APPROPRIATE ASSESSMENT SCREENING REPORT

FOR

PROPOSED RESIDENTIAL DEVELOPMENT

AT

WHITECHURCH ROAD,
RATHFARNHAM,
DUBLIN 14

ON BEHALF OF

DUNGREY LTD.

Prepared by
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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Dungrey Ltd. to undertake a screening for Appropriate Assessment in relation to the Proposed Residential Development at Whitechurch Road, Rathfarnham, Dublin 14. The purpose of this Appropriate Assessment report is to provide information to the Competent Authority to enable it to undertake Stage 1 Appropriate Assessment Screening in respect of the Proposed Development.

1.2 Legislative Background

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

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

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

1.2.1 Legislative Context

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

"*6(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site, in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate. after having obtained the opinion of the public.*"

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

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

(2)…

(3)…

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

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

1.2.2 Stages of AA

This Appropriate Assessment Screening Report (the "**Screening Report**") has been prepared by Enviroguide Consulting. It considers whether or not the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 Appropriate Assessment is required.

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

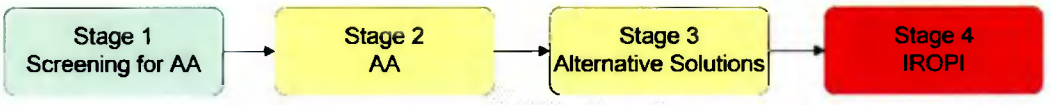


FIGURE 1. THE FOUR STAGES OF THE APPROPRIATE ASSESSMENT PROCESS (DEHLG, 2010).

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

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

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

2 METHODOLOGY

2.1 Guidance

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

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001);
- *Communication from the Commission on the precautionary principle* (European Commission, 2000); and,
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019).
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021*

2.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site.

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

2.3 Desk Study

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

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

  Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development available at https://www.sdcc.ie/en/services/planning/planning-applications/

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

2.4 Field surveys

A habitat survey of the Site of the Proposed Development was conducted by Enviroguide Consulting on the 12th of August 2021. The results of this survey are provided in the Ecological Impact Assessment accompanying this application.

