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CONSULTING


APPROPRIATE ASSESSMENT SCREENING REPORT

FOR
PROPOSED MIXED-USE
DEVELOPMENT


AT
EMMET ROAD,
DUBLIN 8

ON BEHALF OF
DUBLIN CITY COUNCIL

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Dublin City Council to prepare a Screening Report for Appropriate Assessment (AA) in respect of the Proposed Mixed-use Development at Emmet Road, Dublin 8. This Appropriate Assessment Screening Report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Development.

1.2 Legislative Background

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011).

SACs and SPAs are collectively known as Natura 2000 or European Sites. It is the responsibility of each member state to designate SPAs and SACs. SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the qualifying interests of the sites; from these the conservation objectives of the site are derived.

An 'Appropriate Assessment' (AA) is an assessment required prior to the grant of planning permission to determine whether a plan or project, based on best scientific knowledge, will have an adverse effect on the integrity of a European Site, either alone or in combination with other plans and projects. It is required for any plan or project not directly connected with or necessary to the management of a site but likely to have a significant effect on it. Accordingly, a screening for AA determines whether a plan or project, either 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.

A competent authority must determine that an Appropriate Assessment is required in respect of any European Site where, following screening, it cannot be excluded that the plan or project will have a significant effect on the European Site, in view of its conservation objectives.

This AA Screening has been undertaken to determine whether the Proposed Development is likely to have a significant effect, alone or in combination with other plans and projects, on any European Site, in view of their conservation objectives.

1.2.1 Legislative Context

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.”

These 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.”

1.2.2 Stages of AA

This Appropriate Assessment Screening Report (the “**Screening Report**”) has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European Site and whether a Stage 2 Appropriate Assessment is required.

The AA process is a four-stage process, with issues and tests at 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.

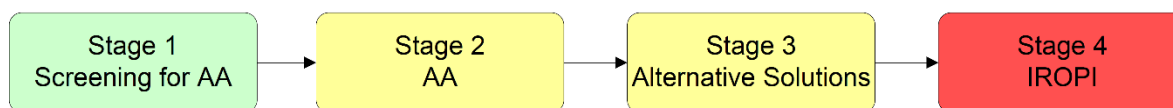


FIGURE 1. THE FOUR STAGES OF THE APPROPRIATE ASSESSMENT PROCESS (DEHLG, 2010).

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

- Stage 1 *Screening* addresses:
 - whether a plan or project is directly connected to or necessary for the management of the 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: *Appropriate Assessment (AA)*. The second stage of the AA requires the competent authority to determine whether the project or plan (either alone or in combination with other projects or plans) will have an adverse effect on the integrity of the European Site, having regard to the conservation objectives of the site and its ecological structure and function. The developer must provide a Natura Impact Statement (NIS) to the competent authority to inform the AA, which is a statement, for the purposes of Article 6 of the Habitats Directive, of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than one European Site, in view of the conservation objectives of the site or sites. It must include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for one or more than one European Site in view of the conservation objectives of the site or sites. The competent authority must consult with the public in relation to any plan or project that requires AA. If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European Site, it can only grant consent after proceeding through steps 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.

2 METHODOLOGY

2.1 Guidance

This AA 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,
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001),
- *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* (European Commission, 2021), and,
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.*

2.2 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 plan or project and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the European Site,
- Identification of European Sites potentially affected,
- Identification and description of potential effects on the European Site,
- Assessment of the likely significance of the effects identified on the European Site, and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

2.3 Desk Study

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

- Information on the network of European Sites, boundaries, qualifying interests 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 and Site Synopses available at www.npws.ie,

- Information on species records and distributions, obtained from the National Biodiversity Data Centre (NBDC) at www.maps.biodiversityireland.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 existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development available at the National Planning Application Database and Dublin City Council.

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

2.4 Assessment of Significant Effects

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

- 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.

2.5 Field Surveys

2.5.1 Ecological surveys

A range of field surveys have been carried out at the Site of the Proposed Development. A full description of the field surveys can be found in the Biodiversity Chapter within the Environmental Impact Assessment Report (EIAR) accompanying this application. The Winter Shorebird and Waterfowl Surveys carried out at the Site are of relevance to this AA Screening report, given the potential for the Site to provide *ex-situ* foraging habitat for winter shorebirds associated with Special Protection Areas in the zone of influence of the Site. Details of these surveys are therefore provided in the following sections.

