
Screening for Appropriate Assessment

Proposed Large Residential Development at
Stocking Lane, Ballyboden, Dublin 16

18 December 2023



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Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of Rycroft SLR Ltd as part of a planning application for a residential development at Stocking Lane, Ballyboden, Dublin 16. The proposed development will involve the construction of 119 houses / apartments and associated works.

In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), the competent authority (in this case South Dublin County Council) must assess whether the proposed development could have 'likely significant effects' on any European sites. This document provides information to support an Appropriate Assessment screening exercise, including: a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, and an appraisal of habitat suitability for birds associated with nearby SPAs.

There is no risk of direct impacts on European sites. Potential pathways for indirect impacts were considered, but none were found to be feasible. Habitats within the site are unsuitable for any of the species associated with nearby SPAs. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1: Screening, and it is not necessary to proceed to Stage 2: Appropriate Assessment.

1 Introduction

1.1 Background to Appropriate Assessment

Approximately 14% of the land area of Ireland is included in the European Network of Natura 2000 sites (hereafter referred to as European sites), which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive (79/409/EEC)* and *E.C. Habitats Directive (92/43/EEC, as amended)*, which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended)*.

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

This document provides information to support the competent authority’s *Screening for Appropriate Assessment* exercise for the proposed development. It includes a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, and an appraisal of habitat suitability for birds associated with nearby SPAs.

1.2 Statement of authority

This report was written by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has sixteen years of professional experience, including thirteen years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructural projects (roads, water pipelines, greenways, etc.), and a range of residential and commercial developments.

He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

1.3 Methods

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

- OPR Practice Note PN01: *Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator 2021)
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4)*, (E.C., 2021)
- *Appropriate Assessment of Plans and Projects in Ireland* (Department of the Environment, Heritage and Local Government, 2009)
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* (Chartered Institute of Ecology and Environmental Management, 2018)

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

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

Desktop data from internet resources was updated in November 2023. Site inspections were carried out on 17 and 21 September 2018, 23 September 2021, and 12 July 2023.

2 Description of the Project

2.1 Environmental setting

Site location and surroundings

The Site consists of a single field of agricultural grassland, which has been used for low-intensity livestock grazing and hay / silage production. It is surrounded on all sides by hedgerows and treelines. The 'St Winnows' dwelling and garden is located in the north of the Site.

The surrounding area is suburban in character. The Springvale housing estate adjoins the eastern boundary, and the Prospect Manor housing estate adjoins the southern boundary. There are some mature houses and gardens to the north of the Site, including Rockwood Lodge, which is a protected structure. Stocking Lane forms the western boundary of the Site, and Ballyboden Waterworks (a water treatment plant, including covered and open reservoirs) is located on the opposite side of Stocking Lane.

Geology and soils

The underlying bedrock is metamorphic (dark slate-schist, quartzite & coticule), and is a locally-important aquifer. Subsoils are limestone till, and soils are deep and well-drained.

Hydrology

There are no watercourses within or adjacent to the Site. The closest watercourse is the Owendoher River, which is located approx. 80 m from the eastern boundary of the Site. It flows from south to north, and merges with the Kilmashogue / Whitechurch Stream approx. 2 km downstream, before joining the River Dodder a further 0.9 km downstream. The Dodder flows north-east and merges with the River Liffey estuary approx. 9 km downstream, and subsequently reaches the coastal waters of Dublin Bay a further 2.5 km to the east. The total hydrological distance between the Site and the coast is approx. 14.5 km.

The Owendoher River is currently of Moderate status (Water Framework Directive Status Assessments 2016-2021), as are the River Dodder and the Liffey estuary. The coastal waters of Dublin Bay are of Good status.

2.2 Description of the proposed development

The proposed development will involve the demolition of an existing dwelling ('St. Winnows') and the construction of 119 residential units, including a mixture of houses, apartments, maisonettes and duplex units. Access to the Site will be from Stocking Lane on the western boundary of the Site, and will lead to internal roads, cycle / pedestrian paths, on-street parking areas, and underground car parking.

