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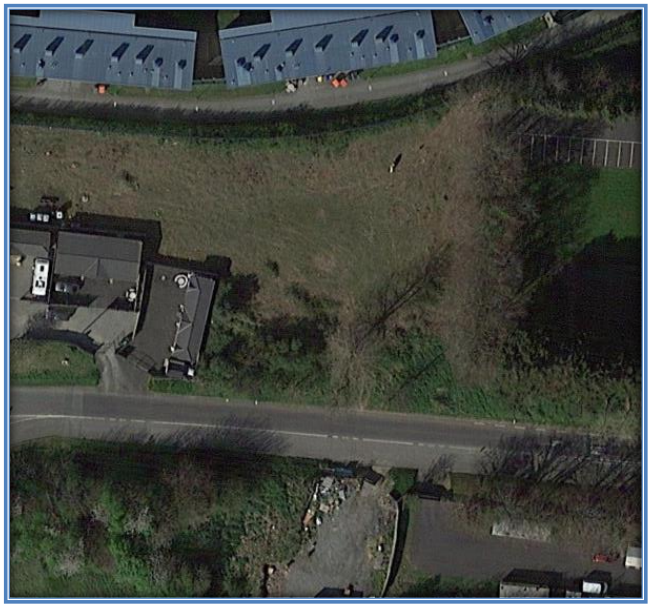
STATEMENT OF SCREENING FOR APPROPRIATE ASSESSMENT OF A PROPOSED PART VIII DEVELOPMENT AT FONTHILL ROAD, CO. DUBLIN

IN LINE WITH THE REQUIREMENTS OF ARTICLE 6(3) OF THE EU HABITATS DIRECTIVE



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1 INTRODUCTION

1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the potential impacts on European designated sites of a proposed development at the Fonthill Road, Co. Dublin was carried out in March 2022 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with the development to be identified and it also enabled potential ecological impacts associated with the facility to be assessed and mitigated for. This will allow the competent authority, in this case South Dublin County Council, to undertake an AA determination of the proposed development.

The location of the proposed development is within 15km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.2 REGULATORY CONTEXT

RELEVANT LEGISLATION

The Birds Directive (Council Directive2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conversation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status does not deteriorate in any waters.

Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"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) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

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 a social or economic nature, the 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.

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."

The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a designated site's conservation objectives.

The 'Appropriate Assessment' itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

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

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.'

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European site cannot be avoided, then mitigation measures should be applied during the appropriate assessment process to the point where no adverse impacts on the site remain. Under the terms of the Habitats Directive consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2001). 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four-stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: **Assessment where no alternative solutions exist and where adverse impacts remain –** An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Description of proven mitigation measures.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over fifteen years. Noreen has over 17 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & CONSULTATION

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species, conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- McGill Planning – Information pertaining to the plan and project;
- MCORM Architects / McGill Planning – Plans, Specifications and Design Statement;
- South Dublin County Council – Information on planning history in the area to assess potential cumulative impacts.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (ZoI) of the proposed development was defined. Based on the potential impacts and their ZoI, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the

Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing;
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;

The favourable conservation status of a species is achieved when:

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

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCOs should be considered in detail.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

The proposed development consists of the provision of Traveller Accommodation at a 0.36ha site at the Fonthill Road, Co. Dublin. The proposed development will consist of the construction of 7 no. two storey houses (1no. 3-bed unit semi-detached, 1no. 4bed unit semi-detached and 5no. 4-bed unit detached). The development provides for a total of 14 no. car park spaces on surface (equal to 2no. per unit). Principal vehicular and pedestrian access to the site will be from Fonthill Road. The development also includes site development works above and below ground including landscaping, boundary treatments and services to facilitate the development.

Permission for these works will be sought by South Dublin County Council under Part VIII of planning process. The need for these works was identified within the South Dublin County Council Traveller Accommodation Programme 2019 – 2024.

