
Screening for Appropriate Assessment

Proposed residential development at Old
Nangor Road, Clondalkin, Dublin 22

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Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of the Dublin Simon Community (the applicant), as part of a planning application for a site on Old Nangor Road, Clondalkin, Dublin 22. The proposed development will involve the construction of an apartment building containing 10 no. residential units, and associated works. The aim of this report is to assess potential impacts on European designated sites.

In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), South Dublin County Council must assess whether the proposed development could have 'likely significant effects' on any European sites. This document provides supporting information to assist the local authority with an Appropriate Assessment screening exercise, including: a description of the proposed development, details of its environmental setting, a map and list of European sites within the potential zone of impact, and consideration of potential source-pathway-receptor links.

There is no risk of direct impacts on European sites. Potential pathways for indirect impacts were considered, but none were found to be feasible. Therefore, we conclude that the proposed development will not cause direct or indirect impacts on any European sites, and that Appropriate Assessment is not required.

1 Introduction

1.1 Background to Appropriate Assessment

Approximately 10% of the land area of Ireland is included in the European Network of Natura 2000 sites (hereafter referred to as 'European sites', which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive (79/409/EEC)* and *E.C. Habitats Directive (92/43/EEC, as amended)*, which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended)*.

Regulation 42 (1) states that: "*Screening for Appropriate Assessment of a plan or project for which an application for consent is received [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on [any European sites].*" To ensure compliance with this regulation, planning authorities must screen all planning applications for potential impacts on European sites. Supporting information may be requested from the applicant to assist with this process.

This document provides background information to assist the planning authority with a *Screening for Appropriate Assessment* exercise for the proposed development. It includes a description of the proposed development, a review of the Site's environmental setting, details of European sites within the potential zone of impact, an appraisal of *source-pathway-receptor* relationships, and an assessment of potential impacts.

1.2 Statement of authority

This report was written by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

He has fifteen years of professional experience, including twelve years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructural projects (roads, water pipelines, greenways, etc.), and a range of residential and commercial developments.

1.3 Methods

This report has been prepared with reference to the following guidelines:

- OPR Practice Note PN01: *Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator 2021)
- *Appropriate Assessment of Plans and Projects in Ireland* (Department of the Environment, Heritage and Local Government, 2009)
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine* (Chartered Institute of Ecology and Environmental Management, 2018)

In accordance with Section 3.2 of *Appropriate Assessment of Plans and Projects in Ireland*, a screening exercise comprises the following steps:

- Description of the project and local site characteristics
- Identification of relevant European sites, and compilation of information on their qualifying interests and conservation objectives
- Assessment of potential impacts upon European sites, including:
 - Direct impacts (e.g. loss of habitat area, fragmentation)
 - Indirect impacts (e.g. disturbance of fauna, pollution of surface water)
 - Cumulative / 'in-combination' effects associated with other concurrent projects
- Screening Statement with conclusions

A desk-based study was carried out using data from the following sources:

- Plans and specifications for the proposed development
- Qualifying interests / conservation objectives of European sites from www.npws.ie
- Bedrock, soil, subsoil, surface water and ground water maps from the Geological Survey of Ireland webmapping service (dcenr.maps.arcgis.com), the National Biodiversity Data Centre (<http://maps.biodiversityireland.ie/>), and the Environmental Protection Agency web viewer (gis.epa.ie/EPAMaps/)
- The *South Dublin County Development Plan 2022 – 2028*, and details of permitted or proposed developments from the local authority's online planning records

Desktop data from internet resources was accessed in September and October 2022.

2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The proposed development site (hereafter referred to as 'the Site') is located on the south-western side of the Old Nangor Road in Clondalkin. It currently consists of a patch of undeveloped land containing some shipping containers and ruderal vegetation. The site was fully cleared in 2018, so all vegetation is immature.

A car park and clubhouse associated with the CPM Pitch-and-Putt course is located to the north and west of the Site, the Old Nangor Road is located to the north-east, some residential properties are located to the east, and the Kingdom Hall of Jehovah's Witnesses is located to the south. The broader surroundings are characterised by a shopping centre, leisure centre and housing estates.