Public open space will be created throughout the Site, and the houses will have private gardens. Most existing mature trees will be retained and incorporated into the development, and new trees, shrubs and other vegetation will be planted throughout the Site.

Foul water will be discharged to a foul sewer in the Springvale housing estate to the east of the Site, through which it will be conveyed to the Ringsend Waste Water Treatment Plant.

Surface water will be managed using a range of SUDS techniques, including tree pits, permeable paving, bioretention raingardens and a detention basin. These measures will restrict and delay the flow of surface water entering the existing surface water drainage network. The western portion of the Site will drain westward into a storm drain under Stocking Lane, and the eastward portion will drain into a storm drain in the Springvale Housing Estate.

3 Review of relevant European sites

In this section we identify European sites that could potentially be affected by the proposed development. The primary consideration is whether the proposed development is within the boundaries of any European sites, because this could lead to direct effects. This is discussed in Section 3.1.

It is also possible that the proposed development could cause indirect effects on European sites located outside the boundary. This is considered using the *source-pathway-receptor* model, which identifies potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). This is discussed in Section 3.2.

Finally, some of the bird species associated with SPAs can use secondary habitats outside the SPA boundaries, e.g. brent geese feeding on urban grasslands. The suitability of habitats within the Site for SPA bird species is discussed in Section 3.3.

To support the above assessments, a map of European sites in the surrounding area is shown in Figure 1, and details of relevant European sites are provided in Table 1. For the avoidance of doubt, a defined zone of influence (e.g. 15 km) has not been used for this assessment, as it is no longer considered best practice (OPR 2021).

The Conservation Objectives of all European sites discussed in this report are available at <https://www.npws.ie/protected-sites>. They are lengthy and repetitive documents, so in the interests of brevity they are not reproduced here.