2.5 Assessment of Significant Effects

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

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

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

3 Stage 1 Screening

3.1 Management of European Sites

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

3.2 Description of Proposed Development

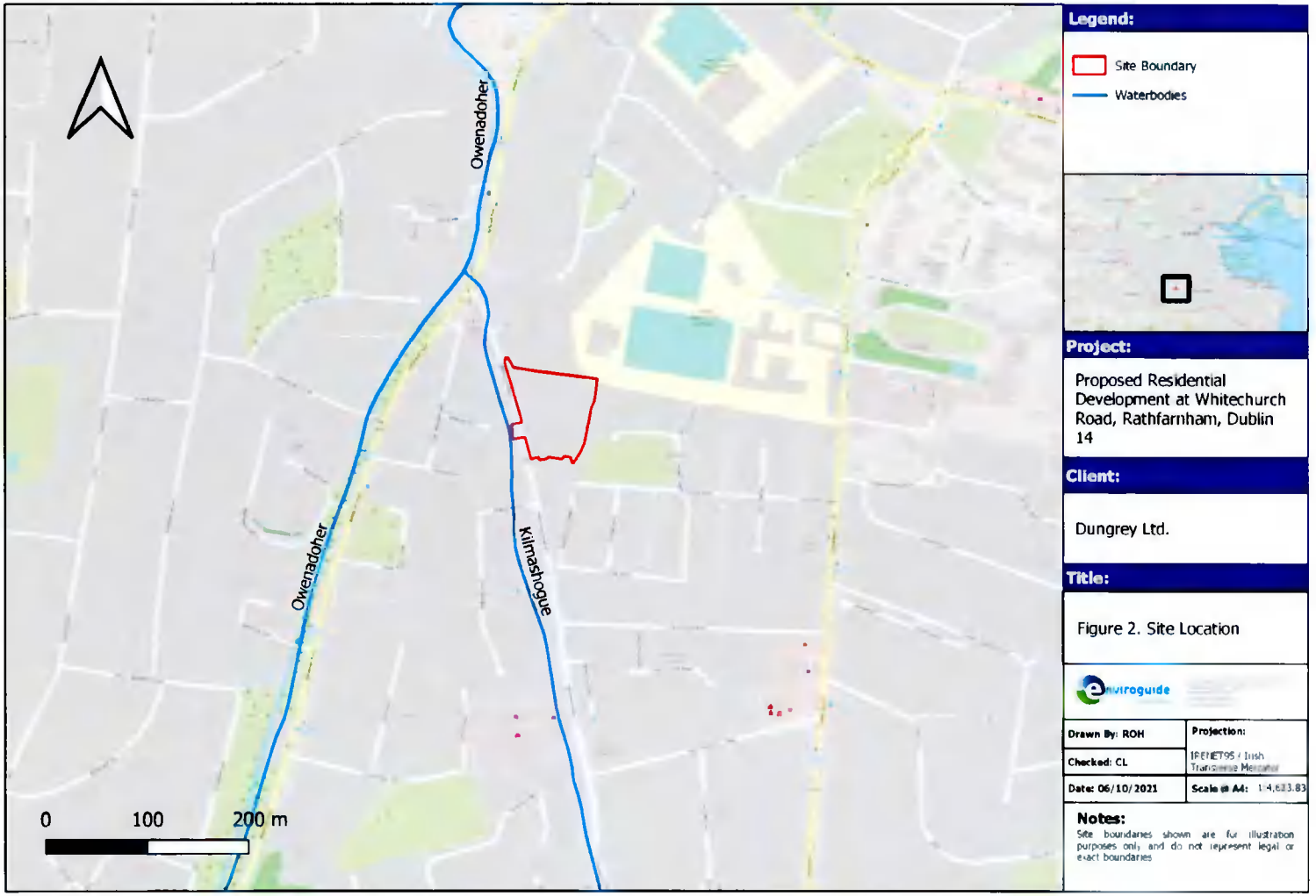
3.2.1 Site location

The Site is located at Whitechurch Road, Rathfarnham, Dublin 14. Whitechurch road bounds the Site to the west, residential dwellings and their associated open spaces bound the Site to the south and east and Loreto high school bounds the Site to the north. The Site is 0.58 Ha in size.

3.2.2 Description of Development

The Proposed Development shall provide for the demolition of two existing habitable structures on Site including a bungalow (Silveracre), an existing cottage (No. 6 Whitechurch Road) and a row of several derelict structures / cottages located along the eastern boundary of the Site, the extent of the proposed demolition is 433 sq.m. It is proposed to construct 22 no. 4 bed 4 storey units ranging in size from 197 sq.m to 214 sq.m, all with associated private balcony/terrace areas.

Vehicular and pedestrian access is proposed via a new entrance on Whitechurch Road. The Proposed Development shall provide for 44 no. car parking spaces, a new single storey bicycle storage shed and provision of bin storage to be provided at the front curtilage of the dwelling for all terraced units, all boundary treatment, all site services and all associated Site development and landscaping works.


Owenadoher
Owenadoher
Kilmashogue
0
100
200 m
Legend:
Site Boundary
Waterbodies
Project:
Proposed Residential Development at Whitechurch Road, Rathfarnham, Dublin 14
Client:
Dungrey Ltd.
Title:
Figure 2. Site Location
Drawn By: ROH
Projection:
Checked: CL
Date: 06/10/2021
Notes:
Site boundaries shown are for illustration purposes only and do not represent legal or exact boundaries

