

Housing Development, Newcastle Village, Co. Dublin

Report for Screening for Appropriate Assessment



FINAL REPORT

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## Housing Development, Newcastle Village, Co. Dublin

### Report for Screening for Appropriate Assessment

#### 1. INTRODUCTION

##### 1.1 Background

This report has been prepared by Faith Wilson BSc CEnv MCIEEM (an independent ecological consultant) who was appointed by Deane & Deane Ltd. to prepare a report for Screening for Appropriate Assessment for a proposed housing development at Newcastle Village, Co. Dublin. The lands proposed for development are located within the red line boundary as shown on Figure 1.1 below.



Figure 1.1 Lands proposed for development in Newcastle Village as indicated by the red line boundary.

## 1.2 Legislative Background

The aim of the European Habitats Directive (Council Directive 92/43/EEC on the conservation of wild habitats and of wild fauna and flora) is to create a network of protected wildlife sites across Europe, which are to be maintained at a favourable conservation status<sup>1</sup>. Each member state must designate their most important natural areas as Special Areas of Conservation (SAC). The Directive specifies the scientific criteria on the basis of which SAC sites must be selected and very strictly curtails the grounds that can be used as justification for damaging a site. The network of sites is referred to as NATURA 2000 and includes SACs (Special Areas of Conservation) for protected habitats and species and SPAs (Special Protection Areas) for birds, which are designated under the European Birds Directive (Council Directive 79/409/EEC as amended by Directive 2009/147/EC).

It is a requirement of the Habitats Directive ((92/43/EEC) that the competent consent authority, which in this case is the planning authority (or An Bord Pleanála on appeal), must ensure that a proposal, which is likely to have a significant effect on an SAC or SPA, is authorised only to the extent that the authority is satisfied it will not adversely affect the integrity of the area and that an appropriate assessment of the implications of the development for the conservation status of the site is undertaken.

The European Parliament, in a communication to the European Council in September 2000, states: The implementation of the European Habitats Directive and Birds Directive, both with respect to species conservation and with respect to the establishment of the Natura 2000 network, is one of the most important tools for achieving the objectives of the Convention on Biological Diversity in the European Union and member states (European Parliament 2000).

Article 6 of the Habitats Directive provides a strict assessment procedure for any plan or project not directly connected with or necessary to the management of a designated European site but which has the potential to have implications for the site in view of the site's conservation objectives.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

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

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<sup>1</sup> The conservation status of a **habitat** can be taken as "favourable" when its natural range and area it covers within that range is stable or increasing and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future.

The conservation status of a **species** can be taken as "favourable" 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 and there is and will continue to be a sufficiently large habitat to maintain its populations on a long-term basis. Article 1 (i) of the Habitats Directive 92/43/EEC.

*paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

Article 6(4) states:

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

The European Communities (Birds and Natural Habitats) Regulations 2011 were implemented to transpose the Habitats Directive and the Birds Directive into Irish law as well as addressing transposition failures identified in the Court of Justice of the European Union (CJEU) judgements.

In Ireland, the requirements of Article 6(3) and (4) of the Habitats Directive have been broadly transposed into Irish law by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), which has been amended by:

- European Union (Birds and Natural Habitats) (Sea-fisheries) Regulations 2013 (S.I. No. 290 of 2013)
- European Communities (Birds and Natural Habitats) (Amendment) Regulations 2013 (S.I. No. 499 of 2013)
- European Communities (Birds and Natural Habitats) (Amendment) Regulations 2015 (S.I. No. 355 of 2015)
- Planning and Development, Heritage and Broadcasting (Amendment) Act 2021 (Act No. 11 of 2021)
- European Union (Birds and Natural Habitats) (Amendment) Regulations 2021 (S.I. No. 293 of 2021)

This report has taken into consideration the relevant requirements of the Planning and Development Act, 2000 (as amended by the Planning and Development Act 2010).

References to Natura 2000 sites throughout this report are to be taken as referring to European sites as defined in the above Planning Act.

### **1.3 Methodology**

This report is based on a desk study and field surveys conducted on 18<sup>th</sup> and 19<sup>th</sup> June 2021.

The information for screening presented in this report is as follows:

- Description of the proposed development.
- Identification of relevant Natura 2000 sites within the zone of influence of the proposed development.
- Description of the existing ecological environment at the site.

- Assessment of likely significant adverse effects on the integrity of Natura 2000 sites.
- Screening statement and conclusions.

If, based upon the currently available information, there are aspects of the proposed development that could have a significant effect on any Natura 2000 sites, then further analysis in the form of an Appropriate Assessment is required.

If the outcome of the screening exercise is that there are no significant adverse effects on the integrity of any Natura 2000 sites predicted, then the next stage of Appropriate Assessment is not required.

#### 1.4. Guidance and Data Sources

This report has been prepared with regard to the following guidance documents where relevant:

- *Office of the Planning Regulator Practice Note PN01 - Appropriate Assessment Screening for Development Management* (OPR, 2021).
- *Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC 2021/C 437/01.* (Commission notice C/2021/6913. Dated 28.10.2021).
- *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 Environment Directorate General, 2001)
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC* (Commission Notice C(2018) 7621 final, Brussels, 21.11.2018)
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC* (EC Environment Directorate General, 2000)
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities Circular NPW 1/10 & PSSP 2/10*
- *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision)
- *Guidelines for Good Practice, Appropriate Assessment of Plans under Article 6(3) Habitats Directive* (International Workshop on Assessment of Plans under the Habitats Directive, 2011)
- *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC.* Clarification of the Concepts of Alternative Solutions, Imperative Reasons of

Over-riding Public Interest, Compensatory Measures, Overall Coherence. Opinion of the European Commission (European Commission, January 2007) and

- *Communication from the Commission on the precautionary principle*. European Commission (2000).

