Appropriate Assessment Screening

In accordance with the requirements of
Article 6(3) of the EU Habitats Directive

Site at
Hillhouse
Lucan Road
Lucan
Co. Dublin

August 2022

J M McCONVILLE + ASSOCIATES
Chartered Environmentalist

Grange Dunboyne Co. Meath

Phone +353 1 825 1718

Introduction and Terms of Reference

Introduction

This is an appropriate assessment screening for the proposed development located on the site at Hillhouse, Lucan Road, Lucan, Co. Dublin, carried out in accordance with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) and in line with the Guidance for Planning Authorities entitled "*Appropriate Assessment of Plans and Projects in Ireland*" as published by the Department of the Environment, Heritage and Local Government in December 2009.

The 1992 Habitats Directive requires member states to designate areas of their territory containing a representative sample of important habitats and species. These areas are known as Natura 2000 sites, and in Ireland they include Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's). Article 6(3) and (4) require that an Appropriate Assessment be carried out for these sites where projects, plans or proposals are likely to have an effect on the protected site.

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

Article 6(4) states: *'if, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of economic or social nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest'.*

Methodology

The methodology as set out in *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (December 2009) has been followed.

Stage 1 The aim of Stage 1, 'Screening' is to determine whether or not Stage 2, the Appropriate Assessment is required, i.e. to determine whether or not the Plan is likely to negatively affect the conservation objectives on any Natura 2000 site. This is done by examining the design of the proposed project; and the conservation objectives of any Natura 2000 sites that might potentially be affected.

Stage 2, The aim of the 'Appropriate Assessment' proper, is to identify any significant negative impacts that the plan might have upon Natura 2000 sites and to propose changes to the project design that will avoid any such negative impacts.

The project design should then be amended accordingly, thereby avoiding the need to progress to Stage 3, which would require the implementation of measures to mitigate or compensate for the identified negative impacts on Natura 2000 sites. A key consideration of Appropriate Assessment is that the Plan or Project under consideration must take account of potential impacts on Natura 2000 sites 'in combination' with other plans or projects.

Stage 3 - Alternative Solutions Following a Stage 2 negative result, that is, adverse effects cannot be excluded; an examination of alternative solutions or options, described in Article 6(4) of the Directive should be examined. These alternative solutions which should have been identified in the appropriate assessment stage should then return to be reassessed by a Stage 2 appropriate assessment, similar to a new plan or a variation of an existing plan. Alternatively, should no alternative solution which does not adversely effect a Natura 2000 site be identified, the 'least damaging' option should be considered with regard to Stage 4.

Stage 4 - Imperative Reasons of Overriding Public Interest (IROPI) / Derogation Described as the derogation process of Article 6(4), this final stage allows for the plan or project to proceed in the knowledge that it will have adverse effects on the conservation objectives and as a consequence the integrity of a Natura 2000 site. This is essentially an assessment of the compensatory measures which should be proposed to offset damage to the site and should be practical, implementable, enforceable and approved by the Minister and referred to the European Commission.

In accordance with this guidance, the following four steps have been used to produce this stage 1 screening statement:

- Description of project and project area characteristics
- Identification of Natura 2000 sites and compilation of information on their qualifying interests and conservation objectives.
- Assessment of Likely Effects
- Screening conclusion and statement.

Screening

Description of project and project area characteristics

The project subject of this appropriate assessment screening is for the development consisting of the demolition of an existing house, Hillhouse, Lucan Road, and ancillary outbuildings and the construction of one 2 to 4 storey building accommodating 19 apartments comprised of 6 one-bedroom apartments and 13 two-bedroom apartments. Vehicular access to the proposed development will be via Lucan Road with traffic calming measures onto Lucan Road, with 11 car parking spaces and 20 bicycle parking spaces and ancillary services including a detached water storage tank and bin store housing all on a site of 0.1925 hectares.

