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Appropriate Assessment Screening Report

PRESENTED TO

Castlethorn Developments Luttrellstown Limited for a Proposed Residential Development at Luttrellstown Gate Phase 2 site Plot 1 and St Mochtas Site Plot 2 located at St. Mochtas, Kellystown, Dublin 15

May 2025

Environmental Consultancy Services

DOCUMENT CONTROL SHEET

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1 INTRODUCTION

1.1 Background

Enviroguide was commissioned by Castlethorn Developments Luttrellstown Limited, to prepare an Appropriate Assessment (AA) Screening Report for a proposed residential development, located at Luttrellstown Gate site Plot 1 and St Mochtas Site Plot 2 located at St. Mochtas, Kellystown, Dublin 15, hereafter referred to as 'Proposed Development' or 'Site', when referring to the application Site areas. This Report contains information to enable the Competent Authority to undertake Stage 1 AA Screening in respect of the Proposed Development.

1.2 Quality Assurance and Competence

Enviroguide is a multi-disciplinary consultancy specialising in the areas of the Environment, Waste Management and Planning. All Enviroguide consultants carry scientific or engineering qualifications and have a wealth of experience working within the Environmental Consultancy sectors, having undergone extensive training, and continued professional development.

Enviroguide as a company remains fully briefed in European and Irish environmental policy and legislation. Enviroguide staff members are highly qualified in their field. Professional memberships include the Chartered Institution of Wastes Management (CIWM), the Irish Environmental Law Association and Chartered Institute of Ecology and Environmental Management (CIEEM).

All surveying and reporting have been carried out by qualified and experienced ecologists and environmental consultants. Shane Connolly (SC), Ecologist with Enviroguide, authored this Report. Charith Rakesh Kumar (CRK) carried out the necessary surveys, and Matthew Peden (MP), Principle Ecologist, approved it.

SC holds a B.Sc. (Hons) in Botany from the University of Galway and has over 3 years' experience working in the environmental consultancy sector. SC has project-managed and delivered on ecological services for a wide range of developments including wind farms, commercial units, and large residential schemes. SC has extensive field expertise surveying bats, birds, mammals, plants, habitats, reptiles, amphibians, and invasive species, and holds a bat disturbance licence. SC is proficient in preparing a wide range of ecological reports, including Appropriate Assessment (AA) Screenings, Natura Impact Statements (NIS), Ecological Impact Assessments (EcIA), Bat Reports, Invasive Species Management Plans (ISMP), and constraint reports.

CRK is an Ecologist with a M.Sc. in Biodiversity and Conservation from Trinity College Dublin. CRK's experience as an ecologist is broad both variety of ecological reports and literature, and field surveys conducted. CRK has experience in surveying habitats, birds, plants, bats, mammals and invasive species, with some experience in assessing welfare conditions of animals using behavioural repertoires as indicators. CRK's experience in ecological report writing extends from Research associated reporting to AA Screening reports, Natura 200 Impact (NIS) reports, Preliminary

Environmental Assessment (PEA) reports, and Ecological Impact Assessment (EcIA) reports.

MP holds a BSc (Hons), PGDip and has Full CIEEM membership. MP has 15 years' experience in ecological consultancy and has conducted project and plan level AA Screening reports and NIS reports for a variety of sectors, including residential developments.

1.3 Description of Proposed Development

1.3.1 Site Location

The Proposed Development for which permission will be sought will be the subject of two planning applications, one providing 99 no. units (i.e., Luttrellstown Gate Phase 2 Site - Plot 1) and the other providing a total of 302 no. units (in a mix of houses, apartments and duplexes) (i.e., St Mochta's Site - Plot 2).

Luttrellstown Gate Phase 2 site Plot 1

The application site is currently a greenfield site. It is located in the Kellystown Local Area Plan (LAP), north of the new Kellystown Link Road under construction, west of the Porterstown Road and north of Luttrellstown Road. Site location is shown in Figure 2-1.

St. Mochta's Site Plot 2

The application site is currently in use as football pitches for St. Mochta's Football Club, however, an application from the applicant has recently been lodged comprising of the relocation of St. Mochta's Football Club grounds within the new emergent residential neighbourhood of Kellystown, Dublin 15, in accordance with Key Objective DA 1.1 for the Eastern Development Area of the Kellystown Local Area Plan. The application site, measuring approximately 4.38 hectares (ha), is bounded by Diswellstown Road/Dr. Troy Bridge to the east, the Royal Canal and Dublin-Maynooth Railway Line to the north, and proposed development (Ref. LRD0034-S3) to the south. It also borders residential zoned lands.

1.3.2 Proposed Development Description

Luttrellstown Gate Phase 2 (Plot 1)

Castlethorn Developments Luttrellstown Limited intends to apply for Permission for a development at a site (c. 3.72ha) at lands in the Townland of Kellystown.

The proposed development comprises 99no. residential units in a mix of houses and duplex units consisting of 71no. 2 storey houses (66no. 3-bedroom and 5no. 4-bedroom), 16no. 3 storey houses (16no. 4-bedroom), 4no. 1-bedroom duplex units and 8no. 2-bedroom duplex units and all associated and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including public open space; public lighting; surface car parking spaces; bicycle parking spaces/stores for mid-terrace units; bin stores. The proposed development includes a minor amendment to development permitted under Reg. Ref. ABP-312318-21, as amended by Reg. Ref. LRD0034-S3, with minor adjustment proposed to the permitted surface water attenuation pond. Vehicular access to the proposed development is provided by the road network permitted under Reg. Ref. ABP-312318-21, as amended by Reg. Ref. LRD0034-S3.

St Mochtas LRD (Plot 2)

Castlethorn Developments Luttrellstown Limited intends to apply for Permission for a development at a site (c. 4.38ha) at lands in the Townland of Porterstown.

The proposed development comprises 302no. residential units in a mix of houses, duplex and apartment units consisting of 62no. 2 storey, 3-bedroom houses and 35no. 3 storey, 4-bedroom houses; 205no. Duplex / Apartment Units (98no. 1-bed, 88no. 2-bed and 19no. 3-bed) across 4no. blocks comprising: Block D ranging in height from 5-7 storeys accommodating 57no. apartment units; Block E ranging in height from 5-7 storeys accommodating 77no. apartment units; Block F ranging in height from 4-5 storeys accommodating 39no. apartment and duplex units; Duplex Blocks G1, G2, G3 & G4 3 storeys in height accommodating 32no. apartment units; and all associated and ancillary site development and infrastructural works, hard and soft landscaping and boundary treatment works, including public open space; public lighting; surface car parking spaces; bicycle parking spaces/stores for mid-terrace units; bin stores. Vehicular access to the proposed development is provided by the road network permitted under Reg. Ref. ABP-312318-21, as amended by Reg. Ref. LRD0034-S3.

The Demolition Phase of the Proposed Development will include the demolition and removal of the existing vacant house and agriculture buildings (including very poor-quality sheds or shipping containers). The total volume of the buildings to be demolished are 863m^3.

It is estimated by the Main Contractor that the Construction Phase of the Proposed Development will involve the excavation of 5000m^3 of soil for the construction of building foundations, drainage and other infrastructure to depths up to approximately 2m meters below ground level (mbGL) across both plots. It is anticipated that all surplus soil arising from groundworks will require off-site removal for reuse or recovery in accordance with appropriate statutory consents and approvals.

The Construction Phase of the Proposed Development will also require the importation of aggregate fill materials (e.g., granular material beneath road pavement, under floor slabs and for drainage and utility bedding / surrounds etc.).

The Proposed Development Site layout for Plot 1 and Plot 2 are presented in Figure 1 and Figure 2.

FIGURE 1. PLOT 1 LOCATION.

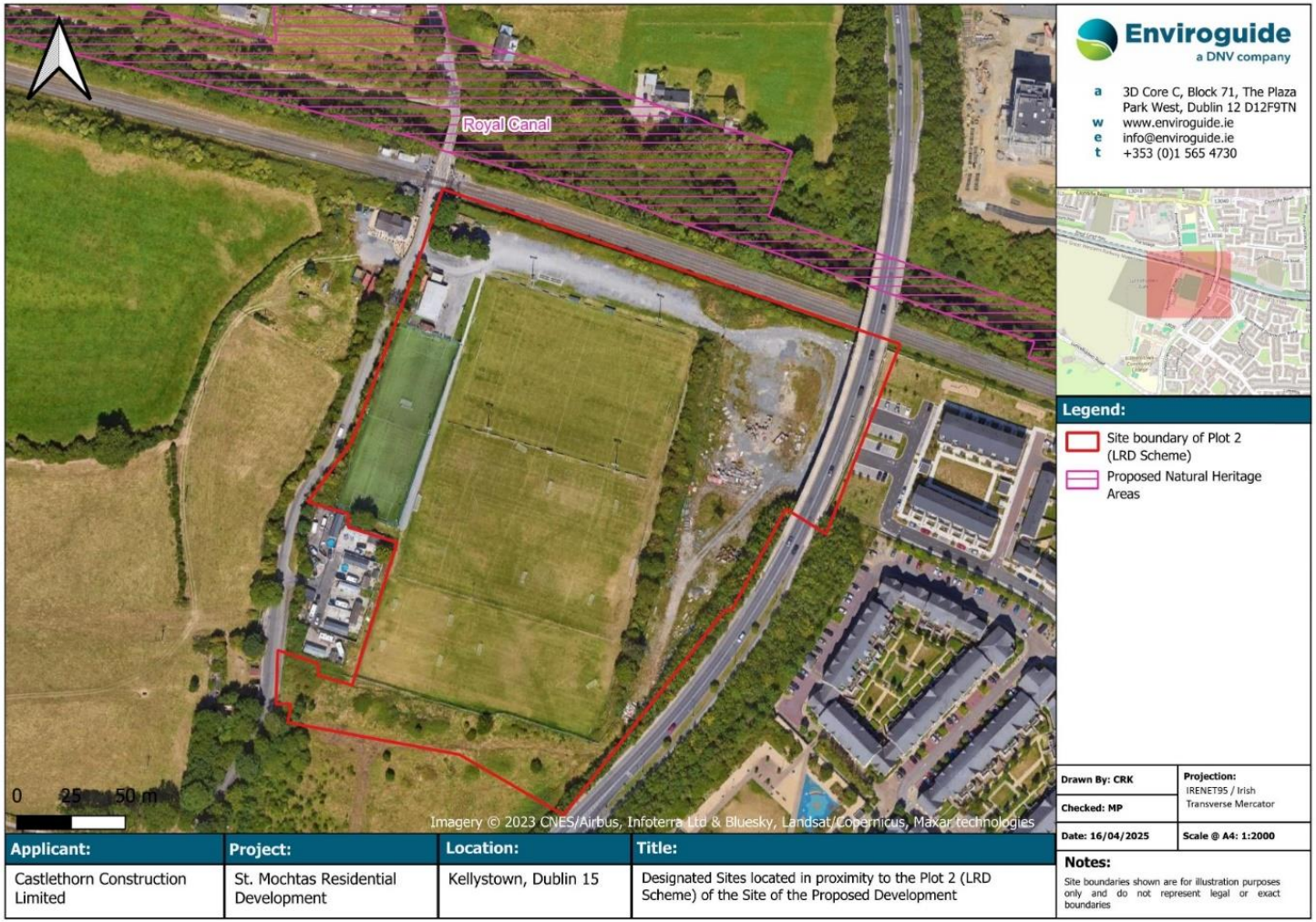

FIGURE 2. PLOT 2 LOCATION.