The competent authority (in this case Fingal County Council) is required to carry out appropriate assessment, as required by Article 6(3) and 6(4) of the Habitats Directive, as follows:

**Stage 1: Screening for appropriate assessment**

The first step to establishing if an appropriate assessment is required is referred to as 'screening' and its purpose is to determine, in view of best scientific knowledge, on the basis of a preliminary assessment and objective criteria if the plan or project, alone or in combination with other plans or projects, could have a significant effect on a Natura 2000 site in view of the sites conservation objectives. The process identifies any likely impacts upon a Natura 2000 Site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

**Stage 2: Appropriate Assessment**

This is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site.

The appropriate assessment must include a final determination by the competent authority as to whether or not a proposed development would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the consenting authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps. Additionally, where there are deemed to be adverse impacts, an assessment of the potential mitigation of those impacts is considered.

**Stage 3: Assessment of Alternative Solutions**

This stage examines alternative means of achieving the objectives of the project or plan that aim to avoid adverse impacts on the integrity of the Natura 2000 site.

**Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain**

This stage is the main derogation process outlined in Article 6(4) which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project, which will have adverse effects on the integrity of a Natura 2000 site, to proceed.

This report is to provide information to the consenting authority to carry out Stage 1 Screening for Appropriate Assessment.

This report deems that it is not necessary to undertake any further stage of the Appropriate Assessment process (refer to Section 2.6 Conclusions).

## 2. SCREENING FOR APPROPRIATE ASSESSMENT

### 2.1 Description of the Plan or Project

Deane Homes Ltd. intend to apply for permission for the development of housing in Newcastle Village, Co. Dublin.

The development will consist of the following as shown on **Figure 2.2**:

‘the demolition of 2 no. sheds and the construction of 30 no. dwellings, 1 no. vehicular and pedestrian link with Main Street, Newcastle, 1 no. vehicular and pedestrian link with Glebe Square Newcastle and all associated and ancillary site development works’.

The lands are located on the main street in Newcastle Village, Co. Dublin. The site is bounded to the west by a historic townland boundary that is heavily planted with mature trees. This boundary separates the townlands of the Glebe to the west and Newcastle North to the east. It is bounded to the east by the existing residential developments of the Glebe and Market Square. Lands to the north are in agricultural use, and to the south the site is bounded by buildings along the Main Street. There are currently 2 no. agricultural sheds (a barn and stables) on the site, which are no longer in use and are to be demolished as part of this application.

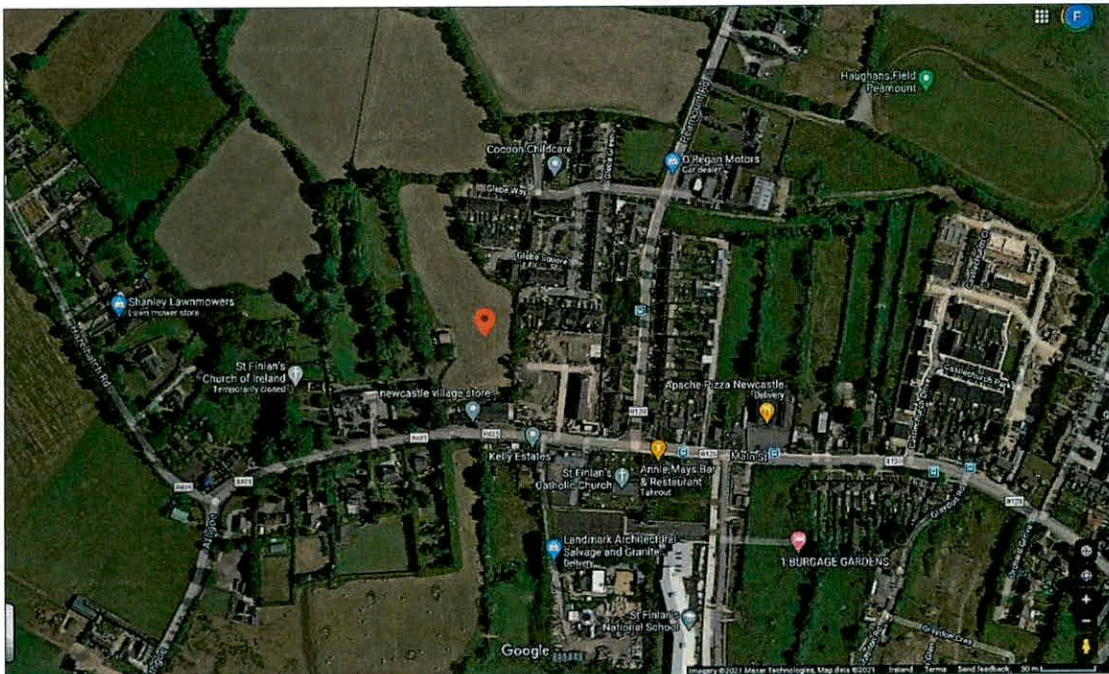


Figure 2.1. Site location within Newcastle Village (Google Maps).





Further ecological information was gathered in relation to the study area by examining GIS datasets, maps and aerial photographs, and by drawing on other existing information.

This Report for Screening for Appropriate Assessment only deals with potential impacts of the development on the Natura 2000 network of sites.