An extract from the planning drawings as submitted is shown in Figure 1.

Figure 1 – Extract from Planning Drawing (As Prepared by MCORM Architects)

Foul Water and Surface Water

Details of the management of surface and foul water have been outlined in the engineering report prepared by Kavanagh Burke Consulting Engineers.

The surface water (SW) and foul sewer (FS) networks within the existing St. Edmund's Estate were built to service the existing development and the Phase 3 St Edmunds development under Ref. Reg ABP-305857-19. The outfall location for all the above-mentioned networks is via the exiting local authority SW and FS manholes located within Mount Andrew Avenue Estate.

It is proposed to route the discharge from the subject site proposed FS and SW manholes to the Phase St Edmunds development under Ref. Reg ABP-305857-19, and then via the existing networks within the St Edmunds Estate to the outfall manholes located in Mount Andrew Avenue Estate.

Surface Water

The treatment train approach was applied to both the storm water network and the attenuation design to ensure that both run-off quality and quantity are appropriately addressed. An array of techniques was used to fulfil requirements of each element of the treatment train:

- Pollution prevention - To prevent chemicals and other pollutants from contaminating the rainfall runoff, a maintenance regime for the proposed development will be established and it will include regular sweeping of the estate roads and collection of rubbish. Waste bins provided will be watertight and will incorporate lids to prevent the rainfall flushing the contaminants out of them. A proprietary silt trap and petrol interceptor will be provided on the surface water drainage network to intercept debris, silts and hydrocarbons and prevent them from entering the attenuation tank and from being discharged to the soil or receiving watercourse.

- Source Control - To detain and infiltrate the runoff as close as possible to the point of origin, the following has been included:

    - The permeable paving will provide infiltration of the surface water into the angular stone filled infiltration pit below promoting water disposal at source and limiting the discharge to the SW network. Like above, where the rainfall event exceeding the capacity of the infiltration pit, runoff water will be allowed to discharge

through a high-level drainage outfall connection to the storm water drain in the road.

- Site control - The inclusion of SUDs devices around the site will provide a means for run-off to infiltrate into the ground across the site. That if only once rainfall event exceeds the capacity of the infiltration devices will it flow into the storm water drain in the road and then into the proposed attenuation tank. This approach will inevitability reduce the quantity of water that discharges from the site.

- Regional control - To mimic the behaviour of the green field site and protect the receiving watercourse, the attenuation tank is designed to cater for all durations of rainfall up to 30-year return period with 20% climate change factor applied. The attenuation system has also been designed to cater for 1 in 100-year storms of all durations exceeding the requirements of Greater Dublin Strategic Drainage Study (GDSDS). This 1 in 100-year temporary flood storage is accommodated in the sunken play space above the proposed attenuation tank.

The surface water runoff generated from the proposed houses and driveways will be routed through permeable paving which will facilitate the detention and infiltration at source. Only once the rainfall has passed through the permeable paving will the excess runoff enter the drainage network and then reach the underground attenuation system ("StormTech" or equivalent type) in the Phase III St Edmunds.

The flow control device will be installed on the outfall to limit the runoff from this proposed development (to greenfield runoff rate) into the existing surface water network / attenuation tank serving the existing St Edmunds Estate. The attenuation tank will be increased in size to cater this proposed new development.

Foul Sewer

The foul sewer has been designed to collect discharge from the proposed 7 no. dwellings of the development, connected to the proposed foul network of Phase III St Edmunds development under Ref. Reg ABP-305857-19. The entire foul network, including both for the proposed development and St Edmunds development under Ref. Reg ABP-305857-19, is modelled in Flow design software based on the fixture unit method that considers the probability of simultaneous discharge from different fixtures and translates it to the design flow as set out in EN752 "Drain and Sewer Systems Outside Buildings - Sewer System Management".

The proposed foul sewer including manholes and service connections will be constructed in compliance with design standards set out by Irish Water in the IW Code of Practice for Wastewater Infrastructure and Wastewater Infrastructure Standard Details.