FIGURE 3. PROPOSED DEVELOPMENT SITE LAYOUT (LEFT: LUTTRELLSTOWN GATE PHASE 2 (PLOT 1) ; RIGHT: ST MOCHTAS LRD (PLOT 2) (O'MAHONY PIKE, 2024)

1.3.2.1 Drainage and Water Supply

1.3.2.1.1 Surface Water Drainage

Surface water runoff from the proposed development at Kellystown will be managed via a dedicated drainage network connecting to the adjacent Strategic Housing Development under ABP-312318-21. Runoff will discharge through a separate 525 millimetre (mm) pipe to an enlarged attenuation pond constructed as part of Phase 1 works. Flow will be restricted to greenfield runoff rates using a hydrobrake or similarly approved control device, and attenuation has been designed to accommodate a 1-in-100-year storm event plus a 20% climate change allowance. The site is divided into four sub-catchments, each feeding into the on-site SuDS network comprising green roofs, permeable paving, filter drains, tree pits, and a Class 1 petrol interceptor. These systems are designed in line with the Greater Dublin Strategic Drainage Study (GDSDS) and the CIRIA SuDS Manual (C753) to manage water quantity, quality, and amenity. Drainage drawings for plot 1 are depicted in Figure 4 to Figure 6, and plot 2 are depicted in Figure 7.

1.3.2.1.2 Foul Water Drainage

Foul water from the proposed development will be drained by gravity through a separate 300 mm diameter pipe laid across the adjacent Phase 1 lands, ultimately connecting to a 450 mm pipe located immediately north of a purpose-built foul water pumping station. This pumping station, permitted and under construction under ABP-312318-21, has been designed to serve the full extent of the Kellystown LAP lands and includes 24-hour storage capacity. The system has been planned in accordance with Uisce Éireann's design standards, with no private drainage located within public areas. A Pre-Connection Enquiry (Ref: CDS24010476) has been submitted to Uisce Éireann.

1.3.2.2 Sustainable Drainage Systems (SuDS)

A comprehensive suite of SuDS has been incorporated to manage surface water runoff in line with best practice. The design includes green roofs on selected apartment blocks to reduce the volume and rate of runoff while providing water quality benefits. Permeable paving is used extensively across driveways and parking areas to promote infiltration and attenuation at source. Filter drains are installed along the edges of roads and hardstanding areas to intercept and convey runoff while enabling some degree of infiltration. Tree pits are included to facilitate localised infiltration and enhance amenity, and bioretention areas are positioned strategically throughout the site to provide treatment and temporary storage of stormwater. In addition, a Class 1 petrol interceptor is installed upstream of the main outfall to protect water quality. Collectively, these measures ensure compliance with the Greater Dublin Strategic Drainage Study and CIRIA SuDS Manual (C753).

1.3.3 Landscape Plan

The proposed landscape strategy integrates high-quality public realm features with ecological enhancement. Key elements include extensive native shrub planting, mixed woodland planting, and native hedgerows composed of species such as *Crataegus monogyna, Corylus avellana,* and *Ilex aquifolium*, supporting habitat connectivity and biodiversity. The scheme also features All-Ireland Pollinator Plan wildflower meadows, urban orchards, and tree planting in tree pits with a minimum growing medium of 16m³, promoting urban greening and pollinator support. Ornamental shrubs and specimen trees are

positioned throughout the site, particularly at car park and building interfaces, enhancing amenity value while contributing to climate resilience. These measures collectively ensure a multifunctional landscape that aligns with ecological best practice and planning policy objectives.

The landscaping plan is detailed in Figure 8.

1.3.3.1 Description of the Construction Phase

The construction phase will generally comprise of:

- Stage 1 – Excavation and Site Preparation Works: This includes vegetation clearance, site stripping, temporary construction access setup, installation of sediment and pollution control measures, and initial service diversions where required.
- Stage 2 – Substructure Works: These works will include foundations, below-ground drainage infrastructure, underground attenuation systems, and utility service installations.
- Stage 3 – Superstructure Works: Comprising the erection of buildings, road construction, boundary treatments, and hard and soft landscaping.

Site working hours will be from 08:00 to 18:00, Monday to Friday, and 08:00 to 13:00 on Saturdays. No works are envisaged on Sundays or Bank Holidays. Where exceptional circumstances require works outside these hours, a written submission must be made by the contractor to Fingal County Council.

1.3.3.2 Description of the Operational Phase

The operational phase will comprise residential use, consisting of housing, apartments, and associated communal open spaces, as well as a childcare facility. This use is consistent with the neighbouring residential zoning and land use in the area and is in line with the objectives of the Kellystown Local Area Plan.

FIGURE 4. PROPOSED SURFACE WATER DRAINAGE – PLOT 1 (1 OF 3). WATERMAN MOYLAN (2025).

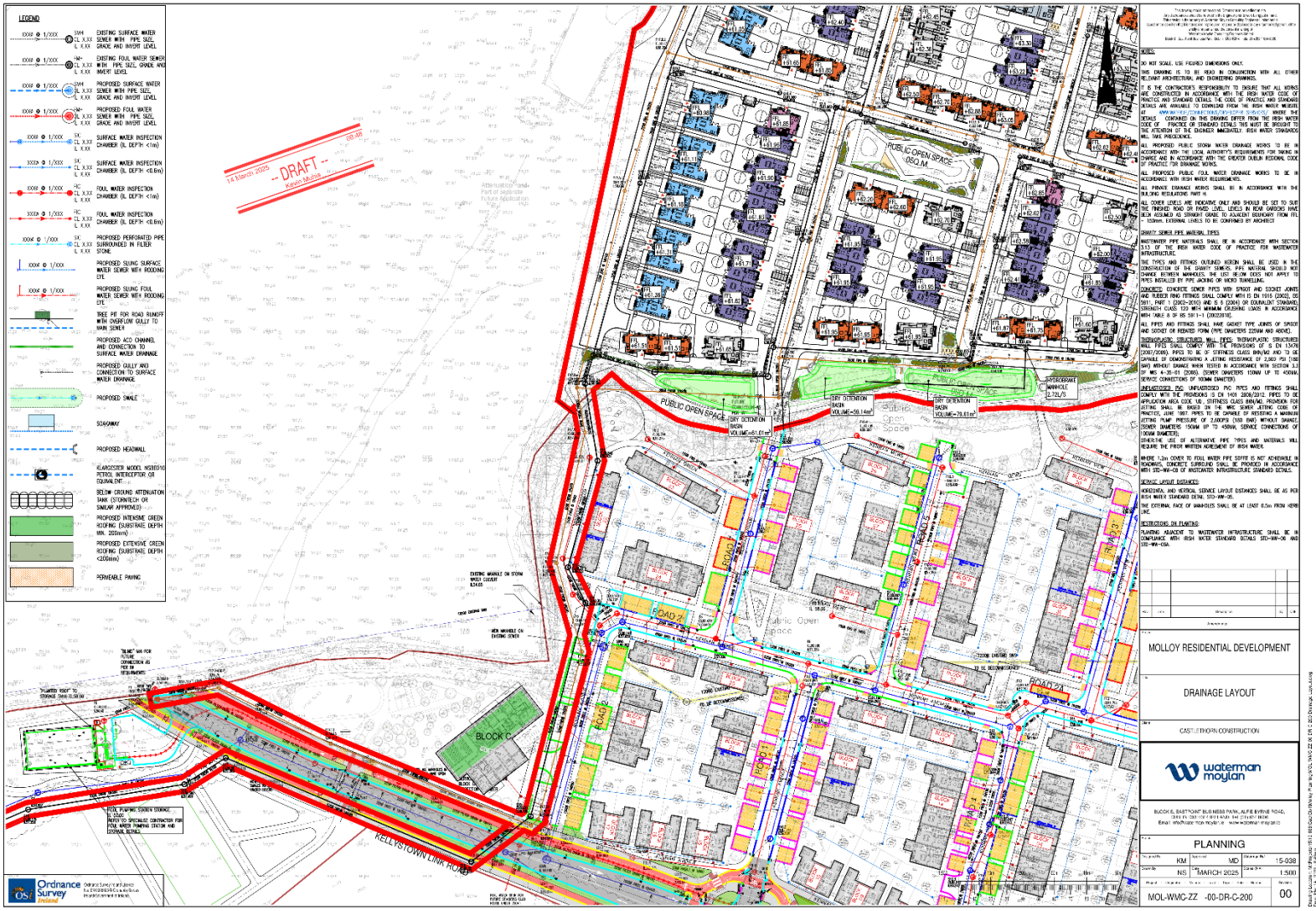

FIGURE 5. PROPOSED SURFACE WATER DRAINAGE – PLOT 1 (2 OF 3). WATERMAN MOYLAN (2025).