The site is not located within or directly adjacent to any Natura 2000 sites (SAC or SPA).

A detailed field inspection to assess Flora and Fauna was undertaken on 17th June 2019, and updated in March 2020 the timing has certain limitations and certain flora and fauna may be missed due to the time of year.

Habitats were identified using "Guide to Habitats in Ireland", Fossitt J., Heritage Council 2000. The site has the following habitat classifications; *Grassland : GA2 Amenity Grassland (improved), Cultivated and Built Land : BL1 Stone walls and other stone work, BL3 Buildings and other artificial surfaces, BC4 Flowerbeds and borders.* There are no alien species as listed under schedule 3 of SI no. 477 of 2011 present on the site.

The site is located at the east side of Lucan Village, to the west is a Church and its associated buildings, to the south are residential properties, to the north is the Lucan Road, to the east is a pedestrian lane between residential properties.

The site is a single residential property with workshop/garage, enclosed by stone boundary walls. There is a very limited ground flora, it comprises of typical improved grass land plants. In the lawns areas and at the edges of the lawns are ; Dandelion,(*Taraxacum officinale*), Rye grasses (*Lolium* spp.), White clover (*Trifolium repens*), Rose bay willow herb, (*Epilobium angustifolium* Scutch (*Elymus repens*), Annual meadow grass (*Poa annua*), Couch grass (*Elymus repens),* Chickweed (*Stella media*), Groundsel (*Senecio vulgaris*), Buttercup (*Ranunculus repens*), Thistles (*Cirsium arvense, C. vulgare*), Docks (*Rumex* spp.) Daisy (*Bellis perennis*), Plantain (*Plantago major*), Shepherd's purse (*Capsella bursa-pastoris*), Groundsel (*Senecio vulgaris*).

To the south and east inside the boundary wall is a well maintained Lawson cypress hedge (*Chamaecyparis lawsoniana*), at the back of the workshop garage it has been topped and all lateral growth has been pruned back. Outside the boundary on the pedestrian path is a mature Damson in the grass verge. Outside the wall on the northern boundary are Chery-laurel. Outside the wall to the west are Cherry-laurel, Sycamore, Cypress and Philadelphus.

Within the garden are some trimmed and formed hedges and topiary bushes of Yew, Box, Euonymus and Privet. There is Red valerian (*Centranthus ruber*), on the walls and Ivy (*Hedra helix*) within the hedges. In the south west corner are two Apple trees and a Pear tree. There is dead ivy clad Cherry, a Laburnum and Sawara cypress and mature Lilac.

No birds apart a single House sparrow (*Passer domesticus*) were noted during the site visit, birds which can be expected are the usual assemble of garden birds. A jackdaw was seen over plying the site. The property has three large dogs two German Shepherd's and a Husky. The dogs have free range of the small enclosed site, this makes the presence of other mammals unlikely.

Identification of Natura 2000 sites and compilation of information on their qualifying interests and conservation objectives.

There are four Special Areas of Conservation (SAC) within the likely impact zone of 15km distance from the site, as set out for plans in the *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities;*

Ryewater Valley / Carton SAC (001398)
South Dublin Bay SAC (000210).
Glenasmole Valley SAC (001209)
Wicklow Mountain SAC (002122).

There are two Special Protection Areas (SPA) within the likely impact zone of 15km distance from the site as set out for plans in the *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities;*

South Dublin Bay and river Tolka estuary SPA (004024)
Wicklow Mountain SPA (004040)

Generic Conservation objectives:

Detailed objectives and site specific synopsis are attached in appendix 1

Generic objectives can be stated as follows:

- Avoid deterioration of the habitats of the qualifying species and species of special conservation interest or significant disturbance to these species thus ensuring the integrity of the sites are maintained.
- To ensure for the qualifying species and species of special conservation interest that the following are maintained in the long-term:
  (1) The population of the species as a viable component of the site

  (2) The distribution and extent of habitats supporting the species

  (3) The structure, function and supporting processes of habitats supporting the species.