Geology and soils

The underlying bedrock is dark limestone and shale, which is a locally-important aquifer. The subsoil is limestone till, and the soil is made ground.

Hydrology

The Camac River passes approx. 25 m north-west of the Site. It flows north-east, and merges with the River Liffey near Heuston Station, approx. 8.5 km downstream. The River Liffey then flows east and meets the coast at Dublin Bay a further 9.5 km downstream.

Under the Water Framework Directive Status Assessments 2013-2018, the Camac River is of Poor status throughout its catchment, whereas the transitional waters of the Liffey Estuary are of Good status.

2.2 Description of the proposed development

The proposed development will commence with the clearance and preparation of the site, including the removal of some contaminated land. When complete, an apartment building containing 10 no. residential units will be constructed. A new road access point will be created off the Old Nangor Road, and 7 no. car parking spaces will be provided.

Foul water will be discharged to a local-authority foul sewer under Old Nangor Road and conveyed to the Ringsend Waste Water Treatment Works. Rainwater runoff from roofs and hard surfaces will be collected in an attenuation tank and discharged to a public storm drain under Old Nangor Road.

3 Description of European sites

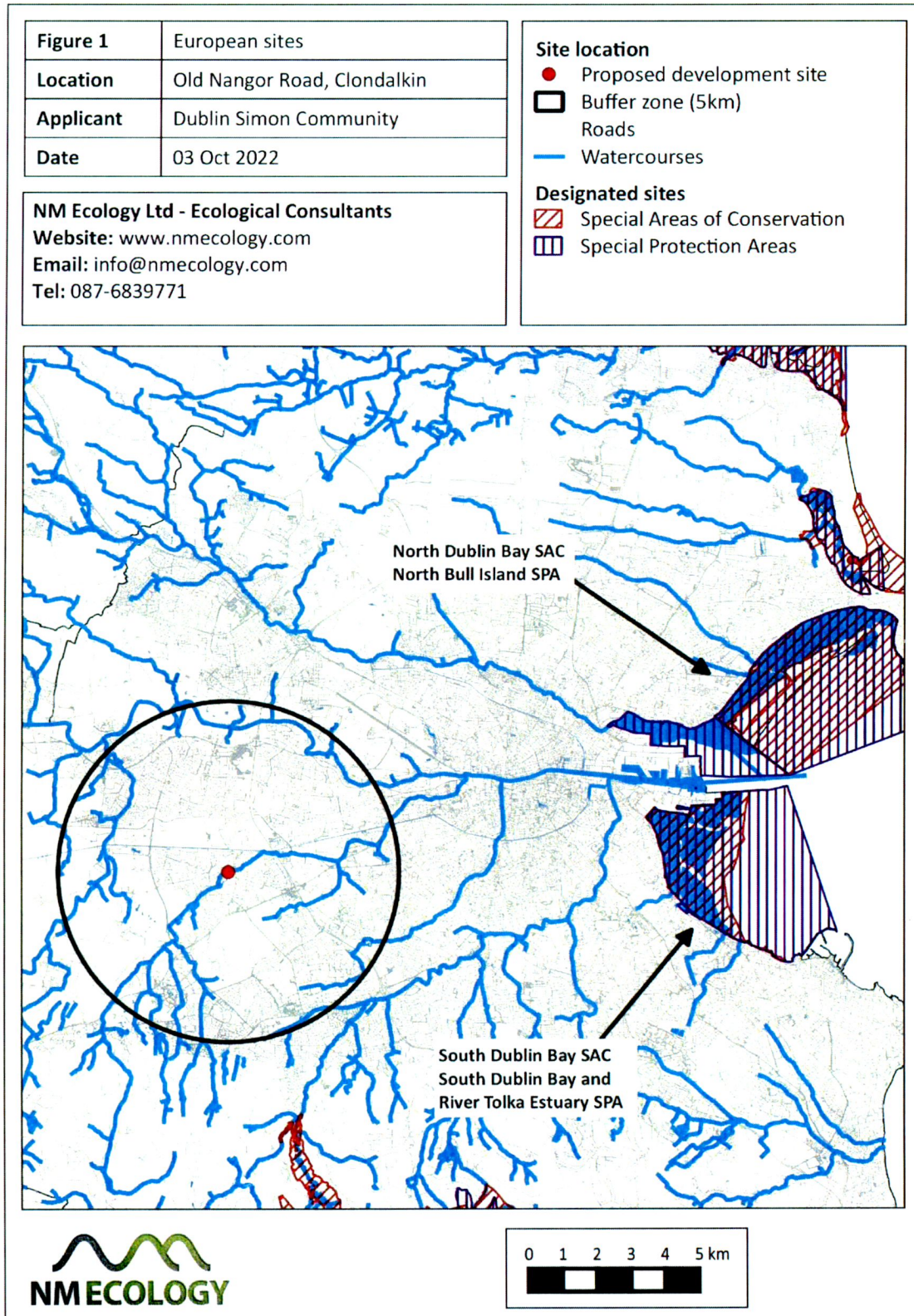
3.1 Identification of European sites within the zone of influence

The Site is not within or adjacent to any European sites. Potential indirect impacts were considered along source-pathway-receptor linkages, notably along the Camac River. Details of relevant sites are provided in Table 1, and their locations are shown in Figure 1. A buffer zone of 5 km is shown in Figure 1 to assist with the interpretation of scale.

Table 1: European sites of relevance to this assessment

Site Name	Distance ¹	Qualifying Interests
South Dublin Bay and River Tolka Estuary SPA (site code 4024)	18 km downstream	Habitats: coastal wetlands Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)
South Dublin Bay SAC (210)	18 km downstream	Annex I habitats: inter-tidal mudflats / sandflats Annex II species: none
North Dublin Bay SAC (206)	18 km downstream	Annex I habitats: inter-tidal mudflats / sandflats (including patches of <i>Salicornia</i> and other annuals), <i>Spartina</i> swards, salt marshes, annual vegetation of drift lines, embryonic shifting dunes, white dunes, grey dunes, dune slacks Annex II species: petalwort <i>Petalophyllum ralfsii</i>
North Bull Island SPA (4006)	18 km downstream	Habitats: coastal wetlands Special conservation interests: wintering populations of light-bellied brent goose, Shelduck, teal, pintail, shoveler, oystercatcher, golden plover, knot, sanderling, dunlin, black-tailed godwit, bar-tailed godwit, curlew, redshank, turnstone, black-headed gull

¹ All potential pathways for impacts on European sites are via intervening watercourses, so distances are measured along the length of connecting waterways rather than a linear measurement to the closest boundary of the European site.



3.2 Identification of potential pathways for indirect impacts

Indirect impacts can occur if there is a viable pathway between the source (the Site) and the receptor (the habitats and species for which a European site has been designated). The most common pathway for impacts is surface water, e.g. if a pollutant is washed into a river and carried downstream into a European site. Other potential pathways are groundwater, air (e.g. airborne dust or sound waves), or land (e.g. flow of liquids, vibration). The zone of effect for hydrological impacts can be several kilometres, but for air and land it is rarely more than one hundred metres. An appraisal of potential pathways to European sites is provided below.

The Camac River is located approx. 25 m north-west of the Site, separated by two walls and a car park. If any pollutants generated at the proposed development site could flow towards the river, it is expected that they would be obstructed / impeded by the intervening walls. However, if any pollutants could reach the river, it could potentially provide a surface water pathway between the Site and four European sites in Dublin Bay (18 km downstream). Pathways via groundwater, land and air can be ruled out due to distance.

3.3 Conservation objectives

The standard conservation objective for all SACs and SPAs in Ireland is “*to maintain or restore the favourable conservation condition of the qualifying interests for which the SAC / SPA has been selected*”. In addition, the Department of Housing, Local Government and Heritage has produced detailed conservation objectives for the European sites listed in Table 1. They can be viewed on the website of the National Parks and Wildlife Service (<http://www.npws.ie/protected-sites>), but are not reproduced here in the interests of brevity.

4 Assessment of potential impacts

4.1 Direct impacts

The Site is not located within or adjacent to any European sites, so there is no risk of habitat loss, fragmentation or any other direct impacts.