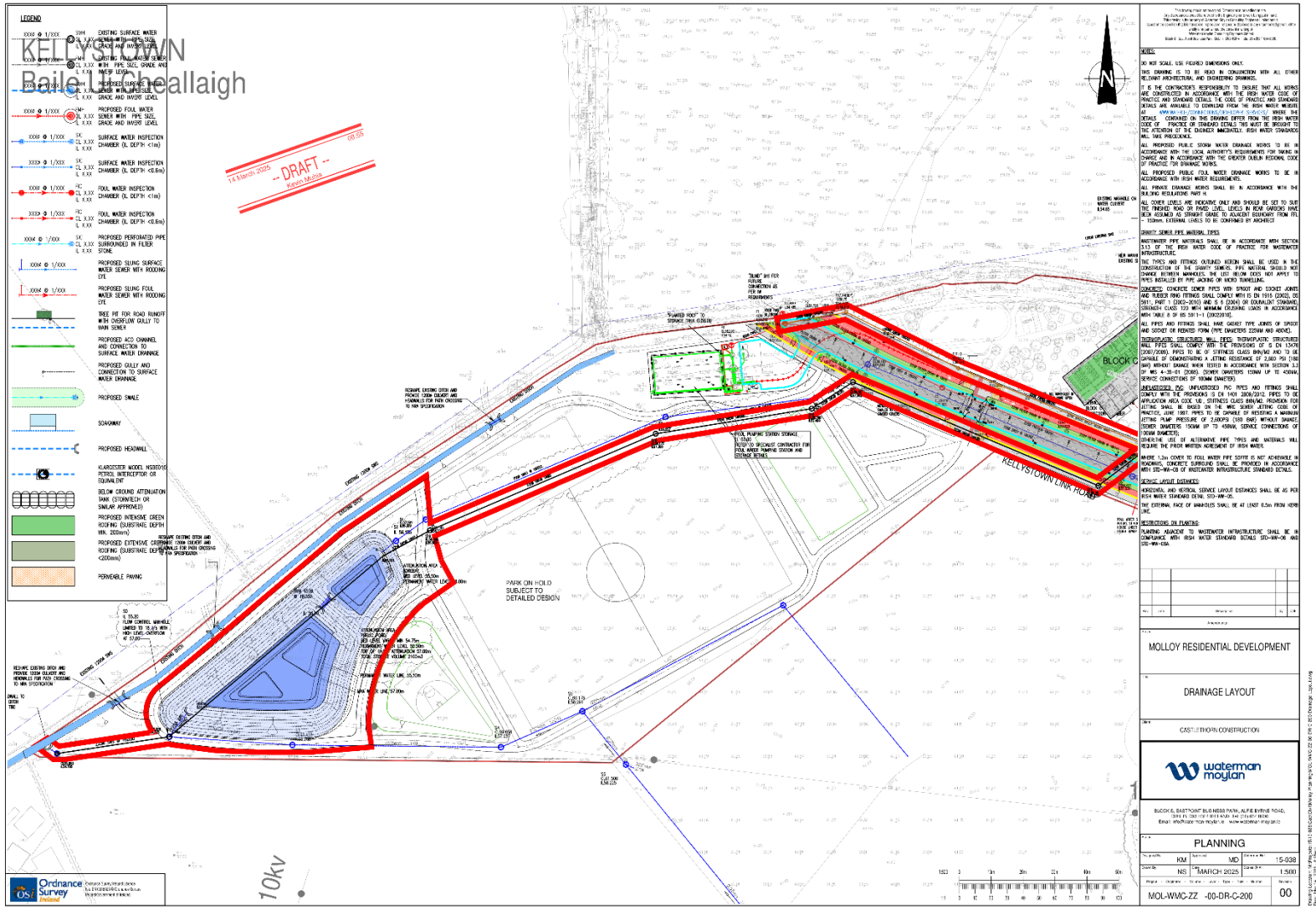

FIGURE 6. PROPOSED SURFACE WATER DRAINAGE – PLOT 1 (3 OF 3). WATERMAN MOYLAN (2025).

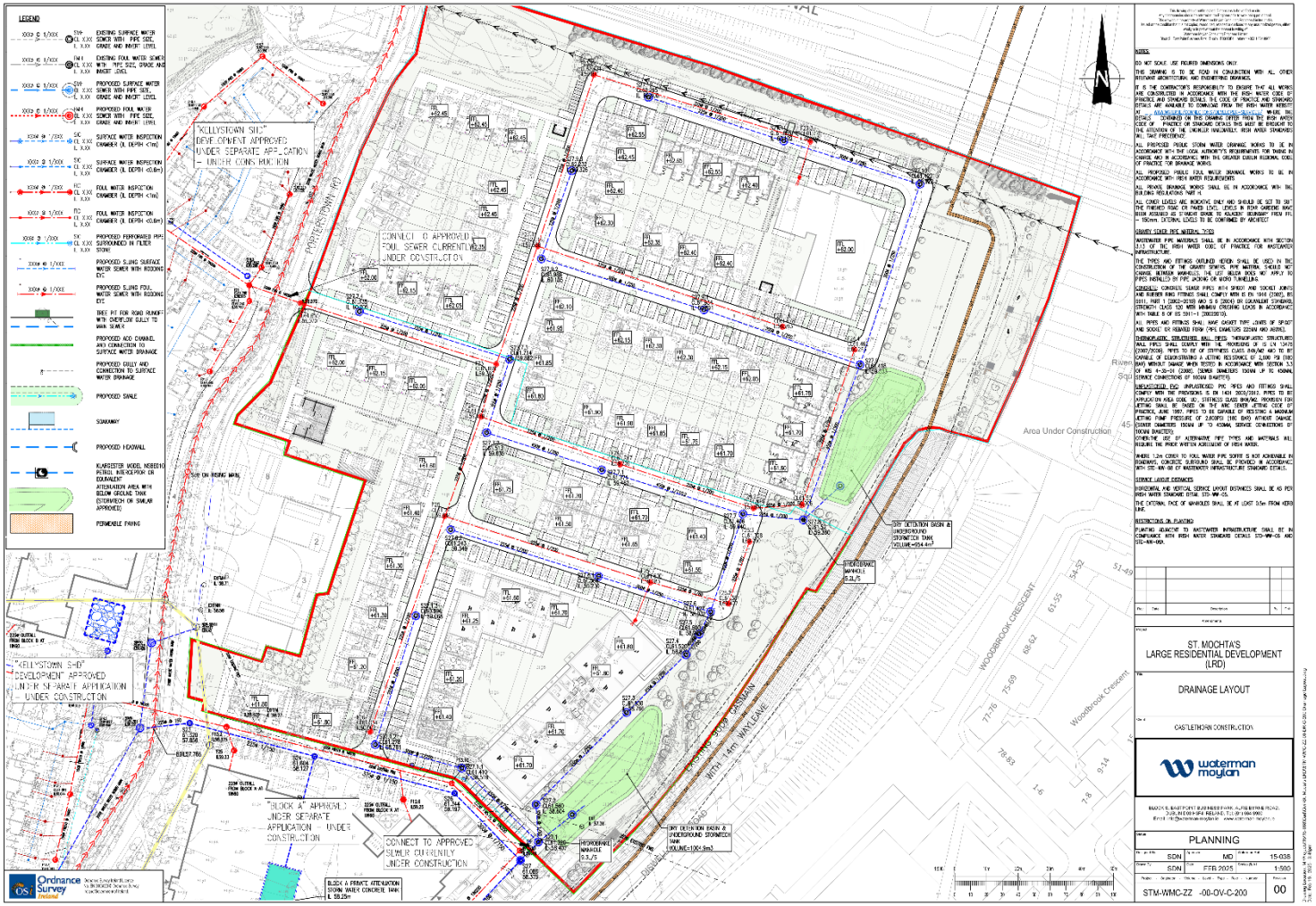

FIGURE 7. PROPOSED FOUL WATER DRAINAGE – PLOT 2 (WATERMAN MOYLAN (2025)).

FIGURE 8. PROPOSED LANDSCAPE PLAN (DOYLE + O'TROITHIGH LANDSCAPE ARCHITECTURE (2025)).

2 LEGISLATIVE AND POLICY CONTEXT

The Planning and Development Act 2000 as Amended will be superseded by the Planning and Development Act 2024. While the 2024 Act has been signed into law, the Planning and Development Act 2000 (the 2000 Act) will continue to apply until repealed and the new provisions commenced by way of Ministerial Order. The phased commencement of the new Planning and Development Act is expected to take place up to early 2026. As such, details from both Acts are included below.

2.1 Planning and Development Act 2000 as Amended

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

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

(2)…

(3)…

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

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

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

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

2.2 Planning and Development Act 2024

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

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

The obligations in relation to AA have been implemented in Ireland under the Planning and Development Act 2024. Chapter 3 of Part 6 of the Act provides a detailed framework for the AA of '*Development and Proposed Development'* to ensure compliance with the Habitats Directive and the Birds Directive[1].

The relevant sections in relation to screening for AA have been summarised below:

Section 212 of the Planning and Development Act 2024 mandates that the competent authority must conduct a screening for appropriate assessment of relevant development projects[2]. This applies to developments that are not directly connected with, or necessary for, the management of a European site, but which have the potential to cause a significant impact.

1. Subsection (1) specifies that the screening is required for:
    - Applications for permission for relevant developments.
    - Determining if the Proposed Development, individually or in combination with other plans or projects, is likely to significantly affect a European site, considering its conservation objectives.
2. Subsection (2) extends the screening requirement to:
    - Alterations or extensions of permissions for development.
    - Determining if such changes, individually or in combination with other plans or projects, are likely to significantly affect a European site, considering its conservation objectives.
3. Subsection (3) allows the competent authority to:

[1] A framework for Appropriate Assessment of Plans is given in Chapter 2 of Part 6 of the Planning and Development Act 2024.

[2] In the context of the Planning and Development Act 2024, a "relevant development" generally refers to any project or activity that requires planning permission and has the potential to impact the environment, particularly European sites. This includes new construction projects; material changes in use; alterations or extensions; and some exempted developments (certain developments that are typically exempt from requiring permission but may still need to be assessed if they impact European sites). Further details can be found in Part 2 of the Act.