### 2.3 Assessment of relevance of proposed development to NATURA 2000 sites

In line with the European Commission Methodological Guidance (EC (2001 & 2021)) and the DoEHLG Guidance (DoEHLG (2010)) a review of all Natura 2000 sites that could be potentially affected by the proposed project was made using the NPWS online map viewer. These included any Natura 2000 sites within or adjacent to the lands at Newcastle and any Natura 2000 sites within the likely zone of impact of the proposed development (a 15km radius) including those sites downstream. These are summarised in **Table 2.3** below.

Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) are habitats of international significance that have been identified by NPWS and submitted for designation to the EU. The obligations imposed in relation to SACs and SPAs (or “European Sites”) are set out in the Planning Acts and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). The main implication of this designation is that any project likely to have a significant adverse impact on the integrity of a “non priority” site of international importance for nature conservation may only be carried out for *“imperative reasons of overriding public interest, including those of a social or economic nature”*.

Proposed NHAs are also habitats or sites of interest to wildlife that have been identified by NPWS. These sites become NHAs once they have been formally advertised and land owners have been notified of their designation. NHAs are protected under the Wildlife (Amendment) Act, 2000, from the date they are formally proposed. NHA is a statutory designation according to the Wildlife Act 1976 (as amended) and requires consultation with NPWS if any development impacts on a pNHA.

NHAs are considered to be of national importance, while SACs and SPAs are of international importance for nature conservation.

The lands at Newcastle are not currently designated for any nature conservation purposes under national or international legislation. There are four Special Areas of Conservation (SAC) within the zone of influence of the site. These are Red Bog SAC (Site Code: 000397), Glenasmole Valley SAC (Site Code: 001209), Rye Water Valley/Carton SAC (Site Code: 001398) and the Wicklow Mountains SAC (Site Code: 002122).

There are two Special Protection Areas (for birds) (SPA) within a 15km radius of the site. These are the Poulaphouca Reservoir SPA (Site Code: 004063) and the Wicklow Mountains SPA (Site Code: 004040) as illustrated on **Figure 2.3** below.

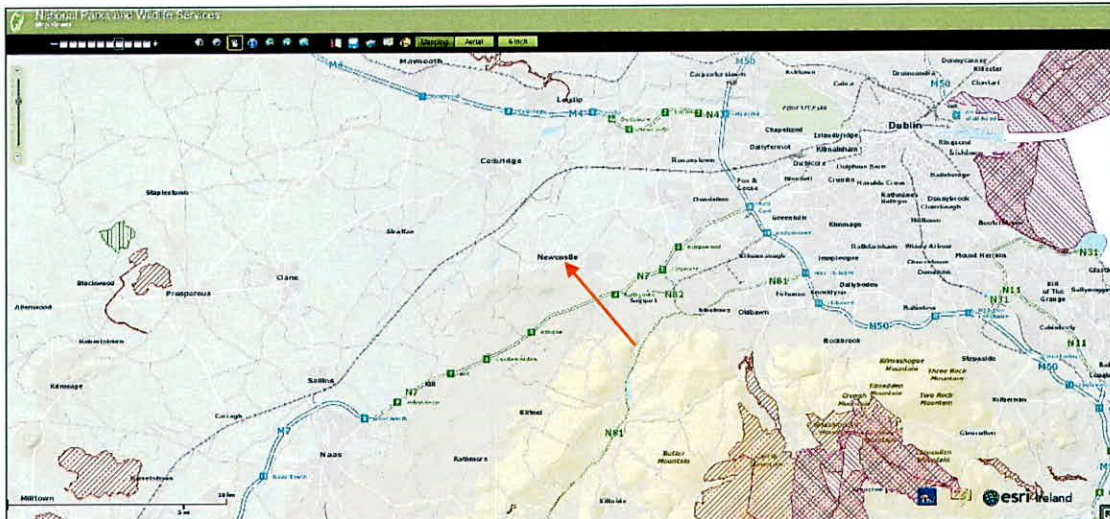


Figure 2.3. Designated areas in the vicinity of the lands at Newcastle (Source: National Parks and Wildlife Service).

The lands at Newcastle are located within the Liffey and Dublin Bay Catchment (09) and Liffey Sub catchment (Liffey\_SC\_090). There are no watercourses on site as can be seen on **Figure 2.4** below, but the lands would ultimately drain to the River Liffey. There is therefore a remote hydrological link to the Natura 2000 sites downstream within Dublin Bay but by virtue of their distance from same any significant ecological impacts on same are deemed unlikely.

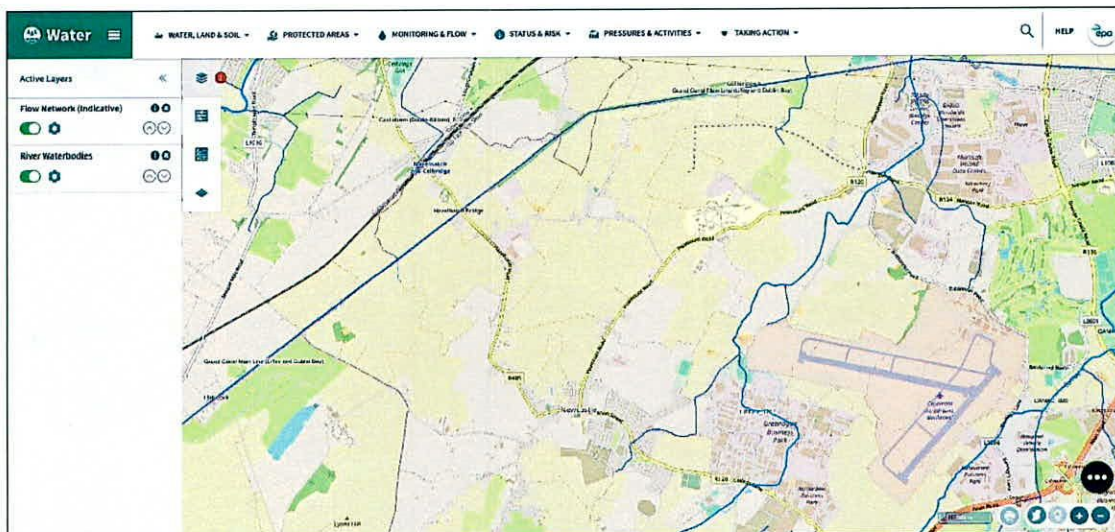


Figure 2.4. Watercourses in the vicinity of Newcastle Village (Source: EPA).