2.5.2 Winter Shorebird and Waterfowl Surveys

A set of targeted winter shorebird and waterfowl surveys were carried out at the Site during 2020/21 and 2021/22. The purpose of these surveys was to provide a robust evidence-based assessment of whether the Site of the Proposed Development is, or has the potential to be, in

its current state, utilised as *ex-situ* feeding/roosting grounds by species of shorebird and waterfowl listed as Special Conservation Interests (SCI) species for nearby Special Protection Areas (SPAs).

2.5.2.1 Habitat suitability assessment

Prior to commencement of the focused winter bird surveys, a Site walkover was conducted and an initial assessment was made on the quality of the lands with regards to their *ex-situ* potential. Based on this assessment, the methodology for the survey was designed with a view to providing the scientific data necessary to ascertain with confidence the level of usage of the Site lands by the relevant SCI bird species (as detailed in Table 3).

2.5.2.2 Survey approach

A total of 6 survey days were carried out at the Site in the 2020/21 season: covering October, November and December 2020 and January, February and March 2021. These surveys provide a summary of the usage of the Site by the SCI species during the winter.

A total of 36 hours of surveying was conducted at the Site during the 2020/21 season, as detailed in Table 1.

TABLE 1. WINTER WATERFOWL AND SHOREBIRD SURVEYS CONDUCTED AT THE SITE OF THE PROPOSED DEVELOPMENT IN 2020/21

Winter Bird survey Dates
30 th October 2020
28 th November 2020
27 th December 2020
19 th January 2021
24 th February 2021
30 th March 2021

A total of 5 survey days were carried out at the Site in the 2021/22 season: covering December 2021 and January and March 2022. These surveys provide a summary of the usage of the Site by the SCI species during the winter.

A total of 30 hours of surveying was conducted at the Site during the 2021/22 season, as detailed in Table 2.

TABLE 2 WINTER WATERFOWL AND SHOREBIRD SURVEYS CONDUCTED AT THE SITE OF THE PROPOSED DEVELOPMENT IN 2021/22

Winter Bird Survey Dates
December 1 st 2021
December 20 th 2021
January 24 th 2022
March 4 th 2022
March 21 st 2022

The survey methodology was as followed:

- Each survey day either commenced at dawn and continued for 6 hours or commenced 6 hours prior to dusk and ended at dusk. These timings were alternated each survey day to capture any possible temporal trends in the usage of the lands by SCI species.
- Each day, prior to the commencement of the survey, the Site was walked and checked for any obvious evidence of SCI species usage e.g., Light-bellied Brent Goose (LBBG) droppings.
- Each hour the Site was walked and observed for a period of approx. 20minutes with any SCI species activity on, or in flight over the Site recorded.
- All SCI species that were observed visiting the Site or flew overhead were recorded, as were any other species of note e.g., rare passerines etc.

All surveys were undertaken using:

- Optricon 8x42 binoculars (or equivalent)
- Optricon 20x Telescope (or equivalent)
- Agreed survey methodology.
- Field notebook.

2.5.2.3 Results

2.5.2.3.1 2020/21 Survey Results

The first set of winter bird surveys at the Site of the Proposed Development comprised of 6 survey days i.e., a total of 6 hourly counts across October, November and December 2020 and January, February and March 2021.

Out of a total of 36 hourly counts: five waterfowl/shorebird species were recorded utilising the Site lands. Light-bellied Brent Geese (*Branta bernicla hrota*) were recorded feeding on the

Site on just one occasion (peak count 14). Light-bellied Brent Goose droppings, a distinctive indicator of this species' presence/usage of a site, was also recorded on just one occasion.

The only other shorebird recorded utilising the Site were Gull species such as Herring Gull, Common Gull and Black-headed Gull, loafing about the Site. Lesser black-backed Gull was recorded during the March survey.