Natura 2000 sites with in the 15km Threshold distance

Site Name	Area reduction	Disturbance	Fragmentation	Density reduction	Water Quality Modification
Ryewater/ Carton SAC	None anticipated	None anticipated	None anticipated	None anticipated	None anticipated
South Dublin Bay SAC	None anticipated	None anticipated	None anticipated	None anticipated	None anticipated
Glenasmole Valley SAC	None a Anticipated	None anticipated	None anticipated	None anticipated	None anticipated
Wicklow mountains SAC	None anticipated	None anticipated	None anticipated	None anticipated	None anticipated
South Dublin Bay and river Tolka estuary SPA	None anticipated	None anticipated	None anticipated	None anticipated	None anticipated
Wicklow Mountains SPA	None anticipated	None anticipated	None anticipated	None anticipated	None anticipated

Site synopses for all sites are included in Appendix 1.

Assessment of Likely Effects

No significant negative impact to local flora will occur because these habitats are common locally and are not significant habitat types for ground flora. Fauna in the footprint of the development is not likely to be adversely affected during works.

Potential impacts on Natura 2000 sites from the proposed development is restricted to discharge of surface and foul water from the site.

The proposal includes for the foul drainage to discharge by gravity to the existing public sewer which is treated in the Ringsend treatment plant. The surface water is to be managed by an infiltration trench on site with an overflow to the public surface water sewer. The Ringsend Treatment plant has been granted permission for an upgrade which will increase the capacity of the plant.

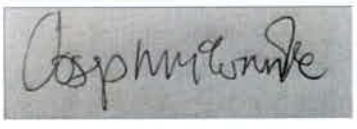
Based on the available information and data is not expected that the proposed project will cause any impact on the SAC's or SPA's located within 15 km of the project site, particularly South Dublin Bay and river Tolka estuary SPA and South Dublin Bay SAC. It is significantly removed and of such a minor scale within an existing serviced area that it will cause neither changes nor have any significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites within the threshold distance.

More specifically, there will be no reduction in habitat area; no disturbance of key species, habitat or species fragmentation; no reduction in species density; no changes in key indicators of conservation value and no climate change brought about to, Ryewater Valley / Carton SAC, South Dublin Bay SAC, Glenasmole Valley SAC, Wicklow Mountains SAC; South Dublin Bay and river Tolka estuary SPA, and Wicklow Mountains SPA, as a result of proposed project at Hillhouse, Lucan Road, Lucan, Co. Dublin.

Screening Conclusion and Statement

This screening process was carried out to ascertain if the project was likely to have significant effects on the six Natura 2000 sites within the threshold distance of the project site. If this were the case then it would be necessary to carry out an Appropriate Assessment.

Following the review of the project in accordance with the Guidance for Planning Authorities entitled "*Appropriate Assessment of Plans and Projects in Ireland*", this screening has established that the project poses no potential for significant effects and as such requires no further appropriate assessment.



Joseph McConville B.Agr.Sc., CEnv
JM McConville + Associates
Chartered Environmentalist

August 2022

Bibliography

- Dempsey E.,O'Cleary M. "The Complete Guide to Ireland's Birds" 2nd Edition., Gill and Macmillan 2002.
- Fossitt J., "A Guide to Habitats in Ireland", The Heritage Council 2000.
- Hayden T and Harrington R., 2000, "Exploring Irish Mammals" Town House and Country House Ltd, .
- Marnell, F, Kingston, N and Looney, D. NPWS, Ireland Red List no. 3 Terrestrial Mammals, Dept. Of the Environment, Heritage and Local Govt. Dublin 2009.
- Regan, E.C., Nelson, B., Aldwell, B., Bertrand, C., Bond, K., Harding, J., Nash, D., Nixon, D., & Wilson, C.J. (2010)Ireland Red List no. 4 Butterflies, NPWS, Dept. Of the Environment, Heritage and Local Govt. Dublin 2009.
- Webb D.A., Parnell J. and Doogue D., 1996 "An Irish Flora", Dungalgan Press Ltd, Dundalk.
- Whilde A., 1993 "The Irish Red Data Book 2: Vertebrates", HMSO Belfast