Table 2.3. Designated Natura 2000 sites within the zone of influence of the lands at Newcastle.

Site Code, Site Name and Designation	Approximate distance from the lands at Newcastle	Qualifying Interests (Habitats and Species)	Potential for Likely Significant Effects
001398 Rye Water Valley/Carton SAC	7km north	<ul style="list-style-type: none"> <li>• Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</li> <li>• <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]</li> <li>• <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]</li> </ul>	None – there are no examples of these habitats or suitable habitat for these species within the site.
001209 Glenasmole Valley SAC	9km south east	<ul style="list-style-type: none"> <li>• Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</li> <li>• <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</li> <li>• Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</li> </ul>	None – there are no examples of these habitats within the site.
002122 Wicklow Mountains SAC	10.1km south east	<ul style="list-style-type: none"> <li>• Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> [3130]</li> <li>• Natural dystrophic lakes and ponds [3160]</li> <li>• Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]</li> <li>• European dry heaths [4030]</li> <li>• Alpine and Boreal heaths [4060]</li> <li>• Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</li> <li>• Blanket bogs (* if active bog) [7130]</li> <li>• Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110]</li> <li>• Calcareous rocky slopes with chasmophytic vegetation [8210]</li> <li>• Siliceous rocky slopes with chasmophytic vegetation [8220]</li> <li>• Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</li> <li>• <i>Lutra lutra</i> (Otter) [1355]</li> </ul>	None – there are no examples of these habitats or suitable habitat for these species within the site.
000397 Red Bog SAC	11.6km south west	<ul style="list-style-type: none"> <li>• Transition mires and quaking bogs [7140]</li> </ul>	None – there are no examples of these habitats within the site and no impacts arising from the development of the lands that could impact on the hydrology of this site.

Site Code, Site Name and Designation	Approximate distance from the lands at Newcastle	Qualifying Interests (Habitats and Species)	Potential for Likely Significant Effects
004063 Poulaphouca Reservoir SPA	13.2km south	<ul style="list-style-type: none"> <li>• Greylag Goose (<i>Anser anser</i>) [A043]</li> <li>• Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</li> </ul>	None - there is no suitable habitat for these species within the site.
004040 Wicklow Mountains SPA	14.5km south east	<ul style="list-style-type: none"> <li>• Merlin (<i>Falco columbarius</i>) [A098]</li> <li>• Peregrine (<i>Falco peregrinus</i>) [A103]</li> </ul>	None - there is no suitable habitat for these species within the site.

### Conservation Management Plans:

A detailed conservation management plan for all of these sites has not been published yet but the following general objectives for sites have been outlined by NPWS.

*'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. These two designations are collectively known as the Natura 2000 network. The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level'.*

#### Glenasmole Valley SAC Conservation Management Plan<sup>2</sup>

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:

- 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (\* important orchid sites)
- 6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)
- 7220 Petrifying springs with tufa formation (*Cratoneurion*)\*

#### Wicklow Mountains SAC Conservation Management Plan<sup>3</sup>

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:

- Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or Isoeto-Nanojuncetea [3130]
- Natural dystrophic lakes and ponds [3160]
- Northern Atlantic wet heaths with *Erica tetralix* [4010]
- European dry heaths [4030]
- Alpine and Boreal heaths [4060]
- Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]
- Blanket bogs (\* if active bog) [7130]
- Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*) [8110]
- Calcareous rocky slopes with chasmophytic vegetation [8210]
- Siliceous rocky slopes with chasmophytic vegetation [8220]
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]
- *Lutra lutra* (Otter) [1355]

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<sup>2</sup> NPWS (2021). Conservation Objectives: Glenasmole Valley SAC 001209. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

<sup>3</sup> NPWS (2017). Conservation Objectives: Wicklow Mountains SAC 002122. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

Red Bog SAC Conservation Management Plan<sup>4</sup>

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:

- 7140 Transition mires and quaking bogs

Rye Water Valley/Carton SAC Conservation Management Plan<sup>5</sup>

Objective: To maintain or restore the favourable conservation condition of the Annex I habitat(s) and /or the Annex II species for which the SAC has been selected:

- Petrifying springs with tufa formation (*Cratoneurion*) [7220]
- *Vertigo angustior* (Narrow-mouthed Whorl Snail) [1014]
- *Vertigo moulinsiana* (Desmoulin's Whorl Snail) [1016]

Poulaphouca Reservoir SPA Conservation Management Plan<sup>6</sup>

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

- Greylag Goose (*Anser anser*) [A043]
- Lesser Black-backed Gull (*Larus fuscus*) [A183]

Wicklow Mountains SPA Conservation Management Plan<sup>7</sup>

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

- Merlin (*Falco columbarius*) [A098]
- Peregrine (*Falco peregrinus*) [A103]

This report has examined the detailed and generic conservation objectives for each Natura 2000 site and has not identified any potential risk of significant impact on any of these targets.