4.2 Indirect impacts

Potential changes in water quality (construction phase)

Construction works generate fine sediments, and may occasionally cause accidental spills of oil or other toxic chemicals, which can be harmful to aquatic / marine habitats and species. If any of these pollutants could reach the Camac River, it could theoretically provide a surface water pathway to four European sites in Dublin Bay. However, there is no risk that this could cause negative impacts on any of the European sites, for the following reasons:

- The proposed development is small in scale

- The Site is 25 m from the Camac River, and separated by two walls and a car park, which would obstruct / impede overland flow of pollutants
- If any pollutants could reach the river, they would be diluted by approx. 18 km of intervening watercourse, as well as the coastal waters of Dublin Bay. This would dilute the concentrations of any pollutants to negligible levels.

Therefore, no viable surface water (or other) pathways were identified between the Site and any European sites. Consequently, the risk that pollutants from the construction site could cause significant negative impacts on any European sites is negligible, even in a worst-case scenario and in the absence of standard site-management measures.

Potential changes in water quality (operational phase)

All foul water from the proposed development will be discharged to a local authority sewer and treated in the Ringsend Waste Water Treatment Works. It is the responsibility of Irish Water to provide adequate treatment of foul water passing through the treatment plant, and to assess any potential impacts that it may have on European sites.

Surface water runoff from roofs and hard surfaces will be channelled to an attenuation tank and discharged to a local authority storm drain under Old Nangor Road. It is likely that the local authority storm drain will discharge to the Camac River nearby. As noted in the previous section, the Camac River is not considered to provide a feasible hydrological pathway to any European sites.

4.3 Potential in-combination effects

Under the *South Dublin County Development Plan 2022-2028*, the Site is included in Zone TC (Town Centre), for which the planning objective is to “*protect, improve and provide for the future development of Town Centres.*” This zonation extends to the north, south and east of the Site, whereas land to the west is zoned as ‘open space’.

Live and recently approved planning applications in the vicinity of the Site were reviewed on the online planning records of South Dublin County Council. The following were noted:

- Permission was granted in 2018 for a community-housing scheme (planning reference SD18A/0271) located approx. 15 m south of the Site. Alterations to elevations were subsequently approved in 2022 (planning reference SD22A/0038). The original application was accompanied by an Appropriate Assessment screening report prepared by Whitehill Environmental Ltd, which concluded that the development posed no risk of impacts on European sites
- Permission was granted in 2019 for an apartment building of 12 no. residential units (planning reference SD18A/0388) located approx. 10 m south-east of the Site. When considering the planning application, SDCC concluded that the development posed no risk of impacts on European sites.

None of the developments pose any risk of impacts on European sites, so the risk of in-combination effects can be ruled out.

5 Conclusion of Stage 1: Screening Statement

In Section 3.2.5 of *Appropriate Assessment of Plans and Projects in Ireland* (NPWS 2010), it is stated that the first stage of the AA process can have three possible conclusions:

1. AA is not required

Screening, followed by consultation and agreement with the NPWS, establishes that the plan or project is directly connected with or necessary to the nature conservation management of the site.

2. No potential for significant effects / AA is not required

Screening establishes that there is no potential for significant effects and the project or plan can proceed as proposed.

3. Significant effects are certain, likely or uncertain

The project must either proceed to the second stage of the AA process, or be rejected.

Having considered the particulars of the proposed development, we conclude that this application meets the second conclusion, because there is no risk of direct or indirect impacts on any European sites. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. Therefore, we conclude that Appropriate Assessment is not required.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.

References

Chartered Institute of Ecology and Environmental Management, 2018. *Guidelines for Ecological Impact Assessment in the U.K and Ireland: Terrestrial, Freshwater and Coastal* (2nd Edition). C.I.E.E.M., Hampshire, England.

Department of the Environment, Heritage and Local Government, 2009. *Appropriate Assessment of Plans and Projects in Ireland*. National Parks and Wildlife Service, DAHG, Dublin, Ireland.

Office of the Planning Regulator 2021. *Practice Note PN01: Appropriate Assessment Screening for Development Management*. Available online at opr.ie