2.5.2.3.2 2021/22 Survey Results

The 2021/22 set of winter bird surveys at the Site of the Proposed Development comprised of 5 survey days i.e., a total of 30 hourly counts across December 2021, January and March 2022. Out of a total of 30 hourly counts: eight waterfowl/shorebird species were recorded in the vicinity of the Site lands. Four of these species were only recorded as flyovers and were not recorded using the Site lands as feeding grounds. Light-bellied Brent Geese were recorded once flying over the Site. Light-bellied Brent Goose droppings were not recorded on any of the site visits, despite thorough Site walkovers carried out each survey day. The only shorebirds recorded utilising the Site were all Gull species with Herring Gull, Common Gull and Black-headed Gull loafing about on the Site. Lesser black-backed Gull was recorded during the March surveys.

Out of the total of 30 hourly counts: 4 instances of waterfowl/shorebird species in flight over the Site were recorded. No records of Merlin or Peregrine were made at or over the Site during the targeted surveys. Records of interest are highlighted below:

- 24/01/2022 – 230 Light-bellied Brent Geese (LBBG) flew south-east over the Site.
- 21/03/2022 – A Mute Swan flew west over the Site.
- 21/03/2022 – An Oystercatcher flew east over the Site.

Herring Gull, Common Gull, Lesser black-backed Gulls and Black-headed Gull were the most common shorebird species observed loafing on the Site lands along with other common passerine species such as corvids, wood pigeons, and smaller hedgerow species.

3 STAGE 1 SCREENING

3.1 Management of European Sites

The Proposed Development is not directly connected with or necessary to the management of European Sites.

3.2 Description of Proposed Development

3.2.1 Site location

The Site of the Proposed Development is located in the Inchicore/Goldenbridge area of Dublin City. The Site is bound to the north by Emmet Road, to the south by Goldenbridge Cemetery, to the east by the former Richmond Barracks and the pedestrian link to the Bulfin estate adjacent to St. Michael's Church, and to the west by Saint Vincent Street West. The Site amounts to c. 4.68 hectares in total (inclusive of the area required for upgrade water supply works along Emmet Road).

A large portion of the Site comprises the lands of the now demolished Saint Michael's Estate housing development. Several buildings lie in the northern section of the Site and an old basketball court is located adjacent to these buildings. The southern and central section of the Proposed Development Site comprises an open green area with a small number of young deciduous trees along the eastern and western boundaries. The general surroundings of the Site are highly urbanised in nature. As noted above, the Site also includes upgrade water supply works along Emmet Road to Blackhorse Bridge.

3.2.2 Description of Development

The Proposed Development will comprise 578 no. apartments, consisting of 110 no. studio apartments, 172 no. 1 bedroom apartments, 250 no. 2 bedroom apartments (including 17 no. duplex apartments) and 46 no. 3 bedroom apartments (all apartments to have balconies or terraces), community hub/library, creche, supermarket, 5 no. retail/café/restaurant/class 2 financial services units & 2 no. café/restaurant units), a public plaza fronting onto Emmet Road and the installation of a new watermain c 200m in length along Emmet Road to the junction with Tyrconnell Road/Grattan Crescent. The proposal includes works to a protected structure (8705 - Richmond/Keogh Barracks, relating to works to rubble stone boundary wall).

The proposed development will consist of and includes:

- i. In the southern portion of the Site (*'Main Residential Area 01' - Block A*), comprises a Courtyard perimeter building (306 no. apartments consisting of 76 no. studio apartments, 100 no. 1 bedroom apartments, 104 no. 2 bedroom apartments and 26 no. 3 bedroom apartments as well as a management office c. 59 sq. m) in a series of blocks as follows: Block A1 - 5 storeys (35 no. apartments), Block A2 - 7 storeys (55 no. apartments), Block A3 - 5 storeys (39 no. apartments), Block A4 – 5 storeys (20 no. apartments), Block A5 – 7 storeys (54 no. apartments), Block A6 – 5 storeys (37 no. apartments with café/restaurant at ground floor c. 80 sq. m), Block A7 – 7 storeys (54 no. apartments), and Block A8 – 3 storeys, (12 no. apartments/duplex units).
- ii. In the central portion of the Site (*'Main Residential Area 02' - Block B*), comprises a Courtyard perimeter building (181 no. apartments consisting of 24 no. