Whitehill
Environmental

Noreen McLoughlin, MSc

Environmental Consultant

Whitehill
Edgeworthstown
Co. Longford
& (087) 4127248 / (043) 6672775
✉ noreen.mcloughlin@gmail.com

STATEMENT OF SCREENING FOR APPROPRIATE ASSESSMENT OF A PROPOSED DEVELOPMENT AT ST. EDMUND'S, PALMERSTOWN, DUBLIN 20

IN LINE WITH THE REQUIREMENTS OF ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE

Moykerr Limited
c/o McGill Planning Ltd.
22 Wicklow Street
Dublin 2

November 2021

TABLE OF CONTENTS

1 INTRODUCTION

1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the potential impacts on European designated sites of a proposed development at St Loman's Road, Palmerstown, Dublin 20 was carried out in November 2021 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with the development to be identified and it also enabled potential ecological impacts associated with the facility to be assessed and mitigated for. This will allow the competent authority, in this case An Bord Pleanála, to undertake an AA determination of the proposed development.

The location of the proposed development is within 15km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.2 REGULATORY CONTEXT

RELEVANT LEGISLATION

The Birds Directive (Council Directive2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conversation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"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."

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

"If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site's conservation objectives.

The 'Appropriate Assessment' itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

'(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) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2001). 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or 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;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

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

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Description of proven mitigation measures.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over fifteen years. Noreen has over 17 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & CONSULTATION

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- McGill Planning – Information pertaining to the plan and project;
- MCORM Architects / McGill Planning – Plans, Specifications and Design Statement;
- South Dublin County Council – Information on planning history in the area to assess potential cumulative impacts.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (ZoI) of the proposed development was defined. Based on the potential impacts and their ZoI, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the

Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is 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 favourable conservation status of a species is achieved when:

- The 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.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCOs should be considered in detail.

2.5 FIELD BASED STUDIES

Prior to any construction works on site, initial visits to the site of the proposed development at St Loman's Road was conducted on March 8th 2019, when relevant field notes, species lists and photographs were taken. A follow up site visit was undertaken in September 2019. The site was surveyed in accordance with the Heritage Council's *Habitat Survey Guidelines* (Smith et al., 2010) and the Institute of Environmental Assessment's *Guidelines for Baselines Ecological Assessment* (IEA, 1995). Habitats within the application site were classified in accordance to Level 3 of *A Guide to Habitats in Ireland* (Fossit, 2000). These habitats are denoted in the text along with their habitat code, e.g., the habitat code for improved agricultural grassland is GA1. Any bird and mammal and bird activity was also noted

The site was re-visited and re-surveyed on September 14th 2021. At this time, construction works on the initial parent application were ongoing.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Moykerr Limited have indicated their intention to shortly apply to An Bord Pleanála for planning permission for a residential development on a site on St Loman's Road in Palmerstown (St Edmund's Phase 3). The development is an amendment to the development currently being undertaken on site, previously granted SHD proposal ABP 305857-19. It consists of the construction 4 no apartment blocks ranging in height from 2-9 storeys comprising 313 no. residential units, a creche and amenity space. This will provide an increase of 61 no. additional apartments. All the residential units will have associated private open space/ balconies/ terraces facing north/ south/ east/ west. The development will include 214 no. car parking spaces, 5 motorcycle parking spaces and 378 no. bike parking spaces. The site is accessed through the existing vehicular access to the west, off the unnamed road to the west. There will be a number of pedestrian entrances along St. Loman's Road, the Fonthill Road (R113) and the unnamed road to the west. The upgrading and re-landscaping of 4,400sq.m of land to the east of the site in the ownership of South Dublin County Council. In addition to all of the new facilities all other site services and works to enable the development of the site will also be provided including site, bin stores, ESB substations, associated roadworks and services connections, a large quantity of public and communal open space, boundary treatment works and landscaping. A full development description is included in the statutory notices.

An extract from the planning drawings can be seen in Figure 1.

Foul Water

Details of the management of foul water have been outlined in the engineering report prepared by Kavanagh Burke Consulting Engineers. A new foul sewer has been designed to collect discharge from the proposed development and then discharge it to the existing foul sewer network within the St Edmunds Estate. A connection to the existing St Edmunds Estate foul sewage drainage network is proposed west of the subject site boundary, where the existing pipe network currently begins.