- Request additional information or clarification from the applicant.
- Consult with appropriate persons to facilitate the screening process.

4. Subsection (4) states that if the applicant fails to provide the requested information within the specified period, the competent authority may refuse to grant permission.

The AA Screening under Section 212 can result in several determinations:

1. No Likely Significant Effect: If the screening concludes that the Proposed Development, either alone or in combination with other plans or projects, is not likely to have a significant effect on a European site, considering its conservation objectives, the project can proceed without further assessment.
2. Likely Significant Effect: If the screening determines that the Proposed Development is likely to have a significant effect on a European site, an Appropriate Assessment must be carried out. This involves a more detailed examination of the potential impacts on the site's conservation objectives and the preparation of a Natura Impact Statement (NIS).
3. Insufficient Information: If the competent authority finds that there is insufficient information to make a determination, it can request additional information from the applicant. The screening process will be paused until the necessary information is provided.
4. Refusal Due to Non-Compliance: If the applicant fails to provide the requested information within the specified timeframe, the competent authority may refuse to grant permission for the development.

These determinations ensure that any potential impacts on European sites are thoroughly considered and addressed, promoting sustainable development and environmental protection.

Where a NIS is required, the report may be prepared and submitted by the applicant as part of the application for permission.

For full details of the Planning and Development Act 2024 in relation to AA Screening (including details of AA for plans and local or state authority developments), please refer to the full Planning and Development Act 2024 documentation available on the Irish Statute Book website[3].

2.3 Consideration of Embedded Mitigation in AA

With regard to the consideration of embedded mitigation in the AA process the following is noted. According to the ruling delivered in open court in Luxembourg on 15th June 2023 regarding the interpretation of Article 6(3) of Directive 92/43, the Article must be interpreted as meaning that:

"In order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan

[3] https://www.irishstatutebook.ie/eli/2024/act/34/enacted/en/print

or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site".

As such, standardised embedded mitigation (such as the use of SuDS), that are incorporated into the design of a proposal or project and which may result in a reduction of effects impacting European sites, but where the primary reason of the embedded mitigation is not to protect a European site, are permitted for consideration of Operational Phase impacts during the undertaking of AA.

2.4 Policy Context

2.4.1 Fingal County Development Plan 2023 - 2039

Policies and objectives of the Fingal County Development Plan (CDP) 2023-2029 that are of relevance to this AA Screening are outlined below:

- **Policy GINHP5**: "*Develop the green infrastructure network to ensure the conservation and enhancement of biodiversity, including the protection of European Sites, the provision of accessible parks, open spaces and recreational facilities (including allotments and community gardens), the sustainable management of water, the maintenance of landscape character including historic landscape character and the protection and enhancement of archaeological and heritage landscapes*."
- **Objective GINHO2:** "*Reduce fragmentation and enhance the resilience of Fingal's green infrastructure network by strengthening ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional network by connecting all new developments into the wider green infrastructure network."*
- **Policy GINHP12:** "*Protect areas designated or proposed to be designated as Natura 2000 sites (i.e., Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, and Refuges for Fauna."*
- **Objective GINHO27:** *"Support the National Parks and Wildlife Service, in the maintenance and achievement of favourable conservation status for the habitats and species in Fingal by taking full account of the requirements of the Habitats and Birds Directives, in the performance of its functions."*
- **Objective GINHO28:** *"Ensure that development does not have a significant adverse impact on proposed Natural Heritage Areas (pNHAs), Natural Heritage Areas (NHAs), Statutory Nature Reserves, Refuges for Fauna, Habitat Directive Annex I sites and Annex II species contained therein, and on rare and threatened species including those protected by law and their habitats."*
- **Policy GINHP17:** *"Strictly protect areas designated or proposed to be designated as Natura 2000 sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); also known as European sites) including any areas that may be proposed for designation or designated during the lifetime of this Plan."*
- **Objective GINHO35:** *"In accordance with Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities 2010, any plans or projects that*

are likely to have a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects, are subject to a screening for Appropriate Assessment unless they are directly connected with or necessary to the management of a Natura 2000 site.

- **Objective GINHO79:** *"Ensure that there is appropriate public access to the coast including the provision of coastal walkways and cycleways, while taking full account of the need to conserve and enhance the natural and cultural heritage of the coast and the need to avoid significant adverse impacts on European Sites and species protected by law, through Screening for Appropriate Assessment, and examine the designation of traditional walking routes thereto as public rights of way."*

2.4.2 Fingal Biodiversity Action Plan 2022-2030

Fingal Biodiversity Action Plan 2022-2030 is set out to protect and improve biodiversity through six topics:

- Delivery of the Ecological Network across Fingal;
- Building for Biodiversity;
- Climate change adaption and mitigation;
- Agri environment schemes and rewilding;
- Research & monitoring; and
- Raising awareness.

The main function of the Fingal Biodiversity Action Plan 2022-2030 is to provide a framework and series of actions to conserve, enhance and raise awareness of the county's rich biodiversity and to maximise the contribution that it makes to the social, economic and environmental well-being of the locality, taking into account local, national and international, including European priorities. The Fingal Biodiversity Action Plan 2022-2030 is set out to protect and improve biodiversity and the AA Screening of the plan concluded that "*there is no potential for significant effects by the implementation of the Fingal Biodiversity Action Plan 2022-2030, either alone or in combination with other plans or projects, on any Natura 2000 site*."

2.4.3 Stages of Appropriate Assessment

This AA Screening considers whether the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 AA is required.

The AA process is a four-stage process. Each stage requires different considerations, assessments, and tests to ultimately arrive at the relevant conclusion for each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

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

- **Stage 1: *Screening*.** The Screening for AA considers whether a plan or project is directly connected to or necessary for the management of a European site, or whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.

- **Stage 2: *NIS.*** Where Stage 1 determines that significant effects are likely, uncertain or unknown, the preparation of a NIS is required. The NIS must include a scientific examination of evidence and data to classify potential impacts on any European site(s) in view of their conservation objectives in the absence of mitigation. The NIS will identify appropriate mitigation to remove the potential for likely significant adverse effects on any European site(s). If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European site(s) despite mitigation, it can only grant consent after proceeding through stages 3 and 4.
- **Stage 3: *Assessment of alternative solutions***. If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: *Assessment where no alternative solutions exist and where adverse impacts remain***. The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First the project should aim to avoid any negative effects on European sites by identifying possible effects early in the planning stage and designing the project to avoid such effects. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, a refusal for planning permission may be recommended. In this case, the project will generally only be considered where no alternative solutions are identified and the project is required for IROPI, or, in the case of priority habitats, considerations of health or safety, or beneficial consequences of primary importance for the environment or to other IROPI. Then compensation measures are required for any remaining adverse effects.

3 METHODOLOGY

3.1 Guidance

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

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage, and Local Government, 2010 revision).
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10.
- *Communication from the Commission on the precautionary principle* (European Commission, 2000).
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019).
- *Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC* Brussels, 28.9.2021 C (European Commission, 2021).
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.*

3.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European site.
- Description of the baseline existing environment at the Site of the Proposed Development.
- Identification of relevant European site(s) potentially affected.
- Identification and description of potential effects on the relevant European site(s).
- Assessment of the likely significance of the effects identified on the relevant European site(s).
- Description and characterisation of other projects or plans that in combination with the Proposed Development have the potential for having significant effects on the European site.
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

It should be noted that any targeted ecological mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Development on any European site **have not been considered** as part of this Screening Report.

3.3 Desk Study

A desk study was carried out in May 2025 to collate and review available information, datasets, and documentation sources relevant for the completion of this Screening Report. The desk study relied on the following sources:

- Information on the network of European Sites, boundaries, QIs and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at *www.npws.ie*.
- Text summaries of the relevant European sites taken from the respective Standard Data Forms (available at *https://natura2000.eea.europa.eu/*) and Site Synopses (available at *www.npws.ie*).
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.*gis.epa.ie*.
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at *www.gsi.ie*.
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland.
- Information on the extent, nature and location of the Proposed Development, provided by the applicant and their design team, including information garnered from any site investigations (SI) (for example; any specific hydrological, hydrogeological, flood risk, or arboricultural assessments) where they were undertaken.
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development from the Fingal County Council online planning database (https://www.eplanning.ie/FingalCC/searchtypes) and the National Planning Database (DEHLGH, 2025).

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

3.4 Field Surveys

A Site visit was undertaken on the 27th March 2025 to assess the Site for potential connectivity to any European sites, and for the presence of habitats and species designated as QI/SCIs of any European sites to inform this Report. The Site was walked by an Enviroguide ecologist, and any occurrence or sign of protected species or habitat were noted. Additionally, any invasive species which could spread during the construction or operational phases and affect the integrity of European sites were also recorded, if and where present.

3.5 Zone of Influence

The Zone of Influence (ZoI) for a project is the area over which ecological features may be affected by changes because of the Proposed Development and associated activities. This is likely to extend beyond the development Site, for example where there are ecological or

hydrological links beyond the Site boundaries (CIEEM, 2024). The ZoI will vary with different ecological features, depending on their sensitivities to an environmental change. The ZoI may include but are not limited to European sites within the Water Framework Directive (WFD) catchment, groundwater catchment, and those that are hydrologically or terrestrially linked to the Proposed Development.

Furthermore, ZoI in relation to European sites is described as follows in the 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021):

'The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).'

3.6 Identification of Relevant European Sites

To identify the European sites that potentially lie within the ZoI of the Proposed Development, a Source-Path-Receptor (SPR) method was adopted, as described in OPR PN01 (OPR, 2021). This note was published to provide guidance on screening for AA during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Screening Reports such as this.

The relevant European sites were identified based on the following:

- Identification of potential sources of effects based on the Proposed Development description and details, including changes to potentially suitable *ex-situ* habitats at the Site (i.e., habitats utilised by Species of Conservational Importance (SCI) bird species outside of their designated SPAs).
- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (*www.npws.ie*) and the EPA website (*www.epa.ie*) to identify European sites which could potentially be affected by the Proposed Development.
- Identification of potential pathways between the Site of the Proposed Development and any European sites within the ZoI of any of the identified sources of effects.
    - The catchment data were used to establish or discount potential hydrological connectivity between the Proposed Development and any European sites.
    - Groundwater and bedrock information used to establish or discount potential hydrogeological connectivity between the Proposed Development and any European sites.
    - Air and land connectivity assessed based on Proposed Development details and proximity to European sites.
    - Consideration of potential indirect pathways, e.g., impacts to flight paths, *ex-situ* habitats, etc.