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<sup>4</sup> NPWS (2019). Conservation Objective: Red Bog, Kildare SAC [000397]. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.

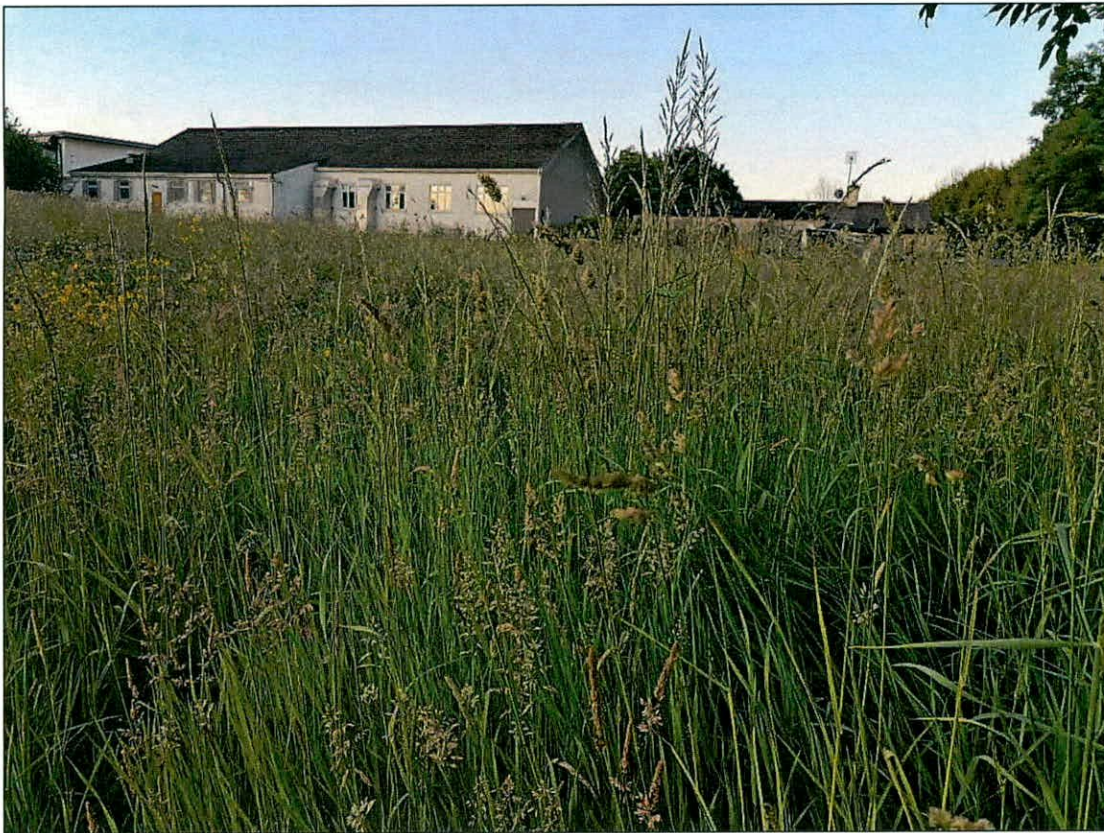
<sup>5</sup> NPWS (2021). Conservation Objectives: Rye Water Valley/Carton SAC 001398. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

<sup>6</sup> NPWS (2022). Conservation objectives for Poulaphouca Reservoir SPA [004063]. Generic Version 9.0. Department of Housing, Local Government and Heritage.

<sup>7</sup> NPWS (2022). Conservation objectives for Wicklow Mountains SPA [004040]. Generic Version 9.0. Department of Housing, Local Government and Heritage.

## 2.4 Receiving Environment

The lands consist of two fields of what was formerly agricultural grassland (GA1 in Fossitt 2000) which is no longer grazed. As a result the sward is dominated by Cock's-foot grass (*Dactylis glomerata*), False oat-grass (*Arrhenatherum elatius*), Hogweed (*Heracleum sphondylium*), Sweet vernal grass (*Anthoxanthum odoratum*), Crested dog's-tail (*Cynosurus cristatus*), Meadow foxtail (*Alopecurus pratensis*), Perennial rye-grass (*Lolium perenne*), Yorkshire fog (*Holcus lanatus*), Creeping bent grass (*Agrostis stolonifera*), Creeping buttercup (*Ranunculus repens*), Meadow buttercup (*Ranunculus acris*), White clover (*Trifolium repens*), Dandelion (*Taraxacum* agg.), Ribwort plantain (*Plantago lanceolata*), Mouse ear chickweed (*Cerastium glomeratum*), Spear thistle (*Cirsium vulgare*), Red fescue (*Festuca rubra*), with occasional Ragwort (*Senecio jacobaea*) and docks (*Rumex* sp.).



Grassland dominates the site.

The shared boundary with Oakvale House to the west along the driveway accessing the site consists of Sycamore (*Acer pseudoplatanus*) and Ash (*Fraxinus excelsior*) and a previously planted treeline of Leyland cypress (*x Cupressocyparis leylandii*) (identified as trees 1139 - 1147 in the arborists report) with some Elder and Bramble.

Near the entrance to Oakvale House, which consists of a block wall, is an area of gravel which is regularly weed killed and supports Mallow (*Malva* sp.), Groundsel (*Senecio vulgaris*), Broad-leaved willowherb (*Epilobium montanum*), Black medick (*Medicago lupulina*), Dandelion (*Taraxacum* agg.), Pineapple weed (*Matricaria discoidea*), Wavy bitter-cress (*Cardamine flexuosa*), Hairy bitter-cress (*Cardamine hirsuta*), Germander speedwell (*Veronica chamaedrys*), and Spurge (*Euphorbia* sp.).