The foul network for the proposed development has been modelled in Flow design software based on the fixture unit method that considers the probability of simultaneous discharge from different fixtures and translates it to the design flow as set out in EN752 "Drain and Sewer Systems Outside Buildings - Sewer System Management". Calculation of the

discharge units per Blocks is enclosed within the drainage report prepared by Kavanagh Burke Consulting Engineers.

Surface Water

Details of the management of surface water have been outlined in the engineering report prepared by Kavanagh Burke Consulting Engineers. The surface water runoff generated from the proposed development will be routed through a series of Sustainable Urban Drainage System (SuDS) elements which will facilitate the detention and infiltration at source. These devices include green roofs, bio-retention, permeable paving, swales, and carriageway runoff infiltration via tree pits, etc. Only once the rainfall has passed through these devices will the excess runoff enter the drainage network and then reach the underground (StormTech or equivalent type) attenuation system. The flow control device will be installed on the outfall to limit the runoff from this proposed development (to greenfield runoff rate) into the existing surface water network / attenuation tank serving the existing St Edmunds Estate.

The proposed system is designed to attenuate a 1 in 30-year storm event of any duration (plus 20% CCF); therefore, no flooding will occur on site for any duration events up to a 30-year return period as per the GDSDS requirements. In addition to the attenuation volume, temporary flood storage is provided (as part of the attenuation system) for a 100-year return events of up to 6 hours duration (plus 10% CCF) within the sunken play space directly above the attenuation tank. This approach also provides for 1 in 100-year run-off detention and infiltration in this area prior to same draining back into the surface water drainage system. All flows for the storm water network design and the attenuation volume were calculated with the 10% climate change factor applied for all rainfall intensities as per Chapter 6.3.2.4 of GDSDS table 6.2 "Climate Change Factors".

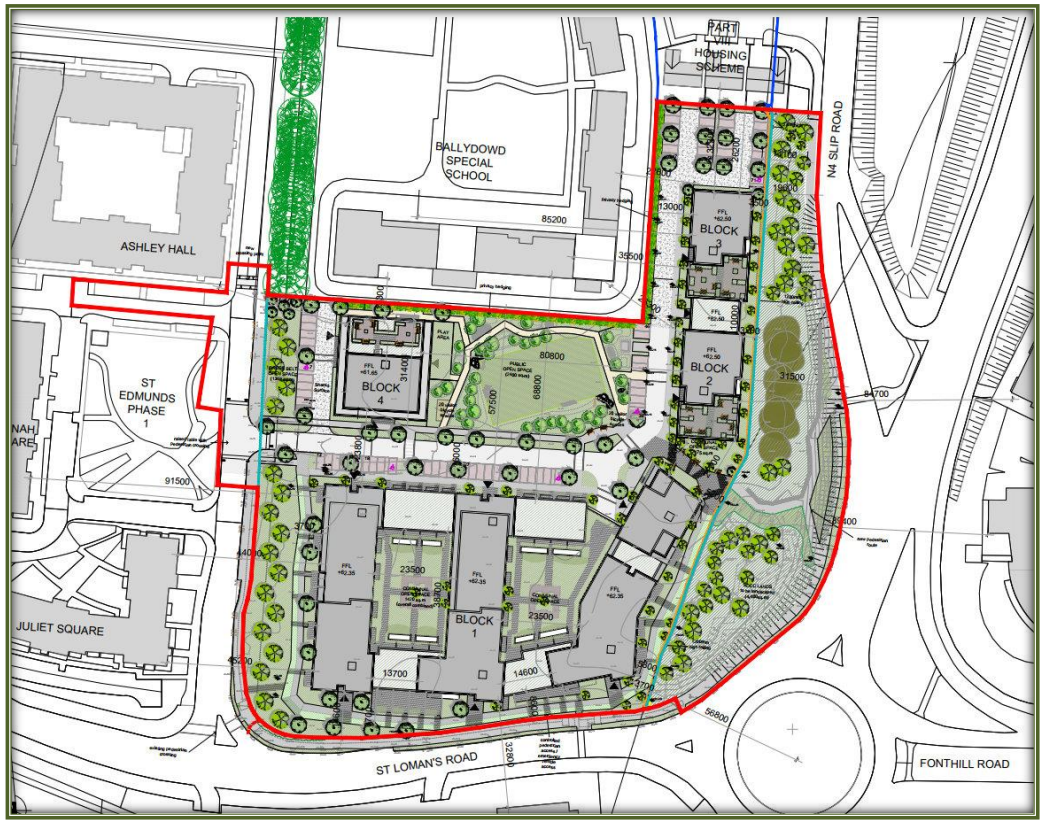


Figure 1 – Extract from Planning Drawing (As Prepared by MCORM Architects)

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is approximately 2.5 hectares in area. It is located just off St Loman's Road, on land adjacent to St. Edmund's Park. It is close to the Liffey Valley retail area and the Fonthill Business Park. The site is approximately 9.6km west of Dublin City Centre. It is surrounded by the urban fabric of Lucan, Ballyowen and Fonthill and their associated residential, commercial and industrial areas. The site is zoned as an Existing Residential Area by South Dublin County Council. Site location maps can be seen in Figures 2 and 3.

