

Screening Report for  
Appropriate Assessment  
of a proposed development at  
Old Greenhills Road, Tallaght, Dublin 24

Compiled by OPENFIELD Ecological Services

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## **1.0 Introduction**

This report has been prepared by Padraic Fogarty of OPENFIELD Ecological Services. Pádraic Fogarty has worked for 25 years in the environmental field and in 2007 was awarded an MSc from Sligo Institute of Technology for research into Ecological Impact Assessment (EclA) in Ireland. OPENFIELD is a full member of the Institute of Environmental Management and Assessment (IEMA).

This report finds that significant effects to Natura 2000 sites will not arise as a result of this project, either alone or in combination with other plans and projects, and that this conclusion is beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

Biodiversity is a contraction of the words 'biological diversity' and describes the enormous variability in species, habitats and genes that exist on Earth. It provides food, building materials, fuel and clothing while maintaining clean air, water, soil fertility and the pollination of crops. A study by the Department of Environment, Heritage and Local Government placed the economic value of biodiversity to Ireland at €2.6 billion annually (Bullock et al., 2008) for these 'ecosystem services'.

All life depends on biodiversity and its current global decline is a major challenge facing humanity. In 1992, at the Rio Earth Summit, this challenge was recognised by the United Nations through the Convention on Biological Diversity which has since been ratified by 193 countries, including Ireland. Its goal to significantly slow down the rate of biodiversity loss on Earth has been echoed by the European Union, which set a target date of 2010 for *halting* the decline. This target was not met but in 2010 in Nagoya, Japan, governments from around the world set about redoubling their efforts and issued a strategy for 2020 called 'Living in Harmony with Nature'. In 2011 the Irish Government incorporated the goals set out in this strategy, along with its commitments to the conservation of biodiversity under national and EU law, in the second national biodiversity action plan (Dept. of Arts, Heritage and the Gaeltacht, 2011). A third plan was published in 2017.

The main legislation for conserving biodiversity in Ireland have been the Directive 2009/147//EC of the European Parliament and of the Council of November 2009 on the conservation of wild birds (Birds Directive) and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). Among other things, these require member states to designate areas of their territory that contain important bird populations in the case of the former; or a representative sample of important or endangered habitats and species in the case of the latter. These areas are known as Special Protection Areas (SPA) and Special Areas of Conservation (SAC) respectively. Collectively they form a network of sites across the European Union known as Natura 2000. The Birds and Habitats Directives have been transposed into Irish legislation by the European Communities (Birds and Natural Habitats) Regulations 2011-2015. A report into the economic benefits of the Natura 2000 network concluded that "there is a

new evidence base that conserving and investing in our biodiversity makes sense for climate challenges, for saving money, for jobs, for food, water and physical security, for cultural identity, health, science and learning, and of course for biodiversity itself" (EU, 2013).

Unlike traditional nature reserves or national parks, Natura 2000 sites are not 'fenced-off' from human activity and are frequently in private ownership. It is the responsibility of the competent national authority to ensure that 'good conservation status' exists for their SPAs and SACs and specifically that Article 6(3) of the Habitats Directive is met. Article 6(3) states:

*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.*

Sections 177U and 177V of the Planning and Development Act 2000 sets out the purpose of AA Screening is as follows:

*A screening for appropriate assessment shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European site.* This places specific obligations on the relevant competent authority to assess the impact of a plan or project on any European sites within a reasonable proximity of the proposed development (usually considered to be 15km) or within the functional area of the competent authority. A planning authority or the Board may grant consent with modifications or conditions where they are satisfied that the proposed development, if carried out in accordance with the consent (and its modifications or conditions), would not adversely affect the integrity of the European Site concerned.

This is a two-stage process of screening and appropriate assessment. The competent national authority is required to decide whether a 'plan' or 'project' is likely to have a significant effect on a designated site. The first stage of the procedure requires the carrying out of a 'screening' exercise. If the screening exercise produces a 'positive' result, i.e. the plan or project is likely to have a significant effect, then it is necessary for the competent authority to carry out an 'appropriate assessment'. This involves a preliminary screening for appropriate assessment in order to determine whether the plan or project is likely to have a significant effect on a European site.

The test at stage 1 AA Screening is that:

*The competent authority shall determine that an appropriate assessment of a proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.*

The test at stage 2 (Appropriate Assessment) is:

*Whether or not the proposed development, individually or in-combination with other plans or projects would adversely affect the integrity of a European site.*

However, where this is not the case, a preliminary screening must first be carried out to determine whether or not a full AA is required. This screening is carried out by South Dublin County Council.

## **2.0 The Purpose of this document**

This document provides a screening report of a proposed nursing home & living units for the elderly development on the site at Old Greenhills Road, Tallaght, Dublin 24, and its potential effects in relation to Natura 2000 sites (SACs and SPAs).

This document will assess whether effects to the Natura 2000 network are likely to occur in accordance with Article 6(3) of the Habitats Directive and the Planning and Development (Amendment) Act, 2010.

It should be noted that under the European Communities (Birds and Natural Habitats Regulations) 2011 it is the relevant competent authority, in this case South Dublin County Council, which carries out any AA or screening for AA. This report therefore aids in that decision.

## **3.0 Methodology**

The methodology for this screening statement is clearly set out in a document prepared for the Environment DG of the European Commission entitled '*Managing Natura 2000 sites- (2018)*'.

The following methodology has been used to produce this screening statement:

### **Step 1: Management of the Site**

This determines whether the project is necessary for the conservation management of the site in question.

### **Step 2: Description of the Project**

This step describes the aspects of the project that may have an impact on the Natura 2000 network.

**Step 3: Characteristics of the Natura Site**

This process identifies the conservation aspects of the Natura site and determines whether negative impacts can be expected as a result of the plan. This is done through a literature survey and consultation with relevant stakeholders if necessary – particularly the National Parks and Wildlife Service (NPWS). All potential effects are identified including those that may act alone or in combination with other projects or plans.

Using the precautionary principle, and through consultation and a review of published data, it is normally possible to conclude at this point whether potential impacts are likely. Deficiencies in available data are also highlighted at this stage.

**Step 4: Assessment of Significance**

Assessing whether an effect is likely to occur must be measured against conservation objectives which have been set for that that Natura site.

If this analysis shows that significant effects are likely, then a full AA will be required.

The steps are compiled into a screening matrix, a template of which is provided in Appendix II of the EU methodology.

Reference is also made to recently published guidelines for Local Authorities from the Department of the Environment, Heritage and Local Government (DoEHLG, 2009).

A full list of literature sources that have been consulted for this study is given in the References section to this report while individual references are cited within the text where relevant.

Screening Template as per Annex 2 of EU methodology:

This plan is not necessary for the management of any Natura 2000 site and so Step 1 as outlined above is not relevant.

**4.0 Step 1: Brief description of the project**

The proposed development is for the construction of a new nursing home and living units for the elderly. The project is described thus, as per the planning application:

*The proposed development will comprise:*

*(a) construction of a 4 storey Nursing Home consisting of (i) 106 no. bedrooms (with ensuite); (ii) associated residents welfare facilities; (iii) administration areas and staff facilities and Pharmacy at ground floor level.*

(b) construction of 3 no Apartment Blocks (for Older People) part 4 and part 5 storey comprising 60 no. apartments in total plus private amenity spaces (balconies and terraces)

(c) communal Open Spaces and landscaping (including new tree planting and tree retention), new access road and vehicular parking

(d) new vehicular and pedestrian access through existing boundary wall to the east

(e) site development works including new boundary treatment (walls & railings to western and southern boundaries), ESB substation, SuDS drainage and ancillary underground services

The site location is shown in figures 1 and 2.

The site is not located within or directly adjacent to any Natura 2000 site (SAC or SPA). This part of Dublin lies within the suburban zone of the city while historic mapping shows buildings in this area for many years. Current land use in the vicinity is predominantly commercial and light industrial in nature along with transport arteries. The development site itself is within lands which are currently part of St. Joseph's Retreat House and Conference Centre.

The Tymon Stream flows in this area, and this is a short water course which enters the River Liffey in Dublin City Centre. It is a highly modified water body and is culverted for much of its length. The Jobstown Stream flows to the south and is a tributary of the River Dodder.

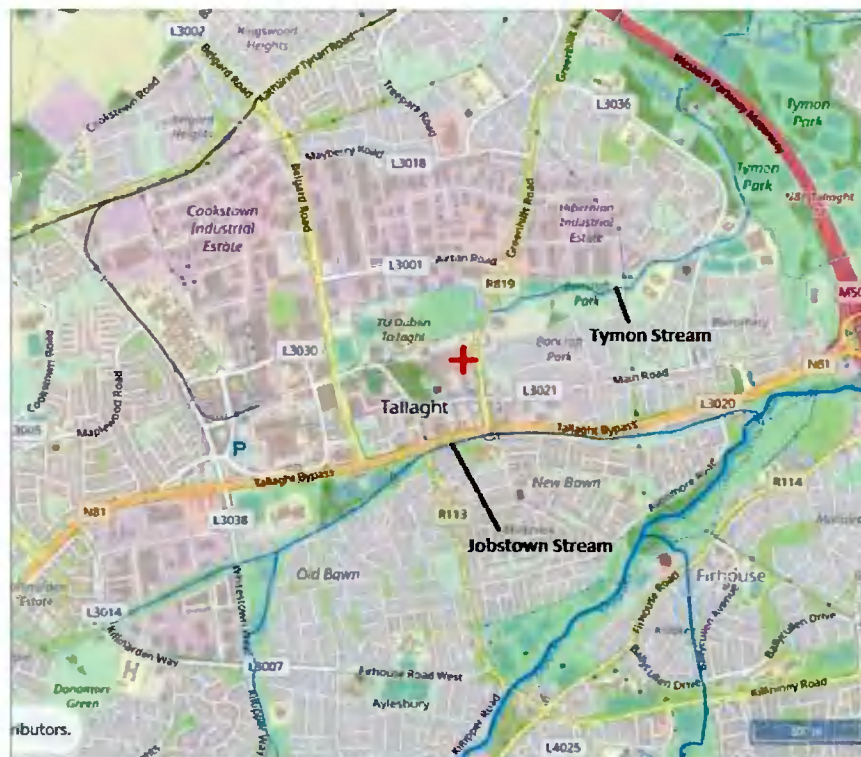


Figure 1 – Site location (red cross) and local water courses. There are no Natura 2000 sites in this view (from [www.epa.ie](http://www.epa.ie)).