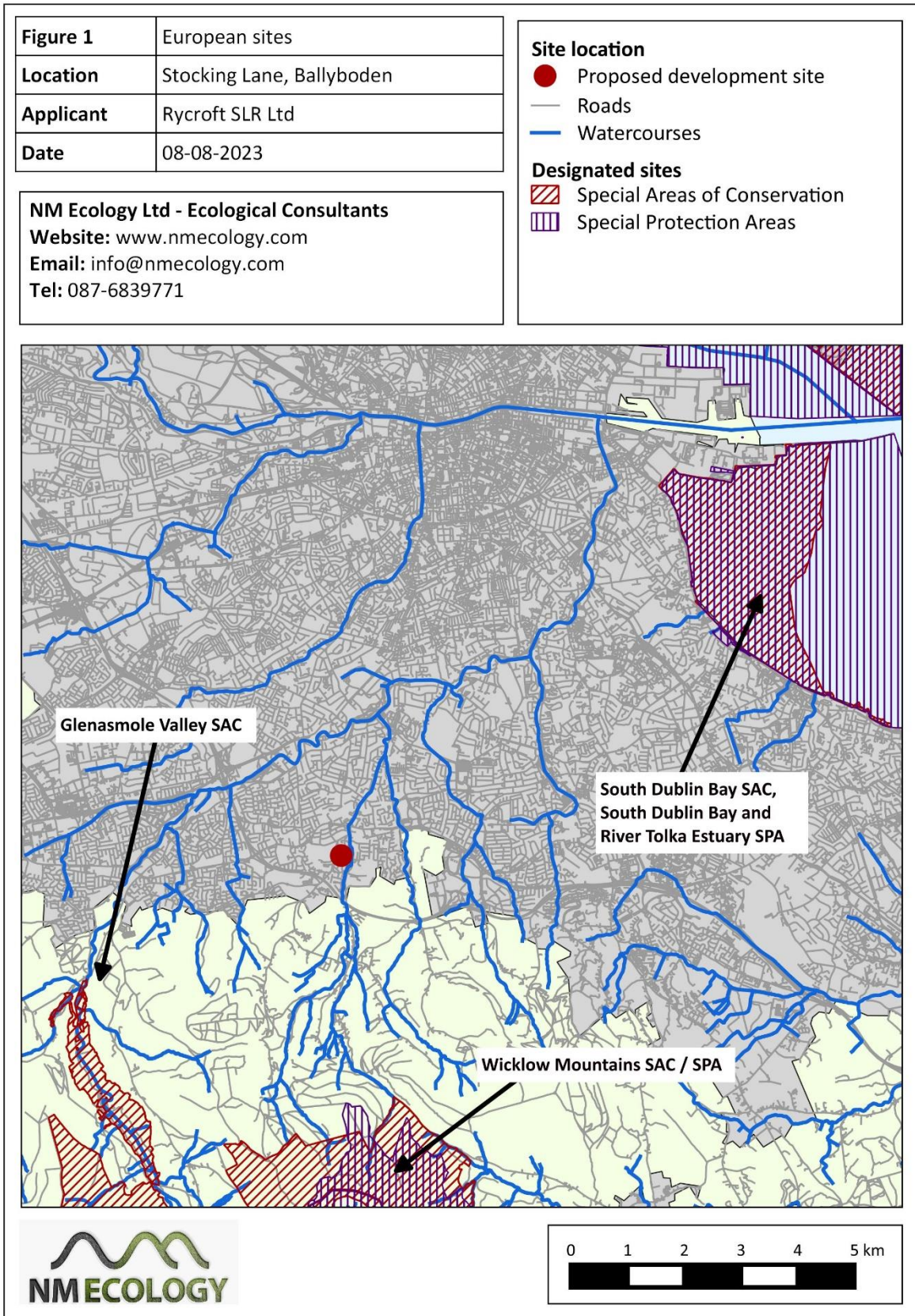


Table 1: European sites shown in Figure 1

Site Name	Distance	Qualifying Interests
Wicklow Mountains SAC (site code 2122)	4.3 km south	Annex I habitats: Oligotrophic waters , natural dystrophic lakes and ponds, wet heaths, dry heaths, Alpine / boreal heaths, calaminarian grasslands, species-rich <i>Nardus</i> grasslands, blanket bog, siliceous scree , calcareous rocky slopes, siliceous rocky slopes, old sessile oak woods Annex I habitats: otter
Wicklow Mountains SPA (4040)	4.3 km south	Key habitats: uplands Special conservation interests: peregrine, merlin
Glenasmole Valley SAC (1209)	5 km south-west	Annex I habitats: semi-natural dry grasslands and scrub facies on calcareous substrates, <i>Molinia</i> meadows on calcareous / peaty / clay soils, petrifying springs with tufa Annex I habitats: none
South Dublin Bay SAC (210)	7.6 km north-east	Annex I habitats: inter-tidal mudflats / sandflats, <i>Salicornia</i> and other annuals), annual vegetation of drift lines, embryonic shifting dunes Annex I habitats: none
South Dublin Bay and River Tolka Estuary SPA (4024)	7.6 km north-east	Key habitats: coastal wetlands Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)

3.1 European sites within the Site boundary (potential direct effects)

The Site is not within or adjacent to any European sites (Figure 1). Therefore, the proposed development poses no risk of direct impacts on any European sites.

3.2 European sites outside the Site boundary (potential indirect effects)

In this section we identify potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). The most common pathway is surface water, which typically occurs when a pollutant is washed into a river and carried downstream into a European site. Other potential pathways are groundwater, air (e.g. airborne dust or sound waves), or land (e.g. flow of liquids, vibration). The zone of effect for hydrological effects can be several kilometres, but for air and land it is rarely more than one hundred metres.

Surface water

As noted in Section 2.1, there are no watercourses within or adjacent to the Site. The closest watercourse is the Owendoher River, which is located approx. 80 m from the eastern boundary of the Site. If any pollutants generated at the Site could reach the Owendoher River, they would be carried north into the River Dodder, and then north-east through Dublin City into the Liffey Estuary, reaching the coast waters of Dublin Bay approx. 14.5 km downstream of the Site.

The *Wicklow Mountains SAC*, *Wicklow Mountains SPA* and *Glenasmole Valley SAC* are all associated with the Dodder catchment, but all are upstream of the Site, so surface water pathways can be ruled out.