- Defining the likely ZoI based on the identified sources of effects and potential pathways between the Proposed Development and any European sites.

3.7 Assessment of Significant Effects

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

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

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

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

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

3.8 Assessment of Potential In-Combination Effects

A Proposed Development may be unlikely to cause significant effects on any European sites alone, however, it could act in-combination with other plans or projects and cause significant effects on European sites and their QIs, which can undermine their conservation objectives. A suitable screening radius around the Proposed Development for the plans and projects assessed for potential in-combination effects was chosen by considering the following:

- The nature of the surrounding landscape.
- The scale and nature of the Proposed Development.
- The potential impact pathways, including non-significant pathways, and ZoI identified for the Proposed Development.
- Any potential impacts, including non-significant impacts, identified as likely to arise from the Proposed Development.

3.9 Limitations

No limitations were encountered that would prevent robust conclusions being drawn as to the potential impacts of the Proposed Development on any European site.

4 STAGE 1 SCREENING

4.1 Existing Environment

4.1.1 Desk Study Results

4.1.1.1 Hydrology, Geology, and Hydrogeology

The Site is located in the Liffey and Dublin Bay catchment (catchment I.D 09) and in the Liffey_SC_100 sub-catchment (sub-catchment I.D. 09_1) (EPA, 2025).

The Royal Canal (EU Code: IE_09_AWB_RCMLE) runs east to west approximately 25 metres (m) north of the Site. The Rusk Stream (IE_EA_09L012350) is located approximately 950m southwest of the Site and flows southward to join the River Liffey (IE_EA_09L012350) approx. 1.2 kilometres (km) south of the Site. The River Liffey continues via the Liffey Estuary upper (IE_EA_090_0400) (approx. 6.9km southeast) and the Liffey estuary lower (IE_EA_090_0300) (10.81km east) before draining into the Dublin Bay coastal waterbody (IE_EA_090_0000) (approx. 17.8km east) (EPA, 2025).

The Environmental Protection Agency (EPA) water quality monitoring data for the stations on the River Liffey located closest to the Site is summarised in Table 1. The reported Q-value results indicate that water quality in the River Liffey upstream of the Site is moderate (2022) and in the River Liffey downstream of the Site is poor (2005). The EPA data indicates that there is a downward trend in Total Ammonia and an upward trend for Ortho-phosphate (as P) for the water course for the period 2013-2018 (EPA, 2025).

TABLE 1. EPA MONITORING STATIONS AND ASSIGNED Q VALUES

EPA Monitoring Station name	Station Code	Location from Site	Distance from Site	Assigned Q value
Lucan Br	RS09L012100	Southwest upstream	3.24km	3-4 "Moderate"
Liffey - 1km u/s Chapelizod Br (Glenaulin Park)	RS09L012330	Southeast downstream	4.44km	3 "Poor"

The Site of the Proposed Development is situated on the Dublin (IE_EA_G_008) groundwater body. The bedrock aquifer which lies under part of the western section of the Site is mapped as "*Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones*". The larger portion of the aquifer which lies under the surface of the eastern portion of the Site is mapped as a "*Locally Important Aquifer - Bedrock which is Moderately Productive only in Local Zones*" (GSI, 2025)

The Groundwater Vulnerability Rating assigned to groundwater beneath the Site is mapped as "*Extreme"* (GSI, 2025).

The soil beneath the majority of the Site is mapped as "*Surface water Gleys, Ground water Gleys*" described as "*Derived from mainly calcareous parent materials*". A small portion of the east of the Site is mapped as "*Grey Brown Podzolics, Brown Earths (medium-high base status)*" described as "*Derived from mainly calcareous parent materials*" (GSI, 2025).

The quaternary sediments beneath the Site are mapped as Till derived from Limestones (GSI, 2025).

The Waterbody Status for river, groundwater, transitional and coastal water bodies relevant to the Site as recorded by the EPA (2022) in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003) are provided in Table 2.

TABLE 2. WFD RISK AND WATER BODY STATUS.

Waterbody Name	Water body; EU code	Location from Site	Approximate Distance from Site (km)	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
Royal Canal	IE_09_AWB_RCMLE	North	0.0025	Good	Review	25m north
Rusk Stream	IE_EA_09L012350	Southwest	1.2	Poor	At risk	1.2km southwest of Site
River Liffey	IE_EA_09L012350	South	1.26	Poor	At risk	Downstream of Rusk Stream
Transitional Water Bodies						
Liffey Estuary Upper	IE_EA_090_0400	Southeast	6.83	Good	Review	Downstream of River Liffey
Liffey Estuary Lower	IE_EA_090_0300	East	10.81	Moderate	At risk	Downstream of Liffey Estuary Upper
Coastal Water Bodies						
Dublin Bay Coastal Waterbody	IE_EA_090_0000	East	17.78	Good	Good	Downstream of Liffey Estuary Lower
Groundwater Bodies						
Dublin Groundwater Body	IE_EA_G_008	N/A	N/A	Good	Review	Underlying groundwater-body

4.1.2 Field Survey Results

During the walkover survey on the 27th March 2025 there were no open surface water drains or waterbodies identified at the Site. The nearest watercourse is the Grand Canal, approx. 40m north of the Site boundary.

4.1.2.1 Habitats & Flora

Habitats identified on Site on the 27th March 2025 are as follows:

- BL3 – Buildings and artificial surfaces
- WL1 – Hedgerow
- BC4 – Flower beds and borders
- WL2 – Treeline
- GS2 – Dry meadows and grassy verges
- MWD1 – (Mixed) broadleaved woodlands
- GA2 – Amenity grassland

- ED2 – Spoil and bare ground
- ED3 – Recolonising bare ground

No notable or protected habitats such as Annex I habitats were identified.

No invasive alien species listed under the First Schedule of S.I. No. 374/2024 – European Union (Invasive Alien Species) Regulations 2024 were recorded on site during any surveys.

No rare or protected plant species were observed during the ecological walkovers.

4.1.2.2 Fauna

No ex-situ habitat for wintering birds or the presence of same were recorded on Site, nor was any indication of otter such as spraint observed on Site. No species qualifying as interest features of any SACs or SPAs were observed or determined to be supported by the habitats present on Site.

4.2 Identification of Relevant European Sites

4.2.1 Potential Sources of Effects

The Proposed Development is not directly connected with or necessary to the management of European sites. However, the following elements of the Proposed Development were identified and assessed for their potential to cause likely significant effects on European sites.

Construction Phase (*Estimated duration: 21 months*)

- Uncontrolled releases of dust, sediments and/or other pollutants to air due to earthworks.
- Surface water run-off containing silt, sediments, microplastics, oils, and/or other pollutants into nearby waterbodies or surface water network and local groundwater network.
- Waste generation during the construction phase comprising soils and construction wastes.
- Increased noise, dust and/or vibrations as a result of construction activity.
- Increased dust and air emissions from construction traffic.
- Increased human presence and activity as a result of construction activity.

Operational Phase *(Estimated duration: Indefinite)*

- Surface water drainage from the Site.
- Increased lighting in the vicinity emitted from the Proposed Development.
- Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development.
- Collision risk to bird species.
- Consideration of potential indirect pathways, e.g., impacts to flight paths, *ex-situ* habitats, noise and disturbance to SCI species etc.
- Hydraulic/organic overloading of Ringsend Wastewater Treatment Plant (WwTP).