Appendix 1

Special Areas of Conservation

Ryewater Valley/ Carton SAC

The designated SAC site which is with the carton demesne east of Maynooth and east of Leixlip contains an Annex 1 habitat a Petrifying springs with tufa formation and the associated moss (*Cratoneurion*) and both Annex 11 species of whorl snail; *Vertigo angustior* and *Vertigo moulinsiana* are present within the designated site.

The conservation objectives are to maintain the favorable conservation status of the qualifying interests of the SAC, to maintain the extent, species richness and biodiversity of the entire site and to establish effective liaison and co-operation with landowners, legal users and relevant authorities.

South Dublin Bay SAC

The designated SAC site contains an Annex 1 habitat, Tidal mudflats and sand flats not covered by seawater at low tide. This site lies south of the river Liffey and extends from the South Wall to the west pier at Dun Laoghaire.
It is an intertidal site with extensive areas of sand and mudflats. The flats include the largest bed of eelgrass (*Zostera noltii*) on the east coast, located near the Merrion Gates. Eelgrass supports a diversity of animal species such as snails, crabs, sea anemones, other invertebrates and fish. A range of alage, including Green algae (*Enteromorpha spp.* and *Ulva lactuca*) are distributed throughout the area at a low density. Fucoid algae occur on the rocky shore in the Maretimo to Dún Laoghaire area. The mudflats are important for the abundance and diversity of marine invertebrates they support. Species such as lugworms and cockles provide an important food resource for wading birds.

Conservation objectives are to maintain the Annex I habitat for which the SAC has been selected at favourable conservation status: Mudflats and sand flats not covered by seawater at low tide, to maintain the extent, species richness and biodiversity of the entire site and to establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Glenasmole Valley SAC

The designated SAC site contains two priority habitats, Petrifying springs and orchid-rich calcareous grasslands, and one other Annex I habitat, *Molinia* (Purple Moor-grass) meadows, as listed under the EU Habitats Directive.

The Conservation Objectives are to maintain the Annex I habitats for which the SAC has been selected at favourable conservation status; Petrifying springs with tufa formation (*Cratoneurion*) (<1% area of the site), Semi-natural dry grassland and scrubland facies on calcareous substrates (*Festuco-Brometalia*) (20% area of the site) and *Molinia* meadows on calcareous, peaty or clayey-siltladen soils (*Molinion caeruleae*) (2% area of the site). The Conservation objectives are to maintain the extent, species richness and biodiversity of the entire site. To establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Wicklow Mountains SAC

This site is a complex of upland areas in Counties Wicklow and Dublin, flanked by Blessington Reservoir to the west and Vartry Reservoir in the east, Cruagh Mt. in the north and Lybagh Mt. in the south. Most of the site is over 300m, with much ground over 600m and the highest peak of Lugnaquilla at 925m.

The vegetation over most of the site is a mosaic of heath, blanket bog and upland grassland (mostly on peaty soil, though some on mineral soil), with stands of dense Bracken (*Pteridium aquilinum*) and small woodlands mainly along the rivers. Mountain loughs and corrie lakes are scattered throughout the site. The site supports many habitats that are listed on Annex I of the E.U. Habitats Directive.

The two dominant vegetation communities in the area are heath and blanket bog. Heath vegetation, with both wet and dry heath well represented, occurs in association with blanket bog, upland acid grassland and rocky habitats. The wet heath is characterised by species such as Ling (*Calluna vulgaris*), Cross-leaved Heath (*Erica tetralix*), Cottongrasses (*Eriophorum* spp.), Tormentil (*Potentilla erecta*), Mat-grass (*Nardus stricta*), Bent grasses (*Agrostis* spp.) and bog mosses (*Sphagnum* spp.).