Figure 2 – recent aerial view of the subject lands and indicative site boundary (from [www.google.com](http://www.google.com)).

The development site was surveyed for this study on December 12<sup>th</sup> 2020, May 18<sup>th</sup> 2021, August 27<sup>th</sup> 2021 and December 16<sup>th</sup> 2021 in accordance with best practice guidance (Smith et al., 2010). Habitats are described here as per standard classifications (Fossitt, 2000).

The land is an expanse of **scattered trees and parkland – WD5** with grassy meadow. The species here include Nettle *Urtica dioica*, Cock's-foot *Dactylis glomerata*, False Oat *Arrhenatherum elatius*, Cow Parsley *Anthriscus sylvestris* and Willowherbs *Epilobium sp.* There are occasional saplings of Grey Willow *Salix cinerea* while large trees include Sycamore *Acer pseudoplatanus*, Horse Chestnut *Aesculus hippocastanum* and ornamental Willow *Salix sp.*

The south-eastern boundary, parallel to the Old Greenhills Road, is characterised by a tall **treeline – WL2** composed of the non-native Lombardy Poplar *Populus nigra var. Italica*. Stretches of **hedgerow – WL2** can be found along boundaries to the south and west. These include a line of Cherry *Prunus sp.*, with Ivy *Hedera helix*, Elder *Sambucus nigra*, Ash *Fraxinus excelsior* and Leyland Cypress *Cuprocyparis leylandii*. These features of are local value to biodiversity but are not associated with any habitats or species for which Natura 2000 sites are designated.

The row of Poplar which is to be removed as part of this development application is of low biodiversity value.

There are no water courses on the development site, no bodies of open water or habitats which can be classified as wetlands. There are no alien invasive plant species as listed on SI No. 477 of 2011.

The habitats on the site are not suitable for regularly occurring populations of wetland/wading/wintering birds. The site survey in December 2021 was undertaken during the optimal season for surveying wintering birds and no such species were recorded.

It is noted that an objective of the Tallaght Town Centre Local Area Plan 2020 is to "Protect and preserve Heronry located on Priory lands and extending into TUD lands" (VL9). Following the site surveys in 2020 and 2021 it can be concluded that no Herons *Ardea cinerea* are nesting on the development lands or in the vicinity of the subject lands. No herons will be disturbed by this development. A full Ecological Impact Assessment has been prepared and is presented under separate cover.

The development will see the site preparation including soil clearance and a construction phase using standard building materials.

Currently there is no attenuation of surface water and this percolates to ground or discharges to the existing public surface water sewer. SuDS measures are included in the project design to maintain the quality and quantity of run-off at a 'greenfield' rate. The surface water run-off from the development will be attenuated using an underground storage tank and discharged at a restricted rate to the public surface water sewer. Additional measures to reduce volumes entering the sewer including green roofs, swales and permeable paving. As such, there will be no impact to the run-off characteristics from the site. SUDS are standard measures in all development projects and are not included here to reduce or avoid any affect to a Natura 2000 site.

The proposed site layout is presented in figure 3.





Figure 3 – proposed site layout

## 5.0 Brief description of Natura 2000 sites

In assessing the zone of influence of this project upon Natura 2000 sites the following factors must be considered:

- Potential impacts arising from the development
- The location and nature of Natura 2000 sites
- Pathways between the development and the Natura 2000 network

It has already been stated that the site is not located within or directly adjacent to any Natura 2000 site. There is no prescribed radius to determine which Natura 2000 site should be examined and this depends upon the zone of influence of the project.

Surface water and wastewater pathways ultimately lead to Dublin Bay and this area is subject to a number of designations, including the **South Dublin Bay and River Tolka Estuary SPA (site code: 4024)**, the **South Dublin Bay SAC (0210)**, the **North Dublin Bay SAC (0206)** and the **North Bull Island SPA (4006)**. The distance to the boundary of these SACs/SPAs is c.11km as the crow flies.

The **Poulaphouca Reservoir SPA (site code: 4063)**, from which drinking water supply for this development may originate, is also considered to fall within the zone of influence of this project.

These are the only Natura 2000 sites within the zone of influence of the development as pathways do not exist to other areas.