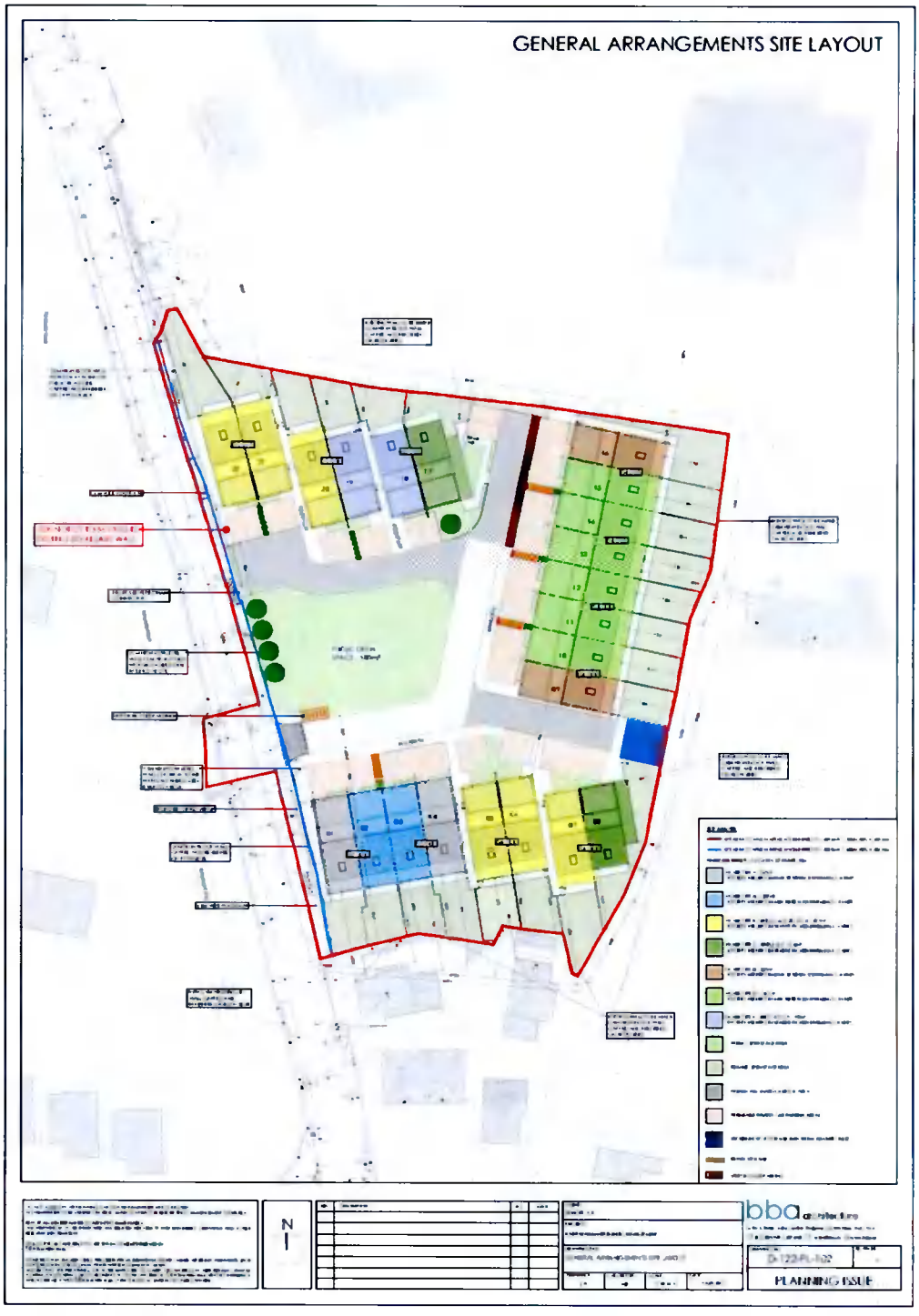


FIGURE 3. PROPOSED SITE LAYOUT (BBA ARCHITECTURE, DRW. NO. D-122-PL-102)

3.2.3 Proposed Surface and Foul Water management

The following information has been extracted from POGA consulting engineers Engineering Planning Report (September 2021).

3.2.3.1 *Surface water*

The Whitechurch stream, a tributary of the River Dodder, is located West of the Proposed Development. Surface water run-off from the Proposed Development will be attenuated on Site prior to outfall to this stream. At present, the Site lacks a surface water management system and rainfall naturally infiltrates to ground. A new surface water network will be constructed flowing towards an attenuation tank on Site, attenuated and treated surface water will then flow west crossing the Whitechurch Road before discharged treated surface water into the Whitechurch stream via a new surface water outfall pipe.

The management of surface water for the Proposed Development has been designed to comply with the policies and guidelines of the Greater Dublin Strategic Drainage Study (GDSDS). In accordance with the SuDS philosophy, a surface water treatment train approach has been applied to the design of the surface water drainage on this Site.

The proposed surface water design includes the use of permeable paving, swales, filter drains and an underground attenuation tank. Discharge from the attenuation tank will be limited to a greenfield run-off rate.

It is a policy of South Dublin County Council (Policy 5) to *" to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems"*. It is noted that these design features are a requirement in all new development, as per the above policy; to contribute to both the improvement of water quality in receiving waterbodies and the easing of pressures on existing drainage networks. They are in **no way** being relied upon as a method of mitigating potential impacts to European Sites arising from the Proposed Development.

3.2.3.2 *Foul Water*

The foul water network for the Proposed Development will be connected to the existing foul water sewer located under Whitechurch Road, flowing northwards. Foul water will ultimately be treated at Ringsend WwTP.