In places the wet heath occurs in conjunction with flush communities and streamside Vegetation, and here species such as Heath Rush (*Juncus squarrosus*) and *Carex* spp. are found. Dry heath at this site is confined to shallow peaty soils on steep slopeswhere drainage is better and particularly in sheltered conditions. It is characterised by species such as Ling, Gorse (*Ulex* spp.), Bell Heather (*Erica cinerea*), Bilberry (*Vaccinium myrtillus*), Purple Moor-grass (*Molinia caerulea*) and lichens (*Cladonia* spp.). In places the heath grades into upland grassland on mineral soil, some examples of which correspond to the E.U. Habitats Directive Annex I priority habitat species-rich *Nardus* grassland.

Blanket bog is usually dominated by Cottongrasses, Ling and bog mosses (*Sphagnum* spp.). On steeper slopes there is some flushing and here Purple Moor-grass, Heath Rush, and certain *Sphagnum* species become more common. The Liffey Head blanket bog is among the best of its kind in eastern Ireland, with deep peat formations and an extensive system of dystrophic pools developed among the hummocks and hollows on the bog surface. The vegetation is largely dominated by Ling and Cross-leaved Heath, with Cottongrasses (*Eriophorum vaginatum* and *E. angustifolium*), Deergrass (*Scirpus cespitosus*) and Bog Asphodel (*Narthecium ossifragum*). In drier areas, Bilberry and Cowberry (*Vaccinium vitis-idaea*) are common, while the scarce Bog Rosemary (*Andromeda polifolia*) is also found. Blanket bog occurs over extensive areas of deeper peat on the plateau and also on gentle slopes at high altitudes. Peat erosion is frequent on the peaks - this may be a natural process, but is likely to be accelerated by activities such as grazing.

Due to the underlying rock strata, the water of the rivers and streams tends towards acidity. The water is generally oligotrophic and free from enrichment. The lakes within the area range from the high altitude lakes of Lough Firrib and Three Lakes, to the lower pater-noster lakes of Glendalough, Lough Tay and Lough Dan. Spectacular corrie lakes (such as Loughs Bray (Upper and Lower), Ouler, Cleevaun, Arts, Kellys and Nahanagan) exhibit fine sequences of moraine stages. The deep lakes are characteristically species poor, but hold some interesting plants including an unusual form of Quillwort (*Isoetes lacustris* var. *morei*), a Stonewort (*Nitella* sp.) and Floating Bur-reed (*Sparganium angustifolium*). The Red Data Book fish species Arctic Char has been recorded from Lough Dan, but this population may now have died out.

Alpine vegetation occurs on some of the mountain tops, notably in the Lugnaquilla area, and also on exposed cliffs and scree slopes elsewhere in the site. Here alpine heath vegetation is represented with species such as Crowberry (*Empetrum nigrum*), Cowberry, Dwarf Willow (*Salix herbacea*), the grey-green moss *Racomitrium lanuginosum* and scarce species such as Mountain Clubmoss (*Diphasiastrum alpinum*), Firmoss (*Huperzia selago*), and Starry Saxifrage (*Saxifraga stellaris*).

Some rare arctic-alpine species have been recorded, including Alpine Lady's-mantle (*Alchemilla alpina*) and Alpine Saw-wort (*Saussurea alpina*). Small areas of old oakwood (Blechno-Quercetum petraeae type) occur on the slopes of Glendalough and Glenmalure, near L. Tay and L. Dan, with native Sessile Oak (*Quercus petraea*) 100-120 years old. On wetter areas, wet broadleaved semi-natural woodlands occur, which are dominated by Downy Birch (*Betula pubescens*). Mixed woodland with non-native tree species also occurs.