Figure 2 – Site Location Map (Pinned)

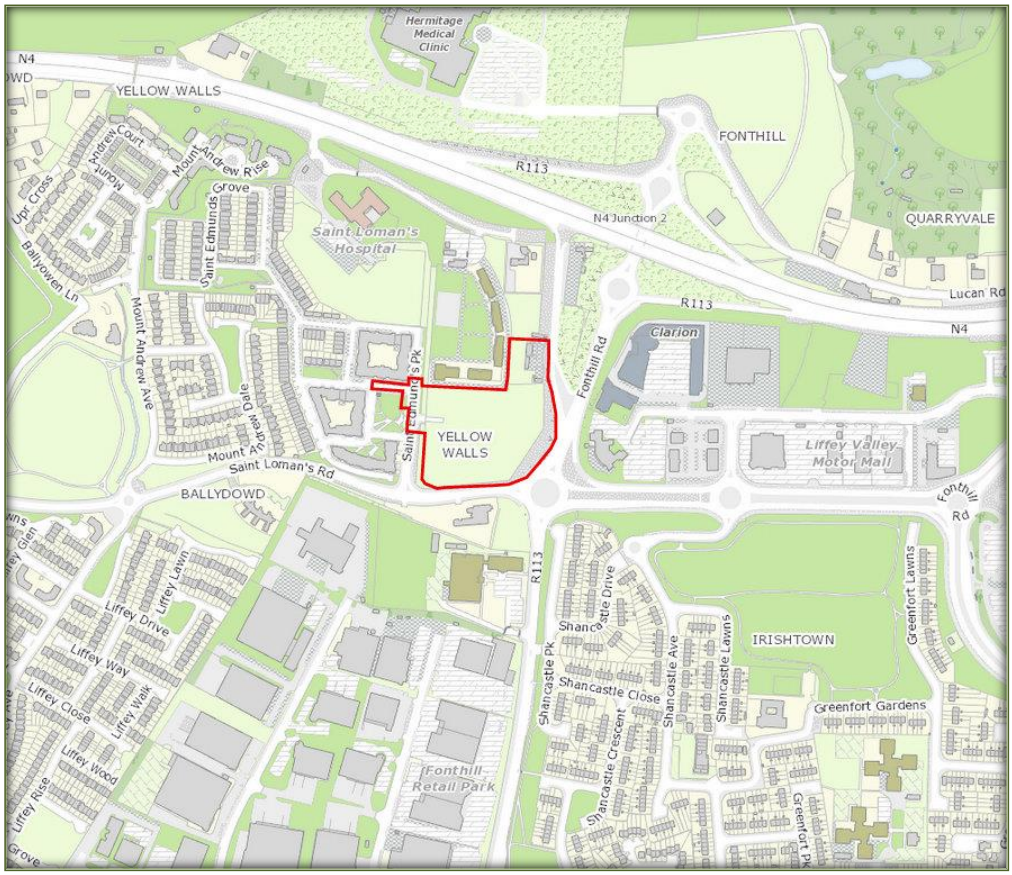


Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS AND NOTABLE SPECIES

No part of the site lies within any area that is designated for nature conservation purposes. All development works within the application site will take place on areas of low biodiversity value. In March 2019, the habitats within the site consisted of spoil and bare ground, with mud and muck exposed throughout the site. Vegetative cover was nil. Following growth over the spring and summer of 2019, the habitats developed into those consistent with recolonising bare ground, where opportunistic and ruderal species were allowed to grow.

In the two years since the initial visits to the site, construction work has now commenced on the site for the previously permitted development. The entire site has been cleared and construction has started on many of the houses and associated infrastructure. The site is now dominated by buildings and artificial surfaces/spoil and bare ground, with some pockets of vegetation remaining around the perimeters. There are no habitats of ecological value within the site.