'*All foul water pipe sizes and gradients are designed in accordance with the Department of Environment Recommendation for Site Development Works, Building Regulations and Irish Water Standards – please refer to Appendix H for the pipe design.*'

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the Liffey and Dublin Bay WFD catchment, the Dodder_SC_010 sub catchment and the Owenadoher_010 (IE_EA_09O011700) WFD River Sub Basin (EPA,2021). There are no river waterbodies within the Site boundary.

The Whitechurch/ Kilmashogue stream (EPA Code 09K06) is located 15m west of the Proposed Development. Works will be required adjacent to this waterbody as treated surface water will be discharged from the Site to this stream, as such the red line boundary extends westwards to the stream to include these works. The Whitechurch/ Kilmashogue stream is a

tributary of the Owenadoher River which in turn is a tributary of the River Dodder. The Whitechurch/ Kilmashogue stream travels in a northerly direction past the Proposed Development for 108 river meters before entering the Owenadoher river (EPA Code 09O01) and continues for a further 900 river meters before entering the River Dodder (EPA Code 09D01). The status of the Whitechurch/ Kilmashogue stream and Owenadoher river is *Good*, and the waterbodies are *At Risk* of Not Achieving their Water Framework status Objectives (EPA,2021). The WFD status of the River Dodder is *Moderate*, and the waterbody is also *At Risk* of Not Achieving its Water Framework Status Objectives (EPA,2021). An EPA monitoring station (station code *RS09O011700*) is located on the River Owenadoher north of the Proposed Development, and recorded a Q-Value score of 3-4, *Moderate* (EPA,2021).

The Site of the Proposed Development is situated on the Dublin groundwater body, which has a status of *Good* and is *Not at Risk* of not meeting its WFD objectives (EPA,2021). The underlying bedrock is *dark limestones and shale ('calp) of the Lucan formation*, the aquifer type in the area is a *Locally Important Aquifer (Ll), bedrock which is moderately productive only in local zones* (GSI,2021). Subsoils are *limestone gravels*, and the soil is classed as *urban* (EPA, 2021). The level of vulnerability to groundwater contamination from human activities is *Low* (GSI,2021).

3.4 Identification of Relevant European Sites

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

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

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

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

- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) to identify European sites which could potentially be affected by the Proposed Development;
- The catchment data were used to establish or discount potential hydrological connectivity between the Project Boundary and any European sites.
- All European sites within the zone of influence (within 15km of the Proposed Development Site) were identified and are shown in Figure 4.

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

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

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

- South Dublin Bay SAC (000210)
- North Dublin Bay SAC (000206)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

These sites are all connected to the Proposed Development Site via a weak hydrological pathway.

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

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
Special Areas of Conservation (SAC)			
Wicklow Mountains SAC (002122)	[3110] Oligotrophic Waters containing very few minerals [3130] Mixed *Najas flexilis* lake habitat [3160] Dystrophic Lakes [4010] Wet Heath [4030] Dry Heath [4060] Alpine and Subalpine Heaths [6130] Calaminarian Grassland [6230] Species-rich Nardus Grassland* [7130] Blanket Bogs (Active)* [8110] Siliceous Scree [8210] Calcareous Rocky Slopes [8220] Siliceous Rocky Slopes [91A0] Old Oak Woodlands [1355] Otter (*Lutra lutra*)	5.8 km	None – There are no pathways between this SAC and the Proposed Development. This SAC is in the Dublin Mountains and is located a considerable distance south of the Proposed Development. The distance of 5.8km between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.
South Dublin Bay SAC (000210)	[1140] Tidal Mudflats and Sandflats [1210] Annual vegetation of drift lines [1310] Salicornia and other annuals colonising mud and sand [2110] Embryonic shifting dunes	6 km	**Yes –** A weak hydrological pathway exists via surface water discharges from the Site and wastewater which will ultimately be treated at Ringsend WwTP and discharged into Dublin Bay: (i) Wastewater from the Proposed Development will be treated at Ringsend WwTP which ultimately discharges treated effluent into Dublin Bay[1]. (ii) Operational surface water will be discharged to the Whitechurch stream once attenuated and treated.