The site supports a range of rare plant species, which are listed in the Irish Red Data Book: Parsley Fern (*Cryptogramma crispa*), Marsh Clubmoss (*Lycopodiella inundata*), Greater Broom-rape (*Orobanche rapum-genistae*), Alpine Lady's-mantle, Alpine Saw-wort, Lanceolate Spleenwort (*Asplenium billotii*), Small White Orchid (*Pseudorchis albida*) and Bog Orchid (*Hammarbya paludosa*). The latter three species are legally protected under the Flora (Protection) Order, 1999. The rare Myxomycete fungus, *Echinostelium colliculosum*, has been recorded from the Military Road.

Mammals and birds which occur are typical of the uplands. Deer are abundant, mainly hybrids between Red and Sika Deer. Other mammals include Hare, Badger and Otter, the latter being a species listed on Annex II of the E.U. Habitats Directive. Pine Marten has recently been confirmed as occurring within the site. Among the birds, Meadow Pipit, Skylark, Raven and Red Grouse are resident throughout the site. Wheatear, Whinchat and the scarce Ring Ouzel are summer visitors. Wood Warbler and Redstarts are rare breeding species of the woodlands. Dipper and Grey Wagtail are typical riparian species. Merlin and Peregrine Falcon, both Annex I species of the EU Birds Directive, breed within the site. Recently, Goosander duck has become established as a breeding species.

The conservation objectives are to maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected for the area.

Special Protection Areas

South Dublin Bay (Sandymount Strand) and river Tolka estuary SPA

This site comprises a substantial part of Dublin Bay. It includes virtually all of the intertidal area in the south bay, as well as much of the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included. A large area of the site overlaps with the South Dublin Bay SAC. The site is designated for a large number of wading birds it supports including; Light-bellied Brent Goose, Oystercatcher, Knot, Sanderling, Dunlin, Redshank, Three species of Plover and three species of tern. The eelgrass around Merrion Gates provides an important feeding habitat for Brent Geese when they return to over winter in the area. The site includes the sea wood side of the west pier as it provides an important roosting habitat for a number of small waders at high tide.

The Conservation objectives are to maintain or restore the favourable conservation of the bird species listed as special conservation interests for this SPA, Wetlands & Waterbirds: Light-bellied Brent Goose (Branta bernicla hrota), Oystercatcher (Haematopus ostralegus), Ringed Plover (Charadrius hiaticula), Grey Plover (Pluvialis squatarola), Knot (Calidris canutus), Sanderling (Calidris alba) , Dunlin (Calidris alpina), Bar-tailed Godwit (Limosa lapponica), Redshank (Tringa totanus), Black-headed Gull (Croicocephalus ridibundus), Roseate Tern (Sterna dougallii), Common Tern (Sterna hirundo), Arctic Tern (Sterna paradisaea),. To maintain the extent, species richness and biodiversity of the entire site and to establish effective liaison and co-operation with landowners, legal users and relevant authorities.

Wicklow Mountain SPA

This is an extensive upland site, comprising a substantial part of the Wicklow Mountains. Most of the site is in Co. Wicklow, but a small area lies in Co. Dublin. The underlying geology of the site is mainly of Leinster granites, flanked by Ordovician schists, mudstones and volcanics. The area was subject to glaciation and features fine examples of glacial lakes, deep valleys and moraines. Most of site is over 300 m, with much ground being over 600 m; the highest peak is Lugnaquillia (925 m). The substrate over much of site is peat, with poor mineral soil occurring on the slopes and lower ground. Exposed rock and scree are features of the site. The predominant habitats present are blanket bog, heaths and upland grassland.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Merlin and Peregrine.
The Conservation objectives are to maintain or restore the favourable conservation of the bird species listed as Special Conservation Interests for this SPA, *Falco columbarius* (Merlin) *and Falco peregrinus* (Peregrine falcon).

End