Existing access to the site from the main street in the village.



Area of gravel near entrance to Oakvale House.

Beyond this is a small group of immature Sycamore (*Acer pseudoplatanus*) (tree group no. 3 in the arborists report) adjoining the barn.

Extending north from the barn (hedge no. 2 in the arborists report) is a treeline (WL2) of Ash (*Fraxinus excelsior*) and a magnificent mature Sycamore (*Acer pseudoplatanus*) with an understorey of Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Cherry laurel (*Prunus laurocerasus*), Blackthorn (*Prunus spinosa*), Bramble (*Rubus fruticosus* agg.). At the base of this treeline are clusters of bramble (*Rubus fruticosus* agg.), Cleavers (*Galium aparine*), Hogweed (*Heracleum sphondylium*), Elder (*Sambucus nigra*), Sycamore (*Acer pseudoplatanus*) seedlings, Docks (*Rumex* sp.) and Nettle (*Urtica dioica*).

The treeline (WL2) along the western boundary of the site adjoining the Glebe House is dominated by mature Sycamore (*Acer pseudoplatanus*), Horse Chestnut (*Aesculus hippocastanum*), Holm Oak (*Quercus ilex*), Norway Maple (*Acer platanoides*), Wild Cherry (*Prunus avium*) and Ash (*Fraxinus excelsior*) which is showing signs of ash die back. Other species recorded include Cherry laurel (*Prunus laurocerasus*), Elder (*Sambucus nigra*), and Leyland cypress (*x Cupressocyparis leylandii*). At the base of this treeline the vegetation is coarse with Bush vetch (*Vicia sepium*), Nettle, dense Bramble and Hogweed and there is an open drainage ditch (FW4) here.

At the southern end of the lands adjoining the garden of Oakvale House there is Crab apple (*Malus sylvestris*), Sycamore (*Acer pseudoplatanus*), Weeping ash, *Chamaecyparis*, Beech (*Fagus sylvatica*), Wild cherry (*Prunus avium*), Himalayan honeysuckle (*Lonicera nitida*), Cherry laurel (*Prunus laurocerasus*) and various overgrown shrubs are found in the garden of the house including; Firethorns (*Pyracantha* sp.), Elder (*Sambucus nigra*), Viburnum (*Viburnum davidii*), Contoneaster (*Contoneaster* sp.), Japanese barberry (*Berberis thunbergii*), Viburnum (*Viburnum davidii*), Weigela (*Weigela* sp.), Redclaws (*Escallonia* sp.), Blue Lawson Cypress (*Chamaecyparis lawsoniana*), 'Pembury Blue' and Japanese Laurel (*Aucuba japonica*). There are also the remains of an orchard with Apple (*Malus domestica*) and Pear (*Pyrus communis*) trees.

A post and rail fence is found to the rear of the premises along the main street and a block wall forms the boundary with the housing development to the east - occasional Bramble (*Rubus fruticosus* agg.) and Elder (*Sambucus nigra*) is found here with some Ash (*Fraxinus excelsior*), and a remnant hedge of Hazel (*Corylus avellana*), Bramble (*Rubus fruticosus* agg.) and Poplar (*Populus* sp.).

There are no watercourses within the site. The drainage ditch (FW4) along the boundary with Glebe House would ultimately drain to the River Liffey. There is a large artificial pond (FL8) in the Glebe lands to the west of the site.



**Mature treelines in the west of the site.**



**Giant hogweed to the north of the site.**

### **Rare, Threatened, and Protected Flora**

There are historic records of red hemp nettle (*Galeopsis angustifolia*) and opposite leaved pondweed (*Groenlandia densa*) from the 10km square in which the development is proposed (N92). There is no suitable habitat for either of these species on the site and they were not found during the site visit.

### **Invasive Species**

Giant hogweed (*Heracleum mantegazzianum*) was recorded in the lands adjoining the site to the north. This is a species listed under the Birds and Natural Habitats Regulations 2011 requiring control and eradication and can cause phyto-dermatitis on exposed skin so care should be taken in the vicinity of this plant.

### **Fauna**

#### **Bats**

A detailed bat survey was completed and the results of same are presented in the bat survey report, which accompanies the application.

#### **Other Mammals**

The lands provide a rich habitat for a range of mammal species, which while common and ubiquitous in the wider countryside rapidly disappear following urbanisation of the landscape. Species which were either directly observed (or their signs were noted) from the lands include:

- Red fox (*Vulpes vulpes*)
- Rabbit (*Oryctolagus cuniculus*)
- Brown Rat (*Rattus norvegicus*)
- House Mouse (*Mus musculus*)
- Field Mouse (*Apodemus sylvaticus*)
- Hedgehog (*Erinaceus europaeus*)

There was no evidence of badger (*Meles meles*) utilising the lands.

#### **Birds**

A good diversity of bird species were recorded utilising the site. Swallows and Jackdaw are nesting within the barn and species typical of gardens and the wider countryside nest in the hedgerows and treelines within the site. These include;

These include blackbird (*Turdus merula*), wren (*Troglodytes troglodytes*), robin (*Erithacus rubecula*), dunnock (*Prunella modularis*), chaffinch (*Fringilla coelebs*), greenfinch (*Carduelis chloris*), song thrush (*Turdus philomelos*), and mistle thrush (*Turdus viscivorus*).

Other species recorded include; great tit (*Parus major*), coal tit (*Parus ater*), blue tit (*Cyanistes caeruleus*), long tailed tit (*Aegithalos caudatus*), goldcrest (*Regulus regulus*), rook (*Corvus frugilegus*), jackdaw (*Corvus monedula*), pied wagtail (*Motacilla alba yarrellii*), hooded crow (*Corvus cornix*) and magpie (*Pica pica*).