Flood Risk Assessment

The subject site is located within Flood Zone C where the probability of flooding from rivers and the sea is low (less than 0.1% or 1 in 1000 for both river & coasted flooding). In CFRAM mapping Flood Zone C covers all areas of the Flood Risk Management Plan which are not in zones A&B (the higher risk areas). Therefore, the site is at minimal risk of flooding and is remote from mapped flood areas.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The site in question is approximately 0.36 hectares in area. It is located just off the Fonthill Road and access to it will be via an entrance off the slipway that connects the Fonthill Road to westbound carriageway of the N4. The site is bounded to the west and north by the Ballydowd Special Care School and Centre, to the east by the N4 slipway and to the south by a residential site (currently under construction, ABP-305857-19). The site is close to the Liffey Valley retail area and the Fonthill Business Park. The site is approximately 9.5km west of Dublin City Centre. It is surrounded by the urban fabric of Lucan, Ballyowen and Fonthill and their associated residential, commercial and industrial areas. The site is zoned as an Existing Residential Area by South Dublin County Council. Site location maps can be seen in Figures 2 and 3.

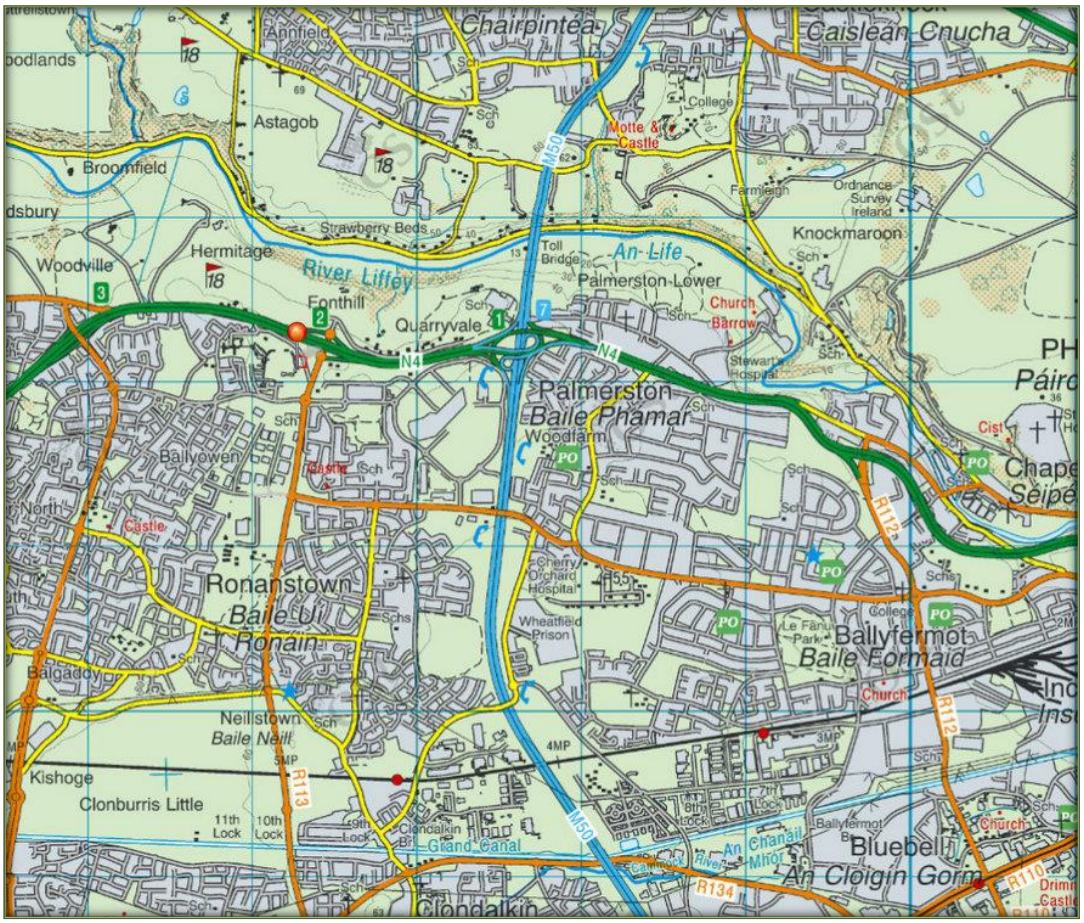