**Table 1 – Features of interest for SPAs in Dublin Bay (EU code in square parenthesis)**

North Bull Island SPA	South Dublin Bay and Tolka Estuary SPA
Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046]	Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) [A046]
Oystercatcher ( <i>Haematopus ostralegus</i> ) [A130]	Oystercatcher ( <i>Haematopus ostralegus</i> ) [A130]
Teal ( <i>Anas crecca</i> ) [A052]	Ringed Plover ( <i>Charadrius hiaticula</i> ) [A137]
Pintail ( <i>Anas acuta</i> ) [A054]	Grey Plover ( <i>Pluvialis squatarola</i> ) [A140]
Shoveler ( <i>Anas clypeata</i> ) [A056]	Knot ( <i>Calidris canutus</i> ) [A143]
Shelduck ( <i>Tadorna tadorna</i> ) [A048]	Sanderling ( <i>Calidris alba</i> ) [A144]
Golden Plover ( <i>Pluvialis apricaria</i> ) [A140]	Dunlin ( <i>Calidris alpina</i> ) [A149]
Grey Plover ( <i>Pluvialis squatarola</i> ) [A141]	Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157]
Knot ( <i>Calidris canutus</i> ) [A143]	Redshank ( <i>Tringa totanus</i> ) [A162]

Sanderling ( <i>Calidris alba</i> ) [A144]	Black-headed Gull ( <i>Croicocephalus ridibundus</i> ) [A179]
Dunlin ( <i>Calidris alpina</i> ) [A149]	Roseate Tern ( <i>Sterna dougallii</i> ) [A192]
Black-tailed Godwit ( <i>Limosa limosa</i> ) [A156]	Common Tern ( <i>Sterna hirundo</i> ) [A193]
Bar-tailed Godwit ( <i>Limosa lapponica</i> ) [A157]	Arctic Tern ( <i>Sterna paradisaea</i> ) [A194]
Curlew ( <i>Numenius arquata</i> ) [A160]	Wetlands & Waterbirds [A999]
Redshank ( <i>Tringa totanus</i> ) [A162]	
Turnstone ( <i>Arenaria interpres</i> ) [A169]	
Black-headed Gull ( <i>Larus ridibundus</i> ) [A179]	
Wetlands & Waterbirds [A999]	

The **South Dublin Bay and Tolka Estuary SPA** (side code: 4024) is largely coincident with the South Dublin Bay SAC boundary with the exception of the Tolka Estuary. The **North Bull Island SPA** (site code: 0206) meanwhile is largely coincident with the North Dublin Bay SAC with the exception of the terrestrial portion of Bull Island. These designations encompass all of the intertidal areas in Dublin Bay from south of the Howth peninsula to the pier in Dun Laoghaire. Wintering birds in particular are attracted to these areas in great number as they shelter from harsh conditions further north and avail of the available food supply within sands and soft sediments. Table 1 lists the features of interest for both of the SPAs.

- **Light-bellied Brent Goose.** There has been a 67% increase in the distribution of this goose which winters throughout the Irish coast. The light-bellied subspecies found in Ireland breeds predominantly in the Canadian Arctic.
- **Sanderling.** This small bird breeds in the high Arctic and winters in Ireland along sandy beaches and sandbars. Its wintering distribution has increased by 21% in the previous 30 years.
- **Dunlin.** Although widespread and stable in number during the winter season, the Irish breeding population has collapsed by nearly 70% in 40 years. Breeding is now confined to just seven sites in the north and west as habitat in former nesting areas has been degraded.
- **Knot.** These small wading birds do not breed in Ireland but gather in coastal wetlands in winter. Their numbers have increased dramatically since the mid-1990s although the reasons for this are unclear.
- **Black-headed Gull.** Widespread and abundant in winter these gulls are nevertheless considered to be in decline. The reasons behind this are unclear but may relate to the loss of safe nesting sites, drainage, food depletion and increase predation.

- **Ringed Plover.** This bird is a common sight around the Irish coast where it is resident. They breed on stony beaches but also, more recently, on cut-away bog in the midlands.
- **Oystercatcher.** Predominantly coastal in habit Oystercatchers are resident birds whose numbers continue to expand in Ireland.
- **Bar-tailed Godwit.** These wetland wading birds do not breed in Ireland but are found throughout the littoral zone during winter months. They prefer estuaries where there are areas of soft mud and sediments on which to feed.
- **Grey Plover.** These birds do not breed in Ireland but winter throughout coastal estuaries and wetlands. Its population and distribution is considered to be stable.
- **Roseate Tern.** This tern breeds at only a few stations along Ireland's east coast. Most of these are in decline although at Dublin their colony is increasing.
- **Common Tern.** This summer visitor nests along the coast and on islands in the largest lakes. Its breeding range has halved in Ireland since the 1968-1972 period.
- **Arctic Tern.** These long-distance travellers predominantly breed in coastal areas of Ireland. They have suffered from predation by invasive mink and are declining in much of their range.
- **Redshank.** Once common breeders throughout the peatlands and wet grasslands of the midlands Redshanks have undergone a 55% decline in distribution in the past 40 years. Agricultural intensification, drainage of wetlands and predation are the chief drivers of this change.
- **Teal.** In winter this duck is widespread throughout the country. Land use change and drainage however have contributed to a massive decline in its breeding range over the past 40 years.
- **Pintail.** Dabbling duck wintering on grazing marshes, river floodplains, sheltered coasts and estuaries. It is a localised species and has suffered a small decline in distribution in Ireland for unknown reasons.
- **Shoveler.** Favoured wintering sites for this duck are inland wetlands and coastal estuaries. While there have been local shifts in population and distribution, overall their status is stable in Ireland.
- **Shelduck.** The largest of our ducks, Shelduck both breed and winter around the coasts with some isolate stations inland. Its population and range are considered stable.
- **Golden Plover.** In winter these birds are recorded across the midlands and coastal regions. They breed only in suitable upland habitat in the north-west. Wintering abundance in Ireland has changed little in recent years although it is estimated that half of its breeding range has been lost in the last 40 years.
- **Black-tailed Godwit.** Breeding in Iceland these waders winter in selected sites around the Irish coast, but predominantly to the east and southern halves. Their range here has increase substantially of late.
- **Curlew.** Still a common sight during winter at coastal and inland areas around the country it breeding population here has effectively collapsed. Their habitat has been affected by the destruction of peat bogs, afforestation, farmland intensification and land abandonment. Their wintering distribution also appears to be in decline.