An overview of the local habitats surrounding the application site can be seen in the aerial photograph in Figure 4, whilst photos of the site itself are shown in Figures 5.

Records from the National Biodiversity Data Centre reveal the presence of the following protected mammals from within the 1km squares (O0635 and O0634) of this proposed application site:

- Badger *Meles meles*
- Pine martin *Martes martes*
- Daubenton's bat *Myotis daubentonii*
- Pipistrelle *Pipistrellus pipistrellus sensu lato*
- Lesser Noctule *Nyctalus leisleri*
- Soprano *Pipistrelle Pipistrellus pygmaeus*

All these species are protected under the Irish Wildlife Acts. In addition, the otter *Lutra lutra* is protected under Annex II of the European Habitats Directive. There are no suitable habitats within the application site for any of these species. A separate bat report for this site undertaken by Brian Keeley (2019) revealed that while bats fly over the site, there were no suitable roosting areas for bats within the site and overall usage was and remains low.

WATER FEATURES AND QUALITY

The application site lies within the Liffey and Dublin Bay Hydrometric Area, Catchment and Sub-Catchment and the Camac Sub-Basin. There are no drains or streams within or adjacent to the application site. The closest mapped and relevant (same sub-basin) water feature to the site is the Drimnagh Castle Stream and this is 20m north-east of the application site. This stream is a tributary of the Camac River, which is 396m north of the application site.

The EPA have classified the ecological status of the Drimnagh Castle Stream and the Camac River within this entire sub-basin as poor. Under the requirements of the Water Framework Directive, this is unsatisfactory and all waterbodies must achieve good status by 2021.

Figure 4 – Aerial Photograph of the Site (Outlined in Red) and its Surrounding Habitats. The River Liffey and its Riparian Habitats are to the North of the Application Site.

Figure 5 a (above) and b (below) – Buildings and Artificial Surfaces / Spoil and Bare Ground and Grassy Verge Habitats within the Site

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a *source*, i.e., the proposed development and activities arising out of its construction or operation, a *receptor*, i.e., the European site and its qualifying interests and a subsequent *pathway* or *connectivity* between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are eight Natura 2000 designated sites within 15km of the application site. These designated areas and their closest points to the application site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 6. A full description of all these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

Site Name & Code	Distance	Qualifying Interests	Significant Effects
Rye Water Valley/Carton SAC 001398	5.7km west	• Petrifying springs with tufa formation (Cratoneurion) • *Vertigo angustior* (Narrow-mouthed Whorl Snail) • *Vertigo moulinsiana* (Desmoulin's Whorl Snail)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon*

			the QIs of this SAC.
South Dublin Bay / River Tolka Estuary SPA 004024	11.7km east	• Light-bellied Brent Goose (*Branta bernicla hrota)* • Oystercatcher (*Haematopus ostralegus*) • Ringed Plover (*Charadrius hiaticula*) • Grey Plover (*Pluvialis squatarola)* • Knot *(Calidris canutus)* • Sanderling *(Calidris alba)* • Dunlin *(Calidris alpina)* • Bar-tailed Godwit *(Limosa lapponica)* • Redshank *(Tringa totanus)* • Black-headed Gull *(Chroicocephalus ridibundus)* • Roseate Tern *(Sterna dougallii)* • Common Tern *(Sterna hirundo)* • Arctic Tern *(Sterna paradisaea)* • Wetland and Waterbirds	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
South Dublin Bay SAC 000201	12.3km east	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Embryonic shifting dunes	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
North Bull Island SPA 004006	14.8km east	• Light-bellied Brent Goose (*Branta bernicla hrota)* • Shelduck (*Tadorna tadorna*) • Teal (*Anas crecca*) • Pintail (*Anas acuta*) • Shoveler (*Anas clypeata*) • Oystercatcher (*Haematopus ostralegus)*	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation*