Figure 2 – Site Location Map (Pinned)

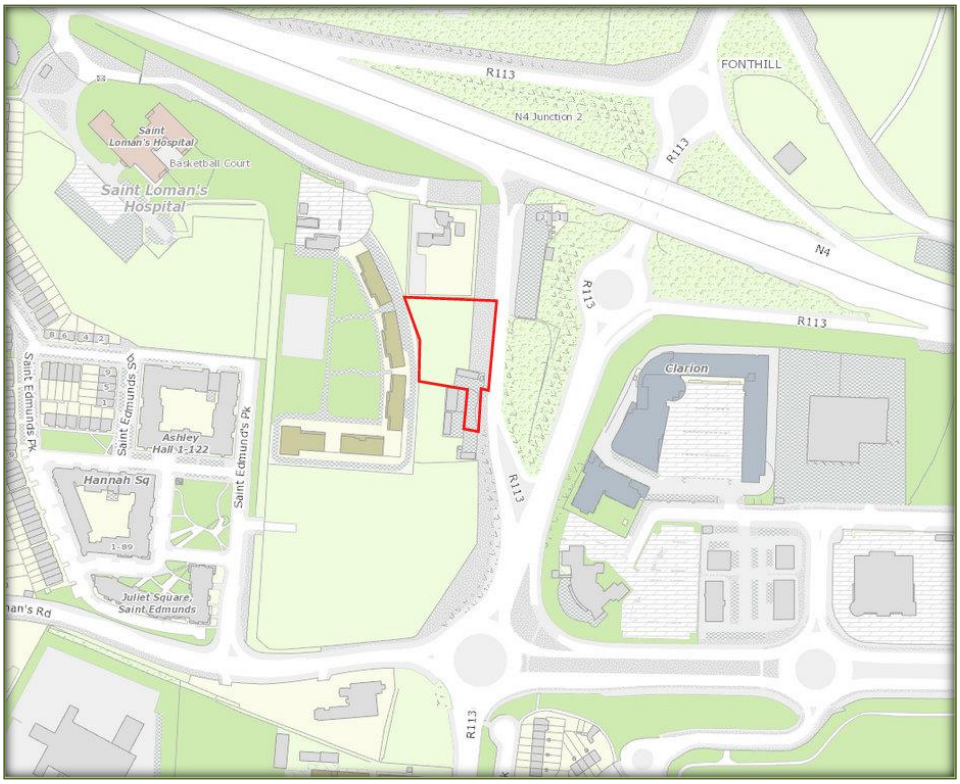


Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS AND NOTABLE SPECIES

No part of the site lies within or adjacent to any area that is designated for nature conservation purposes. All development works within the application site will take place on areas of low biodiversity value. There are no buildings on the site and the dominant habitat within it is a neutral grassland habitat, that is un-intensively managed and used for the grazing of horses. The northern, western and eastern (roadside) boundaries consist of treelines and hedgerows. The southern boundary is not defined by any natural feature.

An overview of the local habitats surrounding the application site can be seen in the aerial photograph in Figure 4.

Records from the National Biodiversity Data Centre reveal the presence of the following protected mammals from within the 1km squares (O0635) of this proposed application site:

- Badger *Meles meles*
- Pine martin *Martes martes*
- Daubenton's bat *Myotis daubentonii*
- Pipistrelle *Pipistrellus pipistrellus sensu lato*
- Lesser Noctule *Nyctalus leisleri*
- Soprano *Pipistrelle Pipistrellus pygmaeus*

All these species are protected under the Irish Wildlife Acts. In addition, the otter *Lutra lutra* is protected under Annex II of the European Habitats Directive.