- **Turnstone.** This winter visitor to Irish coasts favours sandy beaches, estuaries and rocky shores. It is found throughout the island but changes may be occurring due to climate change.

Bird counts from BirdWatch Ireland are taken from Dublin Bay as a whole and are not specific to any particular portion of the Bay. Dublin Bay is recognised as an internationally important site for water birds as it supports over 20,000 individuals. Table 2 shows the most recent count data available<sup>1</sup>.

**Table 2 – Annual count data for Dublin Bay from the Irish Wetland Birds Survey (IWeBS)**

Year	2010/11	2011/12	2012/13	2013/14	2014/15	Mean
Count	27,931	30,725	30,021	35,878	33,486	31,608

There were also internationally important populations of particular birds recorded in Dublin Bay (i.e. over 1% of the world population): Light-bellied brent geese *Branta bernicula hrota*; Black-tailed godwit *Limosa limosa*; Knot *Calidris canutus* and Bar-tailed godwit *L. lapponica*.

The **South Dublin Bay SAC** (side code: 0210) is concentrated on the intertidal area of Sandymount Strand. It has four qualifying interests: mudflats and sandflats not covered by seawater at low tide (1140), annual vegetation of drift lines (1210), Salicornia and other annuals colonising mud and sand (1310) and Embryonic shifting dunes (2110).

- **Annual vegetation of drift lines (1210)** This habitat of the upper shore is characterised by raised banks of pebbles and stones. They are inhabited by a sparse but unique assemblage of plants, some of which are very rare. The principle pressures are listed as gravel extraction, the building of pipelines and coastal defences.
- **Embryonic shifting dunes (2110).** As their name suggests these sand structures represent the start of a sand dune's life. Perhaps only a meter high they are a transient habitat, vulnerable to inundation by the sea, or developing further into white dunes with Marram Grass. They are threatened by recreational uses, coastal defences, trampling and erosion.
- **Tidal mudflats (1140).** This is an intertidal habitat characterised by fine silt and sediment. Most of the area in Ireland is of favourable status however water quality and fishing activity, including aquaculture, are negatively affecting some areas.
- **Salicornia mudflats (1310):** This is a pioneer saltmarsh community and so is associated with intertidal areas. It is dependent upon a supply of fresh, bare mud and can be promoted by damage to other salt marsh habitats. It is chiefly threatened by the advance of the alien invasive Cordgrass *Spartina anglica*. Erosion can be destructive but in many cases this is a natural process.

<sup>1</sup> <https://fl.caspio.com/dp.asp?AppKey=f4db3000060acbd80db9403f857c>

The **North Dublin Bay SAC** (site code: 0206) is focussed on the sand spit on the North Bull island. The qualifying interests for it are shown in table 3. The status of the habitat is also given and this is an assessment of its range, area, structure and function, and future prospects on a national level and not within the SAC itself.

**Table 3 – Qualifying interests for the North Dublin Bay SAC**

Habitat/Species	Status <sup>2</sup>
Mudflats and sandflats not covered by seawater at low tide	Inadequate
Salicornia and other annuals colonizing mud and sand	Good
Atlantic salt meadows	Inadequate
Mediterranean salt meadows	Inadequate
Annual vegetation of drift lines	Inadequate
Embryonic shifting dunes	Inadequate
Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)	Inadequate
Fixed coastal dunes with herbaceous vegetation (grey dunes)	Bad
Humid dune slacks	Inadequate
<i>Petalophyllum ralfsii</i> Petalwort	Good

- **Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) (2120).** These are the second stage in dune formation and depend upon the stabilising effects of Marram Grass. The presence of the grass traps additional sand, thus growing the dunes. They are threatened by erosion, climate change, coastal flooding and built development.
- **Fixed coastal dunes with herbaceous vegetation (grey dunes) (2130).** These are more stable dune systems, typically located on the landward side of the mobile dunes. They have a more or less permanent, and complete covering of vegetation, the quality of which depends on local hydrology and grazing regimes. They are the most endangered of the dune habitat types and are under pressure from built developments such as golf courses and caravan parks, over-grazing, under-grazing and invasive species.
- **Humid dune slacks (2190).** These are wet, nutrient enriched (relatively) depressions that are found between dune ridges. During winter months or wet weather these can flood and water levels are maintained by a soil layer or saltwater intrusion in the groundwater. They are found around the coast within the larger dune systems.
- **Petalwort (1395).** There are 30 extant populations of this small green liverwort, predominantly along the Atlantic seaboard but also with one in Dublin. It grows within sand dune systems and can attain high populations locally.