[1] The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			(iii) Potential inadvertent construction related surface water discharged to the Whitechurch Stream. The distance of 6km between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase
Glenasmole Valley SAC (001209)	[6210] Orchid-rich Calcareous Grassland* [6410] *Molinia* Meadows [7220] Petrifying Springs*	6.5 km	None – There are no pathways between these European Sites and the Proposed Development. These SACs are located a considerable distance south of the Proposed Development. The intervening distances between the Site and the SACs are sufficient to exclude the possibility of significant effects on the SACs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.
Knocksink Wood SAC (000725)	[7220] Petrifying Springs* [91A0] Old sessile oak woods with Ilex and Blechnum in the British Isles [91E0] Alluvial Forests*	10 km	
North Dublin Bay SAC (000206)	[1140] Tidal Mudflats and Sandflats [1210] Annual Vegetation of Drift Lines [1310] Salicornia Mud [1330] Atlantic Salt Meadows [1410] Mediterranean Salt Meadows [2110] Embryonic Shifting Dunes [2120] Marram Dunes (White Dunes) [2130] Fixed Dunes (Grey Dunes)* [2190] Humid Dune Slacks [1395] Petalwort *Petalophyllum ralfsii*	10.3 km	**Yes** – A weak hydrological pathway exists via surface water discharges from the Site and wastewater which will ultimately be treated at Ringsend WwTP and discharged into Dublin Bay:

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			(i) Wastewater from the Proposed Development will be treated at Ringsend WwTP which ultimately discharges treated effluent into Dublin Bay[2]. (ii) Operational surface water will be discharged to the Whitechurch stream once attenuated and treated. (iii) Potential inadvertent construction related surface water discharged to the Whitechurch Stream. The distance of 10.3 km between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.
Ballyman Glen SAC (000713)	[7220] Petrifying springs with tufa formation (Cratoneurion)* [7230] Alkaline fens	12.2km	None – There are no pathways between this SAC and the Proposed Development. This SAC is located a 12.2km south of the Proposed Development. This distance of 12.2km between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.