WATER FEATURES AND QUALITY

The application site lies within the Liffey and Dublin Bay Hydrometric Area, Catchment and the Liffey Sub-Catchment and Sub-Basin. There are no drains or streams within or adjacent to the application site. The closest mapped and relevant (same sub-basin) water feature to the site is the Quarryvale Stream and this is approximately 460m east of the application site. This stream flows north towards its confluence with the River Liffey at Quarryvale, at a point 762m north-east of the application site.

The EPA have not classified the ecological status of the Quarryvale Stream and the River Liffey at points close to the application site. Overall, the River Liffey varies from good ecological status upstream of Lucan Bridge, to moderate status downstream of Chapelizoid. Under the requirements of the Water Framework Directive, all waterbodies must achieve good status within the timeframe set out within this Directive.

Figure 4 – Aerial Photograph of the Site (Outlined in Red) and its Surrounding Habitats © Google

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a *source*, i.e., the proposed development and activities arising out of its construction or operation, a *receptor*, i.e., the European site and its qualifying interests and a subsequent *pathway* or *connectivity* between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

There are eight Natura 2000 designated sites within 15km of the application site. These designated areas and their closest points to the application site are summarised in Table 1 and a map showing their locations relative to the application site is shown in Figure 6. A full description of all these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

Site Name & Code	Distance	Qualifying Interests	Significant Effects
Rye Water Valley/Carton SAC 001398	5.7km west	• Petrifying springs with tufa formation (Cratoneurion) • *Vertigo angustior* (Narrow-mouthed Whorl Snail) • *Vertigo moulinsiana* (Desmoulin's Whorl Snail)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon*

			the QIs of this SAC.
South Dublin Bay / River Tolka Estuary SPA 004024	11.7km east	• 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 *(Chroicocephalus ridibundus)* • Roseate Tern *(Sterna dougallii)* • Common Tern *(Sterna hirundo)* • Arctic Tern *(Sterna paradisaea)* • Wetland and Waterbirds	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
South Dublin Bay SAC 000201	12.3km east	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Embryonic shifting dunes	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
North Bull Island SPA 004006	14.8km east	• Light-bellied Brent Goose (*Branta bernicla hrota)* • Shelduck (*Tadorna tadorna*) • Teal (*Anas crecca*) • Pintail (*Anas acuta*) • Shoveler (*Anas clypeata*) • Oystercatcher (*Haematopus ostralegus)*	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation*

		• Golden Plover (*Pluvialis apricaria*) • Grey Plover (*Pluvialis squatarola*) • Knot (*Calidris canutus*) • Sanderling (*Calidris alba*) • Dunlin (*Calidris alpina*) • Black-tailed Godwit (*Limosa limosa)* • Bar-tailed Godwit (*Limosa lapponica)* • Curlew (*Numenius arquata*) • Redshank (*Tringa totanus*) • Turnstone (*Arenaria interpres*) • Black-headed Gull (*Chroicocephalus ridibundus*) • Wetland and Waterbirds	*can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
North Dublin Bay SAC 000206	14.8km east	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (*Juncetalia maritimi*) • Embryonic shifting dunes • Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • *Petalophyllum ralfsii* (Petalwort)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
Glenasmole Valley SAC 001209	10.9km south	• Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) • Molinia meadows on calcareous, peaty or	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from*

		clayey-silt-laden soils (Molinion caeruleae) • Petrifying springs with tufa formation (Cratoneurion)	*pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*
Wicklow Mountains SPA 004040	14.6km south	• Merlin (*Falco columbarius*) • Peregrine (*Falco peregrinus*)	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during construction or operation can be ruled out.* *The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.*
Wicklow Mountains SAC 002122	13.1km south	• Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) • Natural dystrophic lakes and ponds • Northern Atlantic wet heaths with *Erica tetralix* • European dry heaths • Alpine and Boreal heaths • Calaminarian grasslands of the Violetalia calaminariae • Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) • Blanket bogs (* if active bog) • Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani • Calcareous rocky slopes with chasmophytic vegetation	*There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during construction or operation can be ruled out.* *There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.*