		• Golden Plover (*Pluvialis apricaria*) • Grey Plover (*Pluvialis squatarola*) • Knot (*Calidris canutus*) • Sanderling (*Calidris alba*) • Dunlin (*Calidris alpina*) • Black-tailed Godwit (*Limosa limosa)* • Bar-tailed Godwit (*Limosa lapponica)* • Curlew (*Numenius arquata*) • Redshank (*Tringa totanus*) • Turnstone (*Arenaria interpres*) • Black-headed Gull (*Chroicocephalus ridibundus*) • Wetland and Waterbirds	*can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
North Dublin Bay SAC 000206	14.8km east	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (*Juncetalia maritimi*) • Embryonic shifting dunes • Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • *Petalophyllum ralfsii* (Petalwort)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
Glenasmole Valley SAC 001209	10.9km south	• Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) • Molinia meadows on calcareous, peaty or	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from*

		clayey-silt-laden soils (Molinion caeruleae) • Petrifying springs with tufa formation (Cratoneurion)	*pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
Wicklow Mountains SPA 004040	14.6km south	• Merlin (*Falco columbarius*) • Peregrine (*Falco peregrinus*)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
Wicklow Mountains SAC 002122	13.1km south	• Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) • Natural dystrophic lakes and ponds • Northern Atlantic wet heaths with *Erica tetralix* • European dry heaths • Alpine and Boreal heaths • Calaminarian grasslands of the Violetalia calaminariae • Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) • Blanket bogs (* if active bog) • Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani • Calcareous rocky slopes with chasmophytic vegetation	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*

		• Siliceous rocky slopes with chasmophytic vegetation • Old sessile oak woods with Ilex and Blechnum in the British Isles • *Lutra lutra* (Otter)	

Table 1 – Natura 2000 Sites Within 15km of the Proposed Site

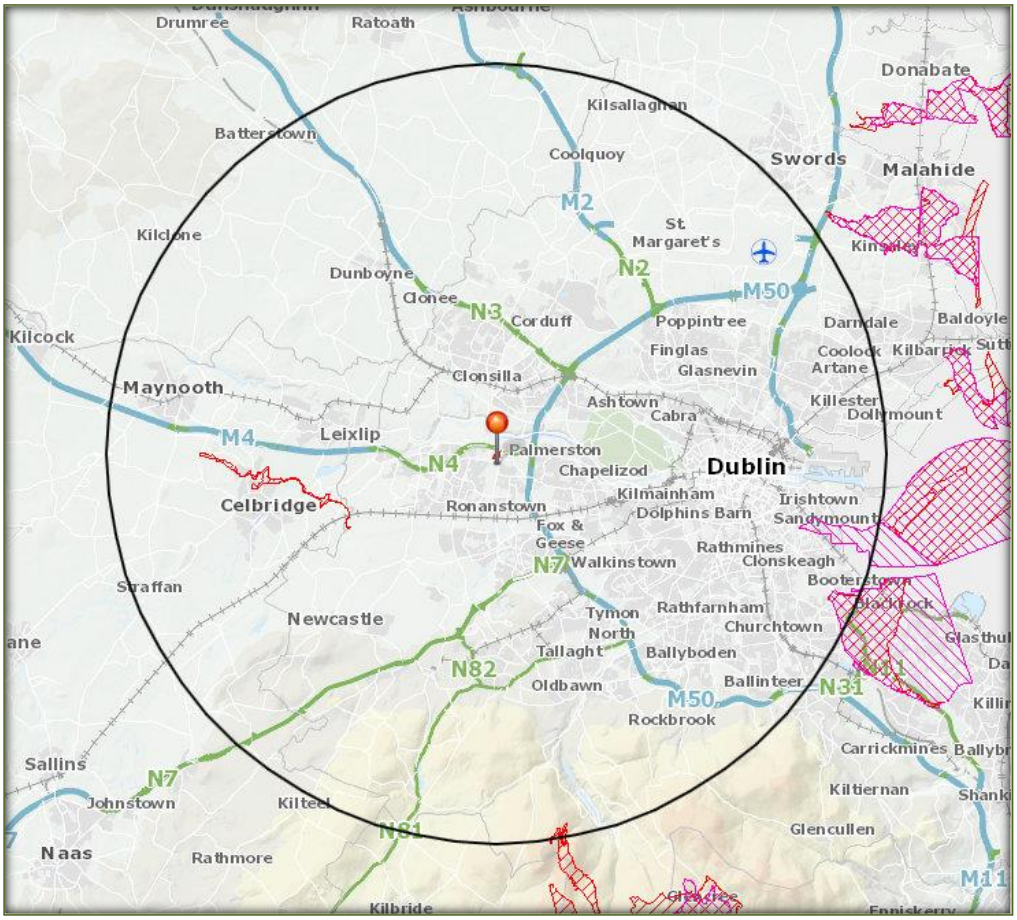


Figure 5 – The Application Site (Pinned) in relation to the Natura 2000 Sites (SACs – Red Hatching; SPAs – Pink Hatching) 15km Boundary Shown.