The *South Dublin Bay SAC* and *South Dublin Bay and River Tolka Estuary SPA* cover coastal waters approx. 14.5 km downstream of the Site. However, this is not considered to be a feasible surface water pathway because the connection is extremely tenuous. The dilution capacity of intervening watercourse, as well as the coastal waters of Dublin Bay, would reduce any pollutants to negligible concentrations before they could affect the qualifying interests of any European sites.

On this basis, there is not considered to be a feasible surface water pathway between the Site and any European sites.

Groundwater

If any pollutants generated at the site soaked to ground, they would be expected to seep by gravity in a northerly direction. The *Wicklow Mountains SAC*, *Wicklow Mountains SPA* and *Glenasmole Valley SAC* are all located at a higher altitude to the south of the Site, so there is no possibility that groundwater would seep in that direction.

There is over 7 km of soils between the Site and the *South Dublin Bay SAC* and *South Dublin Bay and River Tolka Estuary SPA*, which would filter any pollutants to negligible concentrations before they could reach the SAC or SPA.

Therefore, groundwater can be ruled out as a feasible pathway.

Land

As there is a distance of over 4 km between the Site and the closest European site, land can be ruled out as a pathway.

Air

As there is a distance of over 4 km between the Site and the closest European site, air can be ruled out as a pathway.

Summary

In summary, no feasible pathways were identified between the Site and any European sites.

3.3 Habitat suitability for SPA birds

There are two SPAs in the surrounding area: the *Wicklow Mountains* SPA and *South Dublin Bay and River Tolka Estuary* SPA. In this section we consider whether the special conservation interests of these sites may use habitats outside the SPA boundaries.

The *Wicklow Mountains* SPA was designated to protect two birds of prey: peregrine and merlin. It is located 4.3 km south of the Site. These species are usually associated with upland moors, heaths and forests; there are no such habitats within the Site. Therefore, due to the distance between the Site and the SPA, and the unsuitability of the habitats, it is considered extremely unlikely that either peregrine or merlin would use the Site.

The *South Dublin Bay and River Tolka Estuary* SPA was designated to protect a range of overwintering birds that use Dublin Bay. It is located 7.6 km north-east of the Site. The primary habitats of its special conservation interests are coastal wetlands (e.g. mudflats), but some species also fly inland (outside the SPA boundary) to feed on amenity grasslands and / or agricultural land. This is commonly observed in brent geese, and to a lesser extent oystercatchers, godwits and curlews.

Brent geese typically favour grass, cereals and other crops that are rich in protein and carbohydrate and are easily digestible. Such conditions are often met in amenity grasslands or arable crops with abundant young growth, typically as a result of regular mowing, grazing and / or high fertiliser application (Riddington et al 1997, McKay et al 2001). The grassland within the Site has not been intensively managed for a number of years, and is dominated by coarse grasses, so it is unsuitable for brent geese.

Oystercatchers, godwits and curlews typically feed on soil invertebrates in areas of marshy grassland. The grassland within the Site is coarse and does not have any marshy areas, so it is considered unsuitable for these species.

In summary, the Site is considered unsuitable for any species associated with SPAs for the following reasons:

- The distances of 4.3 km and 7.6 km from the Site to the SPAs
- The habitats are unsuitable for peregrine or merlin, the special conservation interests of the *Wicklow Mountains* SPA
- The habitats are unsuitable for brent geese or any other species associated with the *South Dublin Bay and River Tolka Estuary* SPA

4 Screening Statement

In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:

1. No likelihood of significant effects

Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.

2. Significant effects cannot be excluded

Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

- The Site is not within or adjacent to any European sites, so there is no risk of direct effects
- There are no surface water or other pathways linking the Site to any European sites, so there is no risk of indirect effects on water quality
- Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs, so there is no risk of indirect effects from noise or visual disturbance

Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An ‘in-combination effect’ can occur when a project will have a perceptible but non-significant effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011* (as amended), it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

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

References

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

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

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