		• Siliceous rocky slopes with chasmophytic vegetation • Old sessile oak woods with Ilex and Blechnum in the British Isles • *Lutra lutra* (Otter)	

Table 1 – Natura 2000 Sites Within 15km of the Proposed Site

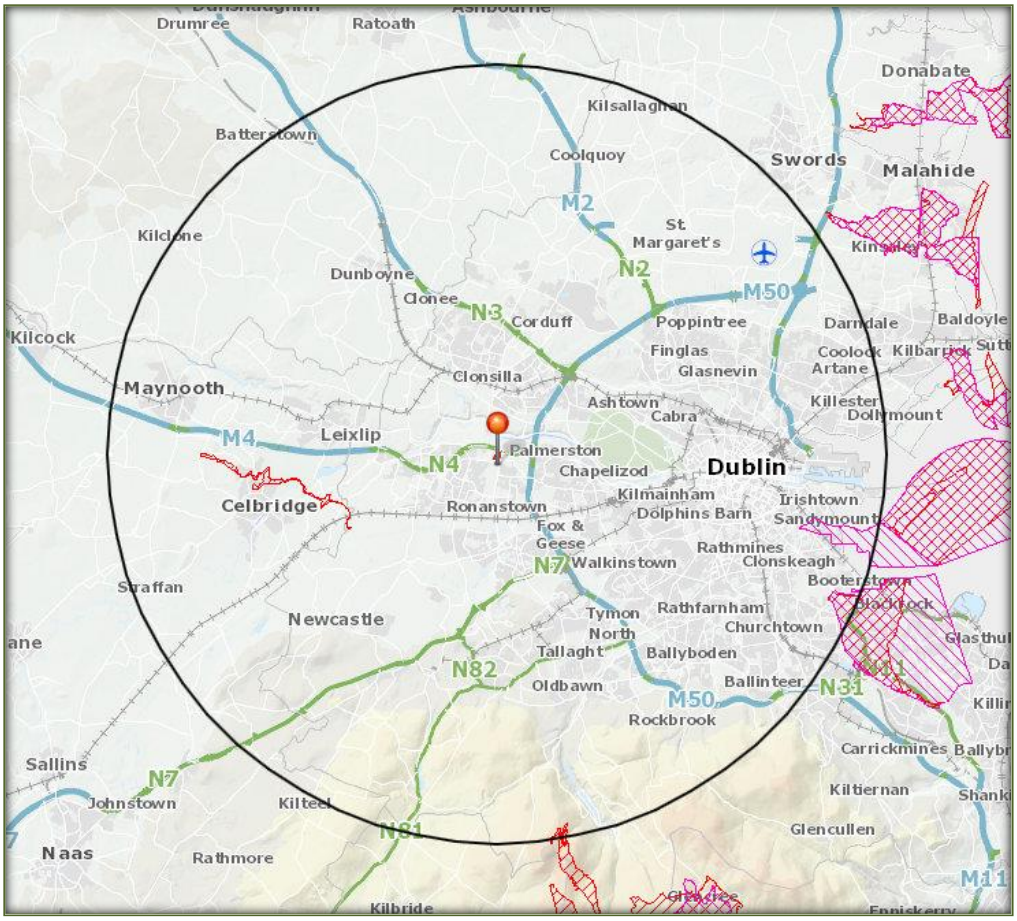


Figure 5 – The Application Site (Pinned) in relation to the Natura 2000 Sites (SACs – Red Hatching; SPAs – Pink Hatching) 15km Boundary Shown.