Observed birds of prey include sparrowhawk (*Accipiter nisus*) and buzzard (*Buteo buteo*) while kestrel (*Falco tinnunculus*) may also hunt over the fields to the north.

## Amphibians

The pond in Glebe House and drainage ditches in the general environs of the lands are likely to support breeding frogs (*Rana temporaria*).

## 2.5 Assessment of Potential Impacts

This section of the report considers the potential impacts of the proposed development at Newcastle on the Natura 2000 sites detailed in **Table 2.3** above and their qualifying habitats and species under the EU Habitats and Birds Directives.

The potential impacts of the proposed development at Newcastle on the Natura 2000 sites within a 15km radius of the lands are assessed using the following factors (European Commission (2001). Assessment of plans and projects significantly affecting Natura 2000 sites - methodological guidance on the provisions of Article 6(3) and 6 (4) of the Habitats Directive 92/43/EEC):

- size and scale
- land-take
- distance from the Natura 2000 site or key features of the site
- resource requirements (water abstraction etc.)
- emissions (disposal to land, water or air)
- excavation requirements
- transportation requirements
- duration of construction, operation, decommissioning, etc.
- reduction of habitat area
- disturbance to key species
- habitat or species fragmentation
- reduction in species density
- changes in key indicators of conservation value (water quality etc.)
- climate change
- key relationships that define the structure of the sites
- key relationships that define the function of the site

These impacts on the Natura 2000 sites are summarised below in **Table 2.5.1** and further elaborated on in **Table 2.5.2** and **2.5.3**.

**Table 2.5.1. Likely direct, indirect or secondary impacts of the proposed development (either alone or in combination with other plans or projects) on Natura 2000 sites within a 15km radius of the site by virtue of:**

<b>Size and scale</b>	<ul style="list-style-type: none"> <li>• None within any Natura 2000 site</li> </ul>
<b>Land-take</b>	<ul style="list-style-type: none"> <li>• None within any Natura 2000 site</li> </ul>
<b>Distance from Natura 2000 site</b>	<ul style="list-style-type: none"> <li>• The closest Natura 2000 site is 001398 Rye Water Valley/Carton SAC, which is 7km north of the site</li> </ul>
<b>Resource requirements (water abstraction, etc.)</b>	<ul style="list-style-type: none"> <li>• It is proposed to make a new connection off the existing watermain on the southern boundary of the development site along Main Street and supply a 125mm OD watermain to the proposed development site.</li> <li>• All water requirements for this project will be provided from the mains water system as shown on the drawing NCA-CSC-ZZ-SI-DR-C-0003 and the engineering services report prepared by Cronin &amp; Sutton Consulting Engineers (CS Consulting). There is, at present, sufficient capacity in the water infrastructure to accommodate the proposed development.</li> </ul>
<b>Emissions (disposal to land, water or air)</b>	<ul style="list-style-type: none"> <li>• Surface water drainage from the site will be attenuated via 2no. attenuation facilities within the proposed development site. 1no. attenuation basin of size 523m<sup>3</sup> shall be located on the north-west corner of the development and 1no. attenuation stormtech tank of size 28m<sup>3</sup> to the north-east of the development. The outfall shall be via gravity into the ditch to the north-west boundary of the development by a 300mm diameter surface water sewer as shown on the drawing NCA-CSC-ZZ-SI-DR-C-0003 prepared by Cronin &amp; Sutton Consulting Engineers.</li> <li>• All foul effluent generated from the proposed development shall be collected in separate foul pipes of 225mm diameter and flow under gravity to connect to the existing foul drainage sewer located in Glebe Square.</li> <li>• There will be no direct discharges to any SAC/SPA from the development.</li> </ul>
<b>Excavation requirements</b>	<ul style="list-style-type: none"> <li>• None within any Natura 2000 site</li> </ul>

<b>Transportation requirements</b>	<ul style="list-style-type: none"> <li>• Unknown at present, the local road network will be used.</li> </ul>
<b>Duration of construction, operation, decommissioning, etc.</b>	<ul style="list-style-type: none"> <li>• Estimated to be two years.</li> </ul>
<b>Reduction of habitat area</b>	<ul style="list-style-type: none"> <li>• None within any Natura 2000 site</li> </ul>

Changes to the Natura 2000 site arising as a result of disturbance, fragmentation, etc. are summarised below in **Table 2.5.2**.

**Table 2.5.2 Description of likely changes to the site arising as a result of:**

<b>Disturbance to key species</b>	<ul style="list-style-type: none"> <li>• There will be no direct impacts to any key species in any Natura 2000 site</li> </ul>
<b>Habitat or species fragmentation</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>
<b>Reduction in species density</b>	<ul style="list-style-type: none"> <li>• There will be no reduction in species density within any Natura 2000 site as a result of the proposed development</li> </ul>
<b>Changes in key indicators of conservation value (water quality etc.)</b>	<ul style="list-style-type: none"> <li>• There will be no direct discharges to the watercourse within the site during either the construction works or operational phase of the development.</li> </ul>
<b>Climate change</b>	<ul style="list-style-type: none"> <li>• Unknown</li> </ul>

Likely impacts on the Natura 2000 site as a whole in terms of structure and functions are described below in **Table 2.5.3**.

**Table 2.5.3. Describe any likely impacts on the Natura 2000 site as a whole in terms of:**

<b>Key relationships that define the structure of the sites</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>
<b>Key relationships that define the function of the site</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>

## 2.6 Assessment of Significance

This section considers the Natura 2000 sites detailed in **Table 2.3** and their qualifying habitats and species under the EU Habitats and Birds Directives.