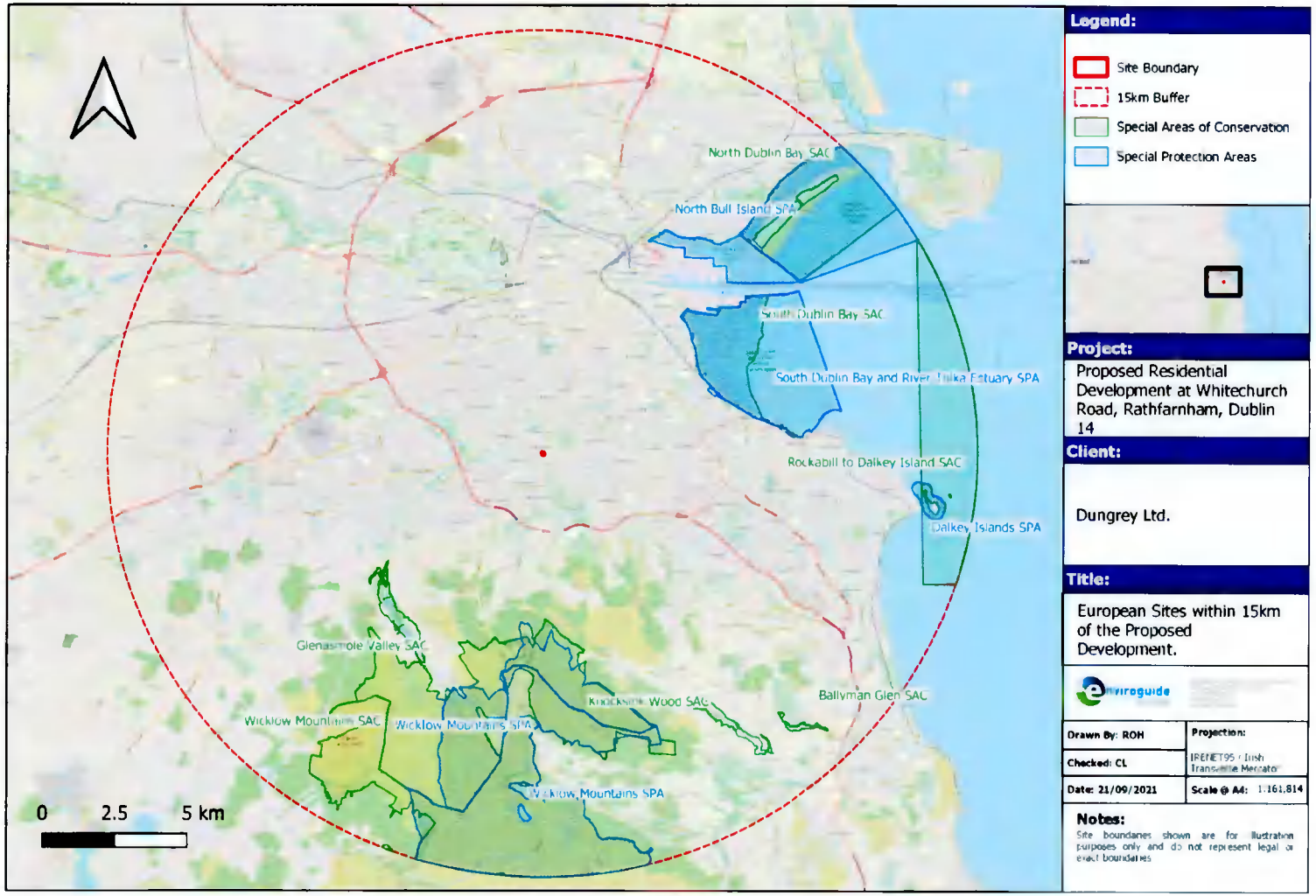
[2] The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
Rockabill to Dalkey Island SAC (003000)	[1170] Reefs; [1351] Harbour Porpoise (*Phocoena phocoena*)	13 km	None – There are no pathways between this SAC and the Proposed Development. This SAC is located 13km from the Proposed Development. The hydrological pathway via Dublin Bay is insignificant given the considerable open marine water buffer between the Site of the Proposed Development and the SAC, over which any potential surface water discharges containing sediments, silt and/or pollutants arising from the Construction/Operational phases of the Proposed Development would become diluted to non-discernible levels. The distance of 13km between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SACs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.
Special Protected Area (SPA)			
Wicklow Mountains SPA (004040)	[A098] Merlin *Falco columbarius* [A103] Peregrine *Falco peregrinus*	6 km	None - there is no hydrological connection or otherwise between this SPA and the Proposed Development. This SPA is located within the mountains to the south of the Site and within a separate surface water catchment. The extensive distance between the Site and the SPA is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase. The Site does not provide significant *ex-situ* habitat for QI/SCI species Merlin or Peregrine.
South Dublin Bay and River Tolka Estuary SPA (004024)	[A046] Light-bellied Brent Goose *Branta bernicla hrota* ; [A130] Oystercatcher *Haematopus ostralegus* ; [A137] Ringed Plover *Charadrius hiaticula* ; [A141] Grey Plover *Pluvialis squatarola* ; [A143] Knot *Calidris canutus* ; [A144] Sanderling *Calidris alba* ; [A149] Dunlin *Calidris alpina alpina* ; [A157] Bar-tailed Godwit *Limosa lapponica* ; [A162] Redshank *Tringa tetanus* ; [A179] Black-headed Gull *Chroicocephalus ridibundus* ; [A192] Roseate Tern *Sterna dougallii* ; [A193] Common Tern *Sterna hirundo* ; [A194] Arctic Tern *Sterna paradisaea* ; [A999] Wetlands	6.1 km	**Yes –** A weak hydrological pathway exists via surface water discharges from the Site and wastewater which will ultimately be treated at Ringsend WwTP and discharged into Dublin Bay: (i) Wastewater from the Proposed Development will be treated at Ringsend WwTP which ultimately discharges treated effluent into Dublin Bay[3]. (ii) Operational surface water will be discharged to the Whitechurch stream once attenuated and treated. (iii) Potential inadvertent construction related surface water discharged to the Whitechurch Stream. The considerable distances of 6.1 km and 10.3 km between the Site and these SPAs is sufficient to exclude the possibility of significant effects on the SPAs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase.
North Bull Island SPA (004006)	[A046] Light-bellied Brent Goose *Branta bernicla hrota* [A048] Shelduck *Tadorna tadorna* [A052] Teal *Anas crecca* [A054] Pintail *Anas acuta* [A056] Shoveler *Anas clypeata* [A130] Oystercatcher *Haematopus ostralegus* [A140] Golden Plover *Pluvialis apricaria* [A141] Grey Plover *Pluvialis squatarola* [A143] Knot *Calidris canutus*	10.3 km	
Dalkey Islands SPA (004172)	[A192] Roseate Tern *Sterna dougallii* ; [A193] Common Tern *Sterna hirundo* ; [A194] Arctic Tern *Sterna paradisaea*	12.8 km	None – There are no pathways between this SPA and the Proposed Development.