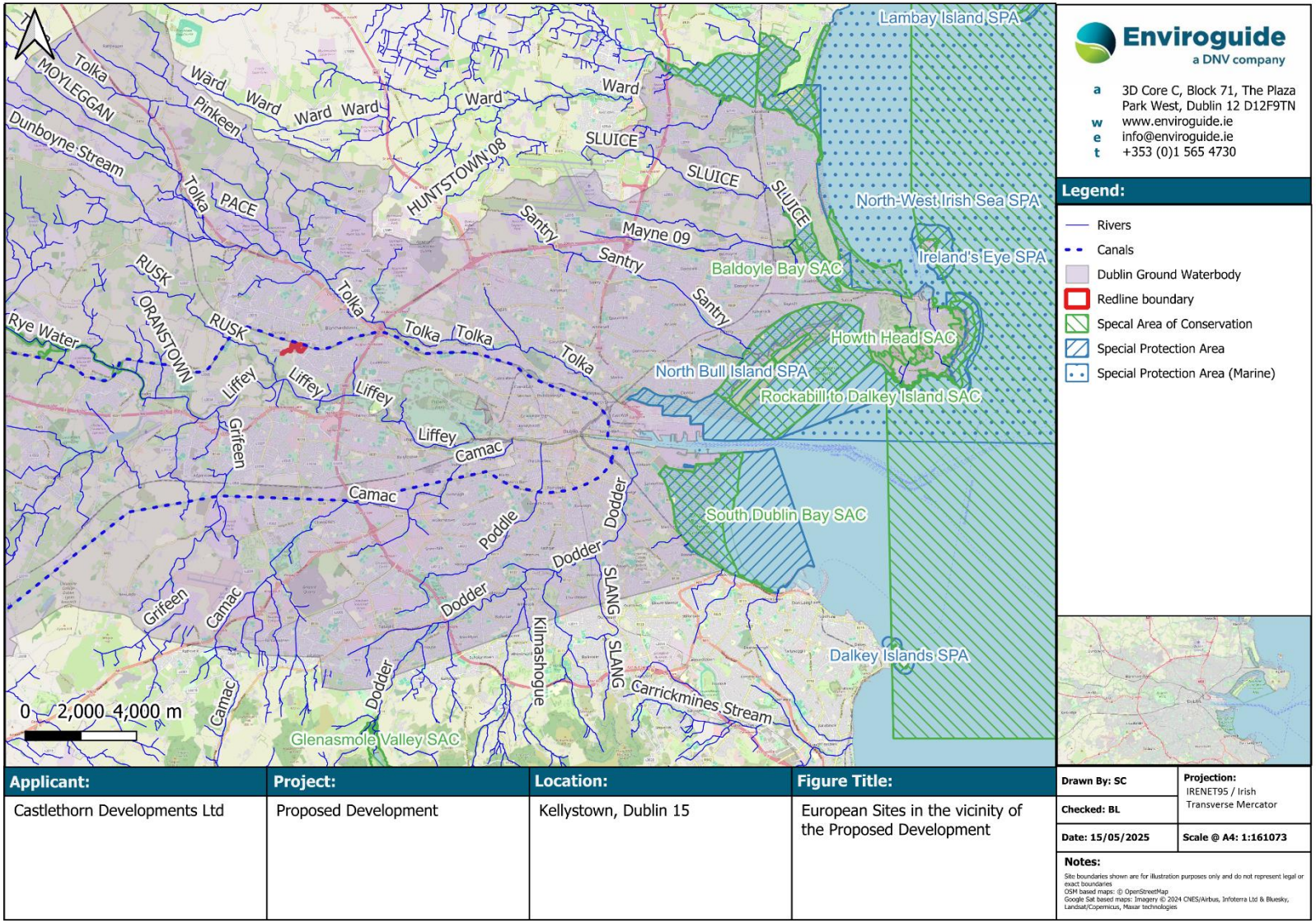

FIGURE 9. EUROPEAN SITES IN THE VICINITY OF THE PROPOSED DEVELOPMENT.

4.2.2 Potential Pathways to European Sites

For the above listed potential sources of effects to have the potential to cause likely significant effects on any European site, a pathway between the source of potential effects (i.e., the Site of the Proposed Development) and the receptor is required. Potential impact pathways are discussed in the following sections in the context of the identified impact sources as identified in section 4.2.1. European sites in the vicinity of the Proposed Development are displayed in Figure 9.

4.2.2.1 Direct Pathways

4.2.2.1.1 Direct Hydrological Pathways

No direct hydrological pathway exists between the Site and any European sites. There are no drains or watercourses on or near the Site that discharge to any European sites.

Direct hydrological pathways are not present.

4.2.2.1.2 Direct Hydrogeological Pathways

The nearest hydrogeologically connected European sites (i.e. European site that lies within the same groundwater body) are Rye Water Valley/Carton SAC (001398) which is approx. 6km west and South Dublin Bay SAC (000210) which is approximately 15.4km away as the crow flies.

Rye Water Valley/Carton SAC (001398) is within the same groundwater body as the Site, however, groundwater in this body generally flows east toward Dublin, with much of the water being intercepted by watercourses such as the Grand Canal and River Liffey which discharge to Dublin Bay. Rye Water Valley/Carton SAC (001398) is approx. 6km west and therefore, there is no plausible hydrogeological pathway to this SAC from the Proposed Development.

Dublin Bay is separated from the Proposed Development by the Grand Canal, and the River Liffey. In the context of this Site, any groundwater is likely to be intercepted by these watercourses quickly after leaving the Site. The Royal Canal discharges into the River Liffey at its estuary, and the River Liffey itself discharges into Dublin Bay. As such, the hydrogeological pathway is not considered strong or viable, as any sources of effects are likely to be intercepted hydrologically. This pathway is assessed separately under indirect pathways.

Direct hydrogeological pathways are not present.

4.2.2.1.3 Direct Air and Land Pathways

The construction phase of the Proposed Development could introduce impacts transferable via air and land pathways, such as dust, noise, lighting and human activity at the Site and in the vicinity of the Site. This could cause impacts on nearby QI/SCI's or those that may be utilising the Site as *ex-situ* habitat.

4.2.2.1.3.1 Dust

According to Institute of Air Quality Management (IAQM) *Guidance on the Assessment of Mineral Dust Impacts for Planning* (IAQM, 2016), experience of the Working Group together with published studies and anecdotal evidence on the change in both airborne

concentrations and the rate of deposition with distance, suggests that dust impacts will occur mainly within 400m of the operation, even at the dustiest of mineral sites. Adverse dust impacts from sand and gravel sites were found to be uncommon beyond 250m and beyond 400m from hard rock quarries measured from the nearest dust generating activities. IAQM (2016) note that is commonly accepted that the greatest impacts will be within 100m of a source, and this can include both large (>30 µm) and small dust particles. The greatest potential for high rates of dust deposition and elevated particulate matter (PM10) concentrations occurs within this 100m distance.

In light of the above which was evidenced for the dustiest of construction activities, and considering the Proposed Development will not likely produce this much dust, and that the nearest European site is beyond 400m, no direct pathway for dust exists to any European site.

Direct air and land pathways for dust are not present.

4.2.2.1.3.2 Noise and Light Disturbance

Noise disturbance to species is difficult to quantify based on different species sensitivities and the level of noise they are accustomed to. For example, birds that frequent urban areas are much more tolerant of noise disturbance than those of rural landscapes.

BioSphere (2020) conducted a review of buffer distances for Irish species during forestry works, while NatureScot (2022) conducted a comprehensive literature review on noise disturbance and its effects on various bird species of the United Kingdom.

Buffer zones vary for different species, with more rural species such as the Hen Harrier (*Circus cyaneus*) being recommended larger buffer zones of up to 1km. This is a combination of the bird's sensitivity to disturbance, endangered status, and rural habitat in which noise levels tend to be much lower and therefore increased noise is more noticeable.

For urban dwelling species that tend to be more tolerant of background noise, a buffer of 500 meters is generally sufficient to minimize disturbance in most cases.

Light pollution is similarly difficult to quantify and depends on the context of the Sites composition, its environs, and different species sensitivities. NatureScot (2022) have stated that particularly sensitive species can be affected up to 750m away. Considering that most sites are buffered by vegetation and that the most common light sources would be small in the context of the construction and operational phase (security lighting and residential lighting respectively), then a buffer of 500m is likely to be sufficient to minimize light disturbance in most cases.

Considering the Site is located approx. 6 km from the nearest European site, it is beyond the zone of likely influence for SCI/QI species and as such, no pathway exists for noise or light disturbance.

Direct air and land pathways for noise, light and disturbance are not present.

4.2.2.1.3.3 Invasive Plant Species

No first schedule invasive plant species have been identified at the Site and as such, no pathway exists.

Direct pathways to European sites for the spread of invasive plant species are not present.

4.2.2.2 Indirect Pathways

4.2.2.2.1 Indirect Hydrological Pathways

The Royal Canal is present approximately 25m north of the Site, however it is buffered from the Proposed Development site by a number of factors. An elevated train track runs east to west between the Proposed Development and the Royal Canal, acting as a barrier to migration for any water or runoff towards the Royal Canal. Additionally, a significant vegetation buffer of mature hedgerow approximately 17m wide is present along 216m of the northern boundary which will prevent any source materials exiting the Site. Lastly, the Royal Canal has a vegetation buffer along its own banks of 10m along the entire boundary edge nearest the Proposed Development, extending to 16m in parts.

As a component of the design of the Proposed Development, SuDS measures are incorporated into the proposal with the aim of preventing any surface water runoff from exiting the Site. Excess water at the Site (e.g. during heavy rainfall) will be collected via SuDS measures and attenuated before passing through flow control devices and oil/petrol separators and discharged off-Site at greenfield rates into the main surface water network for the area. As a result of these embedded design measures, there is no hydrological pathway between the Site and the Royal Canal, and thus no hydrological pathway between the Site and European sites in Dublin Bay

A detailed review of the literature on sediment impacts on rivers in Ireland by Bruen et al. (2017), found that buffers are generally ineffective if less than 1m, but anything over 6m is highly effective. Specifically, Somma (2013) found 1m vegetation buffers to be 55% effective at reducing particulates, while a buffer of over 6m was 97% effective.

In this case, the buffers provided by both the Royal Canal, the intervening train track, and the vegetation boundaries of the Site itself, significantly weaken this pathway and it is implausible that any source pollutants would be transmitted.

An indirect hydrological pathway via the Grand Canal which discharges to the River Liffey and both of which are likely to intercept groundwater flows, was assessed. This pathway is considered hydrologically weak and insignificant in the context of the Site. The nearest SAC is located approx. 15kms downstream of the proposed development via the Grand Canal, providing a substantial attenuation and dilution buffer between the site and any downstream European Sites. Additionally, the Grand Canal is a slow-flowing, heavily modified waterbody, subject to controlled water levels and limited hydrodynamic exchange, further reducing the likelihood of any measurable transport of pollutants to European sites. By the time any potential surface-derived contaminants could reach the Liffey system, they would be subject to substantial adsorption, degradation, and dilution, making any plausible impact pathway to designated features of downstream SACs or SPAs highly unlikely and functionally negligible.

No plausible indirect hydrological pathways during the construction phase are present.

Foul waters from the Proposed Development will be treated at Ringsend WwTP which discharges to the River Liffey. During events such as heavy floods, a fault at the plant or a disturbance which may prevent the WwTP from treating foul waters from the Proposed

Development, foul waters from the Site could cause Likely Significant Effects (LSEs) on a European site.

An indirect hydrological pathway for wastewater treatment during the operational phase is present.

4.2.2.2.2 Ex-Situ Foraging Habitat and Disturbance Events

The Site does not provide significant *ex-situ* habitat that is within foraging range of any SCI/QI species of any European site.

No indirect air and land pathways for *ex-situ* habitat are present.

4.2.2.2.3 Collision Risk and Disruptions to Migratory Paths

Collision risk and disruptions to migratory pathways were considered in this AA Screening Report. Tall structures such as electrical pylons, wind farms and tall buildings can lead to fatal collisions with commuting bird species. This is particularly true for those species considered to be “poor” fliers, with relatively low manoeuvrability compared to other more agile bird species (see Eirgrid, 2012).

Some of the most at-risk groups (classified as ‘medium’ and ‘high’ collision risk species) include wader species; waterfowl such as geese, swan and duck species, and some raptor species. Gulls such as black-headed gull, herring gull and lesser black-backed gull are classed as ‘low’ collision risk species due to their superior manoeuvrability when flying (Eirgrid, 2012).