3.4 NATURA 2000 IMPACT ASSESSMENT

The potential impacts of the proposed development on the Natura 2000 sites identified above are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:
The construction and operation of the proposed Part 8 development will have no significant effects upon the integrity or the site structure of the designated sites identified. The application site has no hydrological or ecological connectivity to any Natura 2000 site. The construction and operation of the proposed development will have no significant effect upon the Natura 2000 sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these sites. There is a sufficient distance between the application site and all Natura 2000 sites to ensure that potential direct and indirect impacts will be avoided. There will be no impacts upon the Qualifying Interests of any designated site.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:
Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the construction and operation of the proposed development are low. **Land-take:** There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There will be no loss of undesignated habitats of biodiversity value. **Distance from Natura 2000 site or key features of the site:** There are eight Natura 2000 sites within 15km of this application site. The closest of these is the Rye Water/Carton SAC and this is 5.7km west of the application site. There is no hydrological connectivity between the application site and this SPA/SAC, or any other SPA/SPA within 15km of the site. **Resource requirements (water abstraction etc.):** No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site. **Emissions:** There will be no emissions from the application site to any designated site during the constructional phase of the project. There are no surface water features within the application site and there is no hydrological connectivity between the application site and any designated area. All wastewater from the operation of the development will be directed into the public sewer. Surface water will be managed during operation of the site with appropriate SuDS measures. **Excavation requirements:** Construction and demolition waste and excavated material from the

construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: No access to any areas of any designated site will be required during any phase of project.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Palmerstown/Lucan areas and potential cumulative impacts were considered. Any individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive.

There is a large residential (SHD) scheme currently under construction in the site to the immediate south of this application site. This scheme was previously permitted by An Bord Pleanála, and amendments to this scheme are also currently being sought from the Board. The original application and the amendments have been screened for AA, and significant effects upon European sites were ruled out.

The construction and operation of the proposed development will have no impacts when considered in combination with other plans and projects that have been screened for Appropriate Assessment or where mitigation measures have been included as part of Appropriate Assessment (Natura Impact Statement).

Duration of construction, operation, decommissioning etc: Construction will take approximately one year.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area or interference with any protected habitat within any SAC or SPA. There will be no interference with the boundaries of any designated site. There will be no loss or fragmentation or disturbance to any of the riparian habitats along any watercourse. There will be no loss of habitats defined as Qualifying Interests for any designated site.

Disturbance to key species: The bird species identified as using the SPAs within 15km of the site are mostly wading species that use the estuarine and coastal habitats of the estuaries of Co. Dublin and the surrounding areas. They will not be impacted upon by the construction or operation of the proposed development. There will be no deterioration in water quality within any SPA that may lead to indirect impacts upon these bird species.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the site and any Natura 2000 site will be damaged or destroyed. There will be no loss of any habitat of biodiversity value.

Reduction in species density: There will be no reduction in species density within any SAC and

SPA. There will be no reduction of bird density in any SPA arising from the application. There will be no loss of any non-designated feeding areas used by birds that are listed in Annex I of the Birds Directive.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any SAC or SPA. There will be no negative impacts upon the water quality in any designated site. There will be no deterioration in water quality in any watercourse.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Proposed Part VIII Development at Fonthill Road, County Dublin
Name and location of Natura 2000 site	There are eight Natura 2000 sites within 15km of this application site. The closest of these is the Rye Water/Carton SAC and this is 5.7km west of the application site.
Description of project	A Strategic Housing Development (Amendments to Parent Application)
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, South Dublin County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

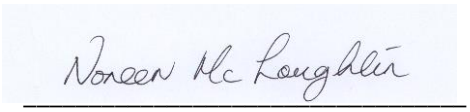
In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., South Dublin County Council, to carry out the screening for AA and to reach one of the following determinations:

a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites;

b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)