Sites as a result of:

- Reduction of Habitat Area;
- Disturbance to Key Species;
- Habitat Fragmentation;
- Reduction in Species Density;
- Changes in Key Indicators of Conservation Value (water quality etc.)

Reduction of Habitat Area:

- The proposed development is outside the designated boundaries and will not result in any loss of or reduction in habitat extent within the designated areas.

Disturbance to Key Species:

- The proposed development does not have the potential to disturb feature species of the Natura 2000 sites in terms of indirect impacts upon water quality

Habitat Fragmentation:

- As detailed, the proposed development does not have the potential to indirectly impact the Natura 2000 sites in terms of habitat degradation as a result of discharges to surface water.

Reduction in Species Density:

- Habitat loss will not result in reductions in species densities as a result of discharges to groundwater



Changes in Key Indicators of Conservation Value:

- The key indicator potentially adversely impacted by the proposed development is water quality, as established above.
- Water quality is of relevance to both the quality of feature habitats and the stability and viability of populations of feature species.
- This indicator does not have the potential to be significantly affected by the proposed development.

Likely Impacts on the Natura 2000 Sites as a Whole

This section outlines and describes the impacts which are likely to arise on the Natura 2000 Sites as a whole, in terms of:

- Interference with the Key Relationships that Define the Structure of the Natura 2000 Sites; and
- Interference with Key Relationships that Define the Function of the Natura 2000 Sites.

As detailed above, no direct adverse impacts on the Natura 2000 sites are expected as a result from the proposed development. Indirect impacts are unlikely in terms of reductions in water quality parameters as the SOURCE-PATHWAY-RECEPTOR mechanism is not intact,.

Indication of Significance

This section provides an analysis and indication of the significance of the potential impacts on the Natura 2000 Sites which may result from the effects identified and detailed in set out above, in terms of:

- Loss;
- Fragmentation;
- Disruption;
- Disturbance;
- Changes to Key Elements of the Natura 2000 Site (water quality etc.).

The proposed development does not have the potential to indirectly adversely impact the site selection features and conservation objectives of the SACs/SPAs.

The pervading theme of the analysis detailed above is that water quality within the SACs/SPAs is indirectly critical to both feature species and habitats (given that water quality is essential to maintain the primary production required to maintain the features for which the sites have been designated, features at higher trophic levels but dependent upon the maintenance of ecological resources directly dependent upon water quality) and that the maintenance of water quality is critical to the conservation status of these feature species and habitats.



These potential impacts can be avoided or eliminated by interrupting the SOURCE-PATHWAY-RECEPTOR mechanism. This mechanism cannot be established for the instant proposal.

3.5 Conclusions: Stage One ToLS

Drawing on the analysis detailed above, this assessment concludes, following a stage one Test of Likely Significance, as follows:

1. The proposals will have no direct impacts on the site selection features and conservation objectives of the Natura 2000 sites.
2. The proposals (in the absence of mitigation) do not have the potential to give rise to adverse indirect impacts upon the site selection features and conservation objectives of the Natura 2000 sites.

Stage 2 Appropriate Assessment is not required.