[3] The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			This SPA is located 12.8km from the Proposed Development. The hydrological pathway via Dublin Bay is insignificant given the considerable open marine water buffer between the Site of the Proposed Development and the SPAs, over which any potential surface water discharges containing sediments, silt and/or pollutants arising from the Construction/Operational phases of the Proposed Development would become diluted to non-discernible levels. The distance of 12.8km between the Site and the SPA is sufficient to exclude the possibility of significant effects on the SPA arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during the Construction and Operational Phase; and increased human presence at the Site during the Construction and Operational Phase. The Site does not provide significant *ex-situ* habitat for QI/SCI species of the SPA.


North Dublin Bay SAC
North Bull Island SPA
South Dublin Bay SAC
South Dublin Bay and River Tolka Estuary SPA
Rockabill to Dalkey Island SAC
Dalkey Islands SPA
Glenasmole Valley SAC
Wicklow Mountains SAC
Wicklow Mountains SPA
Knocksink Wood SAC
Ballyman Glen SAC
0
2.5
5 km
Legend:
Site Boundary
15km Buffer
Special Areas of Conservation
Special Protection Areas
Project:
Proposed Residential Development at Whitechurch Road, Rathfarnham, Dublin 14
Client:
Dungrey Ltd.
Title:
European Sites within 15km of the Proposed Development.
Drawn By: ROH
Projection:
Checked: CL
IRENET95 / Irish Transverse Mercator
Date: 21/09/2021
Scale @ A4: 1:161,814
Notes:
Site boundaries shown are for illustration purposes only and do not represent legal or exact boundaries

3.5 Assessment of Likely Significant Effects

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

- South Dublin Bay SAC (000210)
- North Dublin Bay SAC (000206)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

3.5.1 Conservation objectives

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

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

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

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing.
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future.
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

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

3.5.2 Identification and Assessment of Likely Significant Effects

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

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

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

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

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

- **Construction Phase** (estimated duration: 15 months)
  - Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks
  - Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies.
  - Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater.
  - Waste generation during the Construction Phase comprising soils, construction and demolition wastes.
  - Increased noise, dust and/or vibrations as a result of construction activity.
  - Increased dust and air emissions from construction traffic.
  - Increased lighting in the vicinity as a result of construction activity.

- **Operational Phase** (estimated duration: indefinite)
  - Surface water drainage from the Site of the Proposed Development.
  - Foul water from the Proposed Development leading to increased loading on wastewater treatment plants.
  - Increased lighting in the vicinity emitted from the Proposed Development; and
  - Increased human presence in the vicinity as a result of the Proposed Development.

3.5.2.1 *Habitat Loss and Alteration*

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

3.5.2.2 *Habitat / Species Fragmentation*

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

3.5.2.3 *Changes in Water Quality and Resource*

The Whitechurch stream is located to the west of the Proposed Development and is mapped by the EPA as flowing in a northern direction before entering the Owenadoher river and ultimately the River Dodder 830 meters north of the Proposed Development.

The downstream distance from the area of the proposed works required for the installation of the surface water outfall pipe in the Whitechurch stream, to the River Dodder is 1 river km. The River Dodder then continues for over 9 river km before discharging to the River Liffey at Ringsend.

The Construction of the surface water outfall into the Whitechurch stream will involve the installation of a precast headwall. Once operational, surface water from the Proposed Development will be attenuated and treated onsite, prior to discharge to the Whitechurch Stream.

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

- The significant downstream distance and consequential potential for dilution and dispersion in the surface water network. Although there is a slight potential for discharge/run-off of surface waters containing sediments, silts, oils and/or other pollutants to enter the Whitechurch stream during the installation of the new surface water outfall, there is no potential for significant effects to the European Sites in Dublin Bay. Surface water discharge would have to travel over 10 river km along the Whitechurch Stream, Owenadoher River and River Dodder before discharging to the River Liffey and ultimately Dublin Bay.
- The temporary nature of the construction works.
- The minor nature of the construction works adjacent to the Whitechurch stream, which will involve the installation of a precast headwall.
- The relatively small size of the Proposed Development.
- According to the Flood Risk Assessment (POGA Consulting Engineers, September 2021), the Site is considered to have an '*overall low risk of flooding*' and is considered suitable for the Proposed Development.

Furthermore, surface water run-off from the Operational Phase of the Proposed development will be discharged to the public surface water sewer once attenuated and treated via a suite of SuDS infrastructure including permeable paving and an underground attenuation tank (see section 3.2.3 for more details).