3.4 POTENTIAL IMPACT ASSESSMENT

The impacts (if any) of the proposed development on the Natura 2000 sites identified above are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:
The construction and operation of the proposed development will have **no significant effects** upon the integrity or the site structure of the designated sites identified. The application site has no hydrological or ecological connectivity to any Natura 2000 site. The construction and operation of the proposed development will have no significant effect upon the Natura 2000 sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these sites. There is a sufficient distance between the application site and all Natura 2000 sites to ensure that potential direct and indirect impacts will be avoided. There will be no impacts upon the Qualifying Interests of any designated site.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:
Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the construction and operation of the proposed development are low. **Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There will be no loss of undesignated habitats of biodiversity value. **Distance from Natura 2000 site or key features of the site:** There are eight Natura 2000 sites within 15km of this application site. The closest of these is the Rye Water/Carton SAC and this is 5.6km west of the application site. There is no hydrological connectivity between the application site and this SPA/SAC, or any other SPA/SPA within 15km of the site. **Resource requirements (water abstraction etc.):** No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site. **Emissions:** There will be no emissions from the application site to any designated site during the constructional phase of the project. There are no surface water features within the application site and there is no hydrological connectivity between the application site and any designated area. All wastewater from the operation of the development will be directed into the public sewer. Surface water will be managed during operation of the site with appropriate SuDS measures. **Excavation requirements:** Construction and demolition waste and excavated material from the

construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: No access to any areas of any designated site will be required during any phase of project.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Palmerstown area and potential cumulative impacts were considered. Any individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The construction and operation of the proposed development will have no impacts when considered in combination with other plans and projects that have been screened for Appropriate Assessment or where mitigation measures have been included as part of Appropriate Assessment (Natura Impact Statement). The parent application for this development was also screened for AA and significant effects arising from this application were also ruled out.

Permitted versus Proposed Scheme: An Bord Pleanála had previously permitted a development on this site and works on this development are ongoing. This current application seeks permission to amend this development. This original application was also submitted with an AA screening report, which determined that significant effects upon European sites would not arise. Neither the permitted not the proposed amendment to this scheme (i.e., the proposed development) will lead to significant effects upon any European site.

Duration of construction, operation, decommissioning etc: Construction is ongoing and it is likely to take another two years.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area or interference with any protected habitat within any SAC or SPA. There will be no interference with the boundaries of any designated site. There will be no loss or fragmentation or disturbance to any of the riparian habitats along any watercourse. There will be no loss of habitats defined as Qualifying Interests for any designated site.

Disturbance to key species: The bird species identified as using the SPAs within 15km of the site are mostly wading species that use the estuarine and coastal habitats of the estuaries of Co. Dublin and the surrounding areas. They will not be impacted upon by the construction or operation of the proposed development. There will be no deterioration in water quality within any SPA that may lead to indirect impacts upon these bird species.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the site and any Natura 2000 site will be damaged or destroyed. There will be no loss of any habitat of biodiversity value.

Reduction in species density: There will be no reduction in species density within any SAC and SPA. There will be no reduction of bird density in any SPA arising from the application. There will be no loss of any non-designated feeding areas used by birds that are listed in Annex I of the Birds Directive.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any SAC or SPA. There will be no negative impacts upon the water quality in any designated site. There will be no deterioration in water quality in any watercourse.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

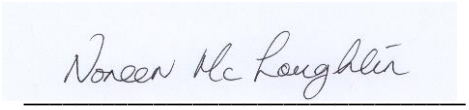
3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Strategic Housing Development at St Loman's Road, Palmerstown, Co. Dublin.
Name and location of Natura 2000 site	There are eight Natura 2000 sites within 15km of this application site. The closest of these is the Rye Water/Carton SAC and this is 5.6km west of the application site.
Description of project	A Strategic Housing Development (Amendments to Parent Application)
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, South Dublin County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 10km of the application site. This report has analysed the potential impacts and effects of the proposed project on the Special Conservation Interests of these designated sites. It has evaluated the significance of these potential impacts and effects in view of these sites' conservation objectives.

In view of best scientific knowledge and on the basis of objective information, it can be concluded that this application, whether individually or in combination with other plans and projects, will have no impacts upon the Natura 2000 sites. The integrity of these sites will be maintained and the habitats and species associated with these sites will not be adversely affected. It is of the opinion of this author that this application does not need to proceed to Stage II of the Appropriate Assessment process.



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)