<sup>2</sup> NPWS. 2019. *The Status of EU Protected Habitats and Species in Ireland*. Volume 1: Summary Report. Unpublished Report, National Parks & Wildlife Services. Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

At its nearest point the **Poulaphouca Reservoir SPA** (site code: 4063) is located approximately 15km from the site of the proposed development. Its 'features of interest' include the Greylag Goose *Anser anser* and the Lesser Black-backed Gull *Larus fuscus*.

Whether any of these SACs or SPAs is likely to be significantly affected must be measured against their 'conservation objectives'. Specific conservation objectives have been set for all of these areas with the exception of the Poulaphouca Reservoir. Generic conservation objectives have been published by the NPWS and are stated as:

**To maintain or restore the favourable conservation condition of the Annexed species for which the SPA has been selected.**

In a generic sense 'favourable conservation status' of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- 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, and
- the conservation status of its typical species is favourable.

While the 'favourable conservation status' of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long - term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long - term basis.

Specific conservation objectives have been set for mudflats in the South Dublin Bay SAC (NPWS, 2013) and the North Dublin Bay SAC (NPWS, 2013). The objectives relate to habitat area, community extent, community structure and community distribution within the qualifying interest. There is no objective in relation to water quality.

For the South Dublin Bay & Tolka Estuary SPA and the North Bull Island SPA the conservation objectives for each bird species relates to maintaining a population trend that is stable or increasing and maintaining the current distribution in time and space (NPWS, 2015a & b).

For the Poulaphouca Reservoir SPA, generic conservation objectives have been published by the NPWS and are as previously stated above (NPWS, 2021).

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## **6.0 Data collected to carry out the assessment**

*Describe the individual elements of the plan (either alone or in combination with other plans or projects) likely to give rise to impacts on the SAC:*

Details from the NPWS site synopsis report and the most recent data from BirdWatch Ireland's Wetlands Bird Survey (IWeBS) indicate that Dublin Bay is of international importance for wintering birds meaning that it regularly holds a population of over 20,000 birds. Total counts from IWeBS are shown in table 2.

The development site is composed of highly modified or low local value habitats which are not associated with Natura 2000 sites. It is located in a built-up area of Dublin city while it is not adjacent to any water course. The development is indirectly connected to a number of Natura 2000 sites via wastewater and surface water run-off.

The EU's Water Framework Directive (WFD) stipulates that all water bodies must attain 'good ecological status' by 2015. This includes estuarine waters and Dublin Bay is located within the Eastern River Basin District. In 2009 a management plan was published to address pollution issues and includes a 'programme of measures' which must be completed. This plan was approved in 2010 (ERBD, 2010). There is one monitoring point along the River Tymon/Poddle at The Priory on Kimmage Road. Here, moderate pollution was measured in 2007. The river is not assessed under the WFD.

The lower Liffey Estuary has been assessed by the Environmental Protection Agency (EPA) as 'good status'. The coastal water beyond the estuary is also assessed as 'good' (from [www.epa.ie](http://www.epa.ie) ). These classifications indicate that water quality downstream of the Custom House is currently meeting the requirements of the WFD. The Tolka Estuary is assessed as 'moderate'.

Of the qualifying interests of SPAs in Dublin Bay, eleven: Curlew, Dunlin, Redshank, Shoveler, Oystercatcher, Grey Plover, Knot, Golden Plover, Bar-tailed Godwit, Black-tailed Godwit and Black-headed Gull are listed as of high conservation concern, and on BirdWatch Ireland's red list (Gilbert et al., 2021).

In 2020 the NPWS published a report entitled 'The monitoring and assessment of six EU Habitats Directive Annex I Marine Habitats' (Scally & Hewett, 2020). This report specifically assessed the status of the habitat: mudflats and sandflats not covered by seawater at low tide (1140) which is a qualifying interest of the North Dublin Bay SAC and the South Dublin Bay SAC. Table 22 of this report assessed the status of this habitat within both SACs as 'favourable'.

In June 2018 Irish Water applied for (and subsequently received) planning permission for works to the Ringsend Wastewater Treatment (WwTP) facility. As part of this application an Environmental Impact Assessment Report (EIAR) was submitted. Sections 5 and 6 of this EIAR related to Marine Biodiversity and Terrestrial Biodiversity respectively and each contained a section on the 'do-nothing scenario'. These review the effects to biodiversity in Dublin Bay in the



absence of the upgrade works and so are relevant to this response. Extracts from these sections include:

*"If the Proposed WwTP Component is not constructed, the nutrient and suspended solid loads from the plant into Dublin Bay will continue at the same levels and the impact of these loadings should maintain the same level of effects on marine biodiversity. [...]"*