It is a policy of South Dublin County Council (Policy 5) to *" to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems"*. It is noted that these design features are a requirement in all new development, as per the above policy; to contribute to both the improvement of water quality in receiving waterbodies and the easing of pressures on existing drainage networks. They are in **no way** being relied upon as a method of mitigating potential impacts to European Sites arising from the Proposed Development.

Foul water from the Operational Phase of the Proposed Development will discharge to the public foul network on Whitechurch Road where it is subsequently treated at Ringsend WwTP, in accordance with the discharge licence (D0034-01), before discharging treated effluent into

Dublin Bay. The potential for foul water generated at the Site of the Proposed Development to reach the European Sites within Dublin Bay and cause negative effects is negligible due to:

- The insignificant increase in PE loading as a result of the Proposed Development.
- The capacity within the facility to treat the additional loading as a result of the Proposed Development.
- It is considered that significant effects on marine biodiversity and the European sites within the Dublin Bay due to the operation of Ringsend WwTP are unlikely (see section 3.5.3 for more details).

It is therefore concluded that there is **no potential** for likely significant effects on any European Site as a result of the Proposed Development.

3.5.2.4 *Disturbance and / or Displacement of Species*

As outlined in section 3.5.2.3 above, the hydrological link between the Site and the European sites assessed here will not result in significant effects on the water quality and resource indicator during both the Construction and Operational Phases. The Site lands provide no suitable ex-situ foraging, roosting or breeding habitat for any wintering waterfowl or shorebird species associated with the SPAs assessed here. In addition, the Proposed Development does not have the capacity to cause any significant disturbance and/or displacement to any species within any other European site due to the intervening distances between the Site of the Proposed Development and the European sites.

It is therefore concluded that the Proposed Development does not have the capacity to cause any disturbance and/or displacement of any species within the European sites.

3.5.2.5 *Changes in Population Density*

For the same reasons outlined in section 3.5.2.4 above, the Proposed Development does not have the capacity to cause any significant changes in the population density of any species within any European site.

3.5.2.6 *Potential for In-combination Effects*

Existing Planning Permissions

A review has been undertaken of the surrounding area to determine relevant existing or permitted developments. The following sets out several relevant permissions in the vicinity of the Proposed Development:

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

- South Dublin County Council Development Plan 2016-2022
- Draft Biodiversity Action Plan for South Dublin County – Connecting with Nature 2020 – 2026
- Draft County Development Plan 2022 - 2028

There is potential for the above proposed plans and policies to have cumulative, negative impacts on conditions in Dublin Bay via rivers, other surface water features and foul waters treated at Ringsend WwTP and discharged into Dublin Bay. However, the core strategy, policies and objectives of the South Dublin Development Plan have been developed to

anticipate and avoid the need for developments that would be likely to significantly affect the integrity of any European site. Furthermore, such developments are required to conform to the relevant regulatory provisions for the prevention of pollution, nuisance or other environmental effects likely to significantly affect the integrity of European sites. In addition, sustainable development including SuDS measures for all new developments is inherent in the objectives of all development plans within the Greater Dublin Area. Therefore, there is no potential for significant in-combination impacts to arise due to surface water discharges during the Construction and Operational Phases of the Proposed Development.

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

3.5.3 Operation of Ringsend WwTP

In June 2018 Irish Water applied for and subsequently received planning permission in 2019 for upgrade works to the Ringsend WwTP facility. There are already on-going upgrading works taking place, which were the subject of a prior permission which are expected to be complete in 2021. These works, together with the further works permitted in 2019 will increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended soils, ammonia, DIN and MRP. An Environmental Impact Assessment Report (EIAR) was submitted by Irish Water as part of this application. The EIAR contains sections relating to Marine Biodiversity and Terrestrial Biodiversity, and each contains a section on the 'do-nothing scenario'. These review the effects of the WwTP on biodiversity in Dublin Bay *in the absence of the upgrade works* and so are relevant to this report.

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

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

sites are not likely to arise, and therefore likely significant effects involving foul waters produced by the Proposed Development also do not have the potential to occur.

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

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
South Dublin Bay SAC (000210)	No	No	No	None	None	None	NO
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
SPA							
South Dublin Bay and River Tolka Estuary SPA (004024)	No	No	No	None	None	None	NO
North Bull Island SPA (004006)	No	No	No	None	None	None	NO

4 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Development at Whitechurch Road, Rathfarnham, Dublin 14 has been assessed taking into account:

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

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

- North Dublin Bay SAC (000206)
- South Dublin Bay SAC (000210)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

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

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

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