The proposed development at Newcastle will not have any significant impacts, direct or indirect on the qualifying species or habitats of the Natura 2000 sites listed above.

All of the Natura 2000 sites were excluded from further assessment on the basis that potential impacts from the development at Newcastle will have no significant adverse effects on the integrity of these sites as defined by their status and conservation objectives.

### **Cumulative/In Combination Impacts**

The EC Habitats Directive, the Planning Acts and the Habitats Regulations 2011 (as amended) require that the impacts on Natura 2000 sites from the plan or project in question are assessed and that they are assessed in combination with other plans and projects that could affect the same Natura 2000 sites.

The Appropriate Assessment Screening Process identified other plans and projects that could act in combination with the proposed development of the lands at Newcastle to pose likely significant effects on European sites within the study area and its environs.

These included:

- The South Dublin County Council Development Plan 2016-2022
- The Cairn Homes SHD application
- Other Housing Developments in the Newcastle area.

All of these plans and/or projects have been screened for Appropriate Assessment or undergone an Appropriate Assessment themselves and it is therefore assumed that if a plan has been adopted or a project given planning permission following an AA that it cannot pose likely significant adverse effects on a Natura 2000 site.

As noted below, it is concluded that in relation to the Natura 2000 sites proximate to the proposed development at Newcastle, there is no likelihood of significant effects on those or other sites of conservation importance.

In addition the proposed development of the lands at Newcastle in combination or cumulatively with the above plans and projects is not likely to have a significant effect on any of the Natura 2000 sites identified.



## 2.6 Conclusion

In order to determine the potential impacts, if any, of the proposed development at Newcastle on nearby Natura 2000 sites a screening process was completed. This identified six Natura 2000 sites within a 15km radius of the site. There are four Special Areas of Conservation (SAC) and two Special Protection Areas (for birds) (SPA) within a 15km radius of the site. These are:

- 001209 Glenasmole Valley SAC,
- 002122 Wicklow Mountains SAC,
- 000397 Red Bog SAC,
- 001398 Rye Water Valley/Carton SAC,
- 004063 Poulaphouca Reservoir SPA, and
- 004040 Wicklow Mountains SPA.

It has been determined that there is no likelihood of **significant** effects on any of the Natura 2000 sites or on any other sites of conservation importance from the development of lands at Newcastle.

Following the review of the project during the Stage 1 Screening for Appropriate Assessment in accordance with the guidelines it is concluded that the proposed development of the lands at Newcastle cumulatively or in combination with the other identified plans and projects will not adversely affect the integrity of any Natura 2000 site.

On the basis of the findings of this Screening for Appropriate Assessment of the Natura 2000 Sites, it is concluded that the proposed development at Newcastle will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

### 3. REFERENCES

- Anon. (1996). *Interpretation Manual of European Union Habitats*. Version EUR 15, European Commission, Brussels.
- Council of the European Communities (1992). *Council Directive of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (92/43/EEC)*. O.J. L 206/35, 22 July 1992.
- Council of the European Communities (1979). *Council Directive of 02 April 1979 on the conservation of wild birds (79/409/EEC)*. O.J.L. 103, 25 April 1979.
- CS Consulting Group (2022). *Engineering Services Report - Proposed Housing Development Main Street, Newcastle, Dublin 22*. Client: Deane Homes Limited. Job No. D098. April 2022.
- Department of Environment, Heritage and Local Government (2010). *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. Department of Environment, Heritage and Local Government, 2010 revision.
- European Commission (2001). *Assessment of plans and projects significantly affecting Natura 2000 sites - methodological guidance on the provisions of Article 6(3) and 6 (4) of the Habitats Directive 92/43/EEC*. European Commission Environment Directorate General.
- European Commission (2000). *Managing Natura 2000 sites - the provisions of Article 6 of the Habitats Directive 92/43/EEC*. (EC Environment Directorate General)
- European Commission (2001). *Communication from the Commission on the precautionary principle*.
- European Commission (2007). *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC*. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Over-riding Public Interest, Compensatory Measures, Overall Coherence. Opinion of the European Commission.
- European Commission (2018). *Managing Natura 2000 sites - the provisions of Article 6 of the Habitats Directive 92/43/EEC*. (Commission Notice C(2018) 7621 final, Brussels, 21.11.2018).
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC 2021/C 437/01*. (Commission notice C/2021/6913. Dated 28.10.2021).
- Fossitt, J. (2000). *A Guide to Habitats in Ireland*. Heritage Council, Kilkenny.

Flora (Protection) Order (2015). Government of Ireland.

International Workshop on Assessment of Plans under the Habitats Directive (2011). *Guidelines for Good Practice, Appropriate Assessment of Plans under Article 6(3) Habitats Directive.*

National Parks and Wildlife Service Online Database. Available online at [www.npws.ie](http://www.npws.ie)

Natura 2000 Sites - Site Synopsis. Available online at [www.npws.ie](http://www.npws.ie)

Office of the Planning Regulator (2021). *Office of the Planning Regulator Practice Note PN01 - Appropriate Assessment Screening for Development Management.*

Ramao, C. (2003). *Interpretation Manual of the European Union Habitats Version Eur 25.* European Commission DG Environment Nature and Biodiversity. Brussels.

Wildlife Act (1976). Government of Ireland.

Wildlife (Amendment) Act (2000). Government of Ireland.

Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M. & Wright, M. (2016) *Ireland Red List No. 10: Vascular Plants.* National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Dublin, Ireland.