***If the status quo is maintained there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay [our emphasis]. Previous studies suggest that the outer and south bays are largely unaffected by the nutrient inputs from the WwTP at Ringsend and from the Liffey and Tolka rivers. Therefore, the sandy communities found in those areas will likely remain dominated by the same assemblage of Nephtys, tellinids and other pollution-sensitive species, albeit subjected to natural spatial and seasonal variations.***

*However, the areas in the Tolka Estuary and North Bull Island channel will continue to be affected by the cumulative nutrient loads from the river Liffey and Tolka and the effluent from the Ringsend WwTP. These areas will likely continue to be colonised by opportunistic taxa tolerant of organic enrichment. There is a possibility that an increase in the nutrient outputs from the plant due to the operational overload and storm water discharges could result in a decline in the biodiversity of these communities as a result of low oxygen availability caused by increased organic enrichment. Considering the existing situation, it is possible that through the future oversupply of DIN to the area impacted by the existing outfall, benthic production could be adversely impacted due to hypoxic or even anoxic conditions. An increase in the cover of opportunistic macroalgae could lead to further deterioration in the lagoons in the North Bull as they add to the organic load on the benthos and further increase the BOD. These events, although localised, could deteriorate the biological status for Dublin Bay as a whole. **Nonetheless, it is unlikely, as existing historical data suggests that pollution in Dublin Bay has had little or no effect on the composition and richness of the benthic macroinvertebrate fauna [our emphasis].** Although a localised decline could occur, it is not envisaged to be to a scale that could pose a threat to the shellfish, fish, bird or marine mammal populations that occur in the area. (section 5.7.1) [...]"*

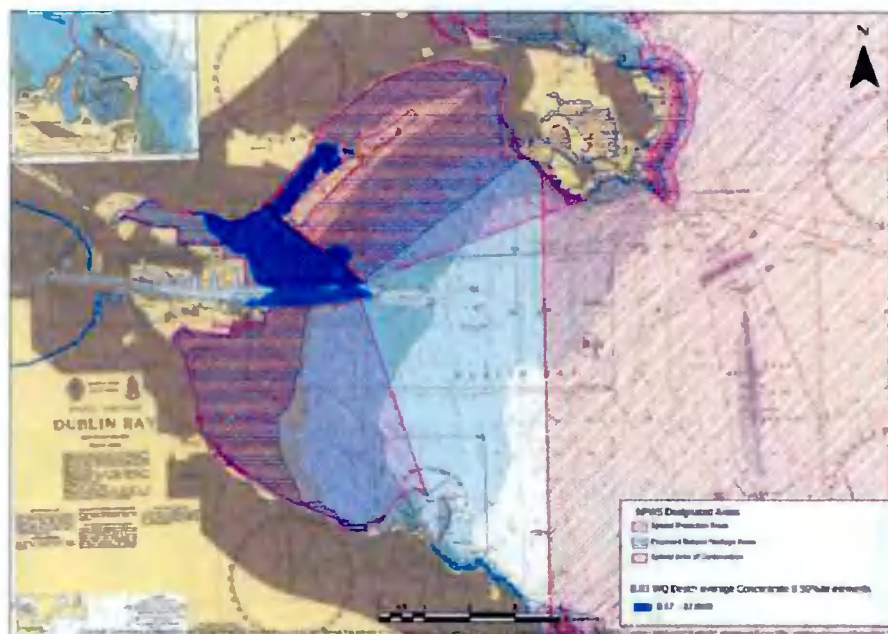
***If there is no change to the treatment process at Ringsend WwTP then the terrestrial environment adjacent to the site will remain largely unchanged [our emphasis]. [...]"***

*If the Proposed WwTP Component is not implemented, there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay [...]. The sandy communities found in South Dublin Bay will likely remain dominated by the same assemblage of the polychaete worm Nephtys caeca, Cockle Cerastoderma edula, tellinids and other pollution-sensitive species, albeit*

subjected to natural spatial and seasonal variations. **Bird populations in these areas will be unaffected by the discharge from the WwTP [our emphasis].**

*If the Proposed WwTP Component is not implemented, there is a possibility that an increase in the nutrient outputs from the plant due to operational overload and storm water discharges could result in a decline in the biodiversity of invertebrate communities in the Tolka Estuary and North Bull Island channel as a result of low oxygen availability caused by increased organic enrichment. An increase in the cover of opportunistic macroalgae could lead to further deterioration in the lagoons in the North Bull as they add to the organic load on the benthos and further increase the BOD. These events, although localised, could deteriorate the biological status for Dublin Bay as a whole. **It is unlikely that they would have any significant impact on the waterbird populations that forage on invertebrates in Dublin Bay [our emphasis] (section 6.5.1).***

A graphic from the EIA prepared by Irish Water in 2018 showed the zone of influence of the discharge from the Ringsend WwTP and this indicated that effects from the discharge do not extend to the south side of the bay. This is reproduced in figure 5.



**Figure 5-16: Extent of the Zone of Influence (in blue) of the effluent from the Proposed WwTP Component on the predicted modelled output for Winter depth averages 50%ile for Dissolved Inorganic Nitrogen (DIN)**

**Figure 5 – Extract from the EIA prepared by Irish Water (2018) showing the zone of influence of the Ringsend WWTP outfall pipe.**

## **7.0 The Assessment of Significance of Effects**

*Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.*

In order for an effect to occur there must be a pathway between the source (the development site) and the receptor (the SAC or SPA). Where a pathway does not exist an impact cannot occur.

The proposed development is not located within, or adjacent to, any SAC or SPA.

### **Habitat loss**

At its closest point the site is c. 11km away (as the crow flies) from the boundary of the Natura 2000 sites within Dublin Bay. In reality however, this distance is greater as hydrological pathways follow the course of the drainage network to Dublin Bay. Because of the distance separating the site and the SPAs/SACs there is no pathway for loss or disturbance of important habitats or important species associated with the features of interest of the SPA.

### **Habitat disturbance/Ex-situ impacts**

The subject site is located in a heavily urbanised environment close to significant noise and artificial light sources such as roads. This development cannot contribute to potential disturbance impacts to species or habitats of for which Natura 2000 sites have been designated due to the separation distance.

The development site does not provide suitable habitat for wetland/wading/wintering birds which may be associated with Natura 2000 sites in Dublin Bay. No ex-situ impacts can arise.

### **Hydrological pathways**

There is a pathway from the development site via wastewater and surface water flows to Dublin Bay, via the Ringsend plant and the surface water sewer respectively. However, there is no evidence that poor water quality is currently negatively affecting the conservation objectives of Natura 2000 sites in Dublin Bay. This project is unlikely to alter the patterns of flows of either surface or wastewater.

### **Pollution during operation – wastewater**

The Ringsend plant is licenced to discharge treated effluent by the EPA (licence number D0034-01) and is managed by Irish Water. It treats effluent for a population equivalent (P.E.) on average of 1.65 million however weekly averages can spike at around 2.36 million. This variation is due to storm water inflows during periods of wet weather as this is not separated from the foul network for much of the older quarters of the city, including at the subject site. The Annual Environmental Report for 2018, the most recent available, indicated that there were a number of exceedences of the emission limit values set under the Urban Wastewater Treatment Directive and these can be traced to pulse inflows arising from wet weather. In April 2019 Irish Water was granted planning permission to upgrade the Ringsend plant. This will see improved treatment

standards and will increase network capacity by 50%, with a target completion date of 2022.

While the issues at Ringsend wastewater treatment plant are being dealt with in the medium term evidence suggests that some nutrient enrichment is benefiting wintering birds for which SPAs have been designated in Dublin Bay (Nairn & O'Hallaran eds, 2012).

#### **Pollution during operation - surface water**

The incorporation of SUDS into this project will ensure that no negative effects to surface water will occur. These are standard measures which are included in all development projects and are not included here to avoid or reduce an effect to a Natura 2000 site. They are therefore not considered to be mitigation measures in an AA context.

Discharges of wastewater and surface water from this project cannot result in significant effects to the SACs or SPAs in Dublin Bay.

#### **Pollution during construction**

There is unlikely to be escape of sediment during the construction phase as there are no water courses in the vicinity of the development site. This cannot result in significant pollution due to the distance from sensitive receptors, and the temporary nature of the works. Tidal and coastal habitats are not sensitive to sediment pollution in the way that freshwater bodies are.

#### **Abstraction**

Evidence suggests that abstraction is not affecting the conservation objectives for Greylag Geese or Black-headed Gulls at the Poulaphouca Reservoir. Nationally the Greylag Goose has undergone a significant increase over 30 years in its wintering population in Ireland. The recently published Bird Atlas 2007-11 shows that there has been a decrease in the Poulaphouca numbers however. This source suggests that the decline, which also occurred in a number of other sites in Ireland, "may be linked with a northerly redistribution of the Icelandic wintering population" (Balmer et al., 2013).

No effects are likely to arise to the Poulaphouca Reservoir SPA arising from this project.

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*Are there other projects or plans that together with the project or plan being assessed could affect the site?*

Implementation of the WFD will ensure that improvements to water quality in Dublin Bay and the River Liffey are maintained. Environmental water quality can be impacted by the effects of surface water run-off from areas of hard standing. These impacts are particularly pronounced in urban areas and can include pollution from particulate matter and hydrocarbon residues, and downstream erosion from accelerated flows during flood events. In this case there will be no negative impacts to surface water quality/quantity due to the

SUDS measures which are incorporated in the project design. These are not mitigation measures in an AA context.

In March 2005 the Greater Dublin Drainage Study (GDDS) was published as a policy document designed to provide for future drainage infrastructure. The implementation of this policy will see broad compliance with environmental and planning requirements in an integrated manner. This is likely to result in a long-term improvement to the quality and quantity of storm water run-off in the capital. This project is fully compliant with SUDS principles.

There are no effects which could act in combination with the subject proposal to result in significant effects to Natura areas.

### **8.0 Conclusion and Finding of No Significant Effects**

No significant effects will arise from this project to Natura 2000 sites in Dublin Bay: the North Dublin Bay SAC, South Dublin Bay SAC, the North Bull Island SPA or the South Dublin Bay and River Tolka Estuary SPA.

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

On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

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