Large glass panes with no material variety are known to significantly increase the risk of bird collisions, as birds often cannot perceive clear or reflective glass as barriers (U.S. Fish and Wildlife Service, 2017). The Proposed Development incorporates a variety of materials and avoids expansive glass facades to mitigate this risk.

Additionally, the Proposed Development will comprise buildings with a maximum height of seven storeys. Considering the Sites location on the edge of an urban centre, the Proposed Development will not be significantly taller than other structures, either manmade or natural, in the vicinity of the Site and so birds are not likely to have to make rapid adjustments in direction or altitude to avoid the Proposed Development.

Indirect air and land pathways for collision risk and migratory disruption are screened out.

4.2.3 Relevant European Sites

A European site will only be at risk from likely significant effects where a SPR link of note exists between the Proposed Development Site and the European site.

All of the European sites considered under the SPR method are listed in Table 3. Those European site(s) identified to have a viable SPR link of note to the Proposed Development Site are considered further for the potential impacts that may arise, as a result of these pathways**.**

TABLE 3. EUROPEAN SITES CONSIDERED WITH THE SOURCE-PATHWAY-RECEPTOR (SPR) METHOD TO ESTABLISH NOTABLE LINKS BETWEEN THE SOURCES OF EFFECTS ARISING FROM THE PROPOSED DEVELOPMENT, AND ANY RELEVANT EUROPEAN SITES.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
Special Areas of Conservation (SAC)		
North Dublin Bay SAC (000206) Linear Distance to Proposed Development: approx. 15km km E	**Conservation Objectives Version 1.0 (NPWS 2013a, SDF 2020a)** • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • *Salicornia* and other annuals colonising mud and sand [1310] • Spartina swards (*Spartinion maritimae*) [1320] • Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] • Mediterranean salt meadows (*Juncetalia maritimi*) [1410] • Embryonic shifting dunes [2110] • Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] • Humid dune slacks [2190] • *Petalophyllum ralfsii* (Petalwort) [1395]	No plausible pathways identified.
South Dublin Bay SAC (000210) Linear Distance to Proposed Development: approx. 13km E	**Conservation Objectives Version 1.0 (NPWS 2013b)** • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • *Salicornia* and other annuals colonising mud and sand [1310] • Embryonic shifting dunes [2110]	No plausible pathways identified during the Construction Phase. Wastewater via Ringsend WwTP is assessed as an Operational Phase pathway.
Rye Water Valley/Carton SAC (001398) Linear Distance to Proposed Development: approx. 5.6 km W	**Conservation Objectives Version 1.0 (NPWS 2021, SDF 2019)** • Petrifying springs with tufa formation (*Cratoneurion*) [7220] • *Vertigo angustior* (Narrow-mouthed Whorl Snail) [1014] • *Vertigo moulinsiana* (Desmoulin's Whorl Snail) [1016] • Kingfisher (*Alcedo atthis*) [A229]	No plausible pathways identified due to being upstream and u
Special Protection Areas (SPAs)		
North Bull Island SPA (004006) Linear Distance to Proposed Development: approx. 14.96km E	**Conservation Objectives Version 1.0 (NPWS 2015a, SDF 2020b)** • Pintail (*Anas acuta*) [A054] • Northern shoveler (*Anas clypeata*) [A056] • Eurasian teal (*Anas crecca*) [A052] • Eurasian wigeon (*Anas penelope*) [A050] • Mallard (*Anas platyrhynchos*) [A053] • Ruddy turnstone (*Arenaria interpres*) [A169]	No plausible pathways identified.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
	• Short-eared owl (*Asio flammeus*) [A222] • Brent goose (*Branta bernicla*) [A046] • Sanderling (*Calidris alba*) [A144] • Dunlin (*Calidris alpina*) [A149] • Red knot (*Calidris canutus*) [A143] • Curlew sandpiper (*Calidris ferruginea*) [A147] • Little stint (*Calidris minuta*) [A145] • Common ringed plover (*Charadrius hiaticula*) [A137] • Eurasian Oystercatcher (*Haematopus ostralegus*) [A130] • Common gull (*Larus canus*) [A182] • Black-headed gull (*Larus ridibundus*) [A179] • Bar-tailed godwit (*Limosa lapponica*) [A157] • Black-tailed godwit (*Limosa limosa*) [A156] • Red-breasted merganser (*Mergus serrator*) [A069] • Eurasian curlew (*Numenius arquata*) [A160] • Ruff (*Philomachus pugnax*) [A151] • European Golden Plover (*Pluvialis apricaria*) [A140] • Grey plover (*Pluvialis squatarola*) [A141] • Common shelduck (*Tadorna tadorna*) [A048] • Spotted redshank (*Tringa erythropus*) [A161] • Common greenshank *(Tringa nebularia*) [A164] • Common redshank (*Tringa totanus*) [A162] • Wetland and Waterbirds [A999]	
South Dublin Bay and River Tolka Estuary SPA (004024) Linear Distance to Proposed Development: approx. 11.88km E	**Conservation Objectives Version 1.0 (NPWS 2015b, SDF 2020c)** • Light-bellied Brent Goose (*Branta bernicla hrota*) [A046] • Oystercatcher (*Haematopus ostralegus*) [A130] • Ringed Plover (*Charadrius* hiaticula) [A137] • Grey Plover (*Pluvialis squatarola*) [A141] • Knot (*Calidris canutus*) [A143] • Sanderling (*Calidris alba*) [A144] • Dunlin (*Calidris alpina*) [A149] • Bar-tailed Godwit (*Limosa lapponica*) [A157] • Redshank (*Tringa totanus*) [A162] • Black-headed Gull (*Chroicocephalus ridibundus*) [A179] • Roseate Tern (*Sterna dougallii*) [A192] • Common Tern (*Sterna hirundo*) [A193]	No plausible pathways identified during the Construction Phase. Wastewater via Ringsend WwTP is assessed as an Operational Phase pathway.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
	• Arctic Tern (*Sterna paradisaea*) [A194] • Turnstone (*Arenaria interpres*) [A169] • Common gull (Larus canus) [A182] • Mediterranean gull (*Larus melanocephalus*) [A176] • Red-breasted merganser (Mergus serrator) [A069] • Eurasian curlew (*Numenius arquata*) [A160] • Cormorant (*Phalacrocorax carbo*) [A017] • Great crested grebe (*Podiceps cristatus*) [A005] • Wetland and Waterbirds [A999]	

4.2.3.1 South Dublin Bay SAC (000210)

The following description of the South Dublin Bay SAC was extracted from the Site Synopsis (NPWS 2015c) for the site:

"This site lies south of the River Liffey in Co. Dublin, 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 sediments are predominantly sands but grade to sandy muds near the shore at Merrion Gates. The main channel which drains the area is Cockle Lake.

This site is a fine example of a coastal system, with extensive sand and mudflats, and incipient dune formations. South Dublin Bay is also an internationally important bird site."

4.2.3.2 South Dublin Bay and River Tolka Estuary SPA (004024)

The following description of the South Dublin Bay and River Tolka Estuary SPA was extracted from the Site Synopsis (NPWS 2015d) for the site:

"The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dun Laoghaire, and 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.

The South Dublin Bay and River Tolka Estuary SPA is of ornithological importance as it supports an internationally important population of Light-bellied Brent Goose and nationally important populations of a further nine wintering species. Furthermore, the site supports a nationally important colony of breeding Common Tern and is an internationally important passage/staging site for three tern species. It is of note that four of the species that regularly occur at this site are listed on Annex I of the E.U. Birds Directive, i.e. Bar-tailed Godwit, Common Tern, Arctic Tern and Roseate Tern. Sandymount Strand/Tolka Estuary is also a Ramsar Convention site."

4.2.3.2.1 Conservation Objectives

Site specific conservation objectives (SSCO) have been compiled for the aforementioned European sites. These are outlined in Table 4.

TABLE 4. QUALIFYING INTERESTS (QIS) / SPECIAL CONSERVATION INTERESTS (SCIS) AND THEIR CONSERVATION OBJECTIVES FOR THE RELEVANT EUROPEAN SITE(S). THE CONSERVATION STATUS OF EACH QI / SCI WAS SOURCED FROM THE RELEVANT STANDARD DATA FORMS, AVAILABLE FROM THE NATURA 2000 NETWORK VIEWER (EEA, 2025). NATIONAL STATUS WAS SOURCED FROM ARTICLE 17 REPORTS (NPWS, 2019) OR BIRDS OF CONSERVATION CONCERN IRELAND (GILBERT ET AL., 2021).

QI / SCI (* = priority habitat)	Conservation Status	National Status	Conservation Objective
South Dublin Bay (000210)			
1140 Mudflats and sandflats not covered by seawater at low tide	Good	Inadequate	To maintain the favourable conservation condition of this habitat in South Dublin Bay SAC
1210 Annual vegetation of drift lines	Good	Inadequate	No CO available to date

1310 *Salicornia* and other annuals colonizing mud and sad	Good	Favorable	No CO available to date
2110 Embryonic shifting dunes	Good	Inadequate	No CO available to date
South Dublin Bay and River Tolka Estuary SPA (004024)			
A046 Light-bellied Brent Goose (*Branta bernicla hrota)*	Excellent	Amber	To maintain the favourable conservation condition of these species in South Dublin Bay and River Tolka Estuary SPA.
A130 Oystercatcher (*Haematopus ostralegus)*	Good	Red	
A137 Ringed Plover (*Charadrius hiaticula)*	Good	Amber	
A141 Grey Plover (*Pluvialis squatarola)*	Good	Red	Grey Plover is proposed for removal from the list of Special Conservation Interests for South Dublin Bay and River Tolka Estuary SPA. As a result, a site-specific conservation objective has not been set for this species.
A143 Knot (*Calidris canutus)*	Good	Red	To maintain the favourable conservation condition of these species in South Dublin Bay and River Tolka Estuary SPA.
A144 Sanderling (*Calidris alba)*	Excellent	Green	
A149 Dunlin (*Calidris alpina)*	Good	Red	
A157 Bar-tailed Godwit (*Limosa lapponica)*	Good	Red	
A162 Redshank (*Tringa tetanus)*	Good	Red	
A179 Black-headed Gull (*Chroicocephalus ridibundus)*	Good	Amber	
A192 Roseate Tern *(Sterna dougallii)*	Excellent	Amber	
A193 Common Tern *(Sterna Hirundo)*	Good	Amber	
A194 Arctic Tern (*Sterna paradisaea)*	Excellent	Amber	
A999 Wetland and Waterbirds	N/A	N/A	To maintain the favourable conservation of the wetland habitat in South Dublin Bay and River Tolka Estuary SPA as a resource for the regularly

			occurring migratory waterbirds that utilise it.

4.3 Assessment of LSEs

The following sections discuss the potential for LSEs on the relevant European site(s), taking into consideration the QIs, SCIs and SSCOs (where available), and assesses whether the Proposed Development has the capacity to adversely affect the integrity of a European site. Furthermore, due consideration shall be given to species not formally identified but which may be present within the relevant European site(s) and adversely effected by the Proposed Development, provided that those potential impacts are likely to affect the conservation objectives of the designated site. The potential for significant effects that may arise from the Proposed Development was considered through the use of key indicators as detailed in section 3.7, and through any identified pathways. The only identified pathway was an indirect hydrological pathway for operational phase foul water treatment at Ringsend WwTP.

4.3.1 Changes in Water Quality and Resource

4.3.1.1 Operation of Ringsend WwTP

In June 2018 Irish Water applied for and subsequently received planning permission in 2019 for upgrade works to the Ringsend WwTP facility. The first phase of upgrade works to Ringsend WwTP was completed in December 2021, which increased the capacity of the facility by 400,000 PE. These works, together with the further works permitted in 2019 will ultimately increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including biochemical oxygen demand (BOD), suspended soils, ammonia, dissolved inorganic nitrogen (DIN) and molybdate reactive phosphate (MRP). An Environmental Impact Assessment Report (EIAR) was submitted by Irish Water as part of that application. The EIAR contains sections relating to Marine Biodiversity and Terrestrial Biodiversity, and each contains a section on the 'do-nothing scenario'. These review the effects of the WwTP on biodiversity in Dublin Bay *in the absence of the upgrade works* and so are relevant to this report.

The EIAR report acknowledges that under the do-nothing scenario "*the areas in the Tolka Estuary and North Bull Island channel will continue to be affected by the cumulative nutrient loads from the river Liffey and Tolka and the effluent from the Ringsend WwTP*", which could result in a decline in biodiversity and the deterioration of the biological status of Dublin Bay (Irish Water, 2018). Nevertheless, these negative impacts of nutrient over-enrichment are considered "unlikely" (Irish Water, 2018). This is because historical data suggests that pollution in Dublin Bay has had little or no effect on the composition and richness of the benthic macroinvertebrate fauna. The EIAR notes that "*although a localised decline could occur, it is not envisaged to be to a scale that could pose a threat to the shellfish, fish, bird or marine mammal populations that occur in the area*." Indeed, the results of the marine macroinvertebrate studies undertaken for the EIAR show that "*the Inner Tolka Basin is host to macroinvertebrate communities as rich (if not richer) than those found in the north Dublin Bay and south Dublin Bay mudflats and sandflats*". Furthermore, the EIAR notes that significant impacts on waterbird populations foraging on invertebrates in Dublin Bay due to

nutrient over-enrichment are “unlikely” to occur (Irish Water, 2018). What is important in the context of this Screening Report is that the do-nothing scenario predicts that nutrient and suspended solid loads from the WwTP will “*continue at the same levels and the impact of these loadings should maintain the same level of effects on marine biodiversity*” and that “*if the status quo is maintained there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay*.”

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

4.3.2 Potential for In-Combination Effects

4.3.2.1 Existing Planning Permissions

A search of planning applications located within a 400m radius of the Site of the Proposed Development was conducted using online planning resources such as the National Planning Application Database (NPAD) (MyPlan.ie) and Fingal County Council Planning Applications online map. Any planning applications listed as granted or decision pending from within the last five years were assessed for their potential to act in-combination with the Proposed Development and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable.

It is noted that the majority of the few developments within the vicinity of the Site of the Proposed Development are applications granted for small scale extensions and alterations to existing permitted developments. The larger developments in the vicinity of the Proposed Development are outlined in Table 5:

TABLE 5. GRANTED AND PENDING DEVELOPMENT APPLICATIONS WITHIN 400M OF THE PROPOSED DEVELOPMENT. LOCATION AND DISTANCE GIVEN IS RELATIVE TO THE PROPOSED DEVELOPMENT.

Planning Reference	Planning Authority	Status	Location
FW24A/0365E	Fingal CoCo	Granted	Porterstown Road, Porterstown, Dublin 15, D15 Y95T
Development Description J&C Porterstown Road Development Company Limited intend to apply for permission development at a c. 0.93 Ha site at Porterstown Road, Porterstown, Dublin 15, D15 Y95T. Works are also proposed to connect new wastewater and stormwater pipes to the existing sewer along Porterstown Road. The total site area including the development site and the infrastructural works measures c. 0.95 Ha. The development will principally consist of the demolition of a vacant dwelling and outbuildings (c. 207 sq m) and the construction of 90 residential units comprising 8 No. 3 No. storey demi-detached houses (3-bed units) and 82 No. apartments (30 No. 1-bed units and 52 No. 2-bed units) in 2 No. blocks, whereby Block A is part 4 No. storeys to part 5 No. storeys and Block B is 5 No. storeys. The development also proposes: a new vehicular access and pedestrian/cycle access off Porterstown			

Road; the provision of 42 No. car parking spaces; bicycle parking spaces; motorcycle parking spaces; bin stores & ancillary storage space (c. 95 sq m); a single-storey facilities building (c.180 sq m); balconies and terraces; hard and soft landscaping; boundary treatments; ESB sub-station and switch room; green / blue roof; and all associated site works above and below ground. The total Gross Floor Area of the proposed development equates to c. 8,668 sq m.

Potential for In-combination effects

The project was granted by Fingal County Council and was accompanied by an AA that screened out potential for direct or in-combination effects. Therefore, none are expected.

FW22A/0288	Fingal CoCo	Granted	Luttrellstown Road/Porterstown Link Road, Clonsilla, Dublin 15

Development Description

Development on site at Porterstown adjacent to Luttrellstown Community College and forming part of the existing school campus that also incorporates Scoil Choilm Community National School.

The development will consist of a Post Primary School with an overall floor area of 5376sq.m and 2 storeys in height. The proposed school will incorporate 18 general classrooms as well as 14 specialist classrooms in addition to all ancillary pupil and teacher facilities including external recreational areas that includes 4 no. ballcourts, external social spaces including a tiered seating area, covered bicycle parking facilities and car parking. vehicular access to the development is provided via the existing access to Luttrellstown Community College off Porterstown Link Road. A new pedestrian/cyclist only access is also proposed off Porterstown Link Road. A non-vehicular access to the school, for use by emergency services only, is also provided along the southern site boundary off Luttrellstown Road. A temporary construction access is also proposed off Luttrellstown Road. The proposed development also provides for solar panels on roof, on-site external lighting, landscaping, and boundary treatment in addition to all associated site development works including alterations to ground levels and the construction of retaining walls. The proposed development will also provide for upgrade works to the existing footpath network and to the pedestrian crossing on Porterstown Link Road and the provision of a new pedestrian crossing and upgrade works at the existing entrance to the school campus site also off Porterstown Link Road.

Potential for In-combination effects

No potential for significant cumulative effects as the AA Screening Report accompanying this application states that the proposal will have no effects on Natura 2000 sites and that an NIS will not be required.

TA06F.312318	Fingal CoCo	Granted	Kellystown, Porterstown and Diswellstown, Clonsilla, Dublin 15

Development Description

349 no. residential units (123 no. houses, 226 no. apartments), creche and associated site works.

Potential for In-combination effects

No potential for significant cumulative effects as the AA Screening Report accompanying this application states that the proposal will have no effects on Natura 2000 sites and that an NIS will not be required.

The above listed planning applications were all accompanied by the relevant environmental assessments or conditions that detail the potential impacts and the mitigation measures required to ensure the developments do not have a significant effect on local biodiversity, alone or in-combination with other developments. In addition, the Council granted permission for the above planning applications following evaluations of the potential ecological and environmental impacts of each application.

It is considered that there is no potential for the Proposed Development to act in-combination with other permitted developments in the vicinity that could cause likely significant effects on any nearby or linked European sites.

4.4 Relevant Policies and Plans

The local policies and plans detailed in section 2.3 above were reviewed and considered for possible in-combination effects with the completed unauthorised development. Each of these plans has undergone AA, and where potential for likely significant effects have been identified (e.g., in the case of the Fingal County Development Plan 2023 - 2039), an NIS has been prepared which identifies appropriate mitigation. As such, it is considered that the plans and policies listed will not result in in-combination effects with the completed unauthorised development. The Fingal County Development Plan 2023 - 2039 has directly addressed the protection of European sites and biodiversity through specific objectives. The above listed plans are not being relied upon to rule out potential significant effects on European sites.

TABLE 6. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
South Dublin Bay SAC (000210)	No	No	No	No	No	No	No
South Dublin Bay and River Tolka Estuary	No	No	No	No	No	No	No

5 CONCLUSION

The Proposed Development at Luttrellstown Gate site Phase 2 Plot 1 and St Mochtas Site Plot 2 located at St. Mochtas, Kellystown, Dublin 15 has been assessed considering:

- The nature, size and location of the Proposed Development and possible impacts arising from the construction and/or operational phase.
- The SCI/QIs and conservation objectives of the European sites.
- The potential for in-combination effects arising from other plans and projects.

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

- South Dublin Bay SAC (000210),
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Dublin Bay SAC (000206)
- North Bull Island SPA (004006)
- North-West Irish Sea SPA (004326)
- Rye Water Valley/Cartron SAC (001398)

In carrying out this AA Screening, any targeted ecological mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Development on any European site have not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conservation objectives. Thus, there is **no** requirement to proceed to Stage 2 of the AA process; and the preparation of a NIS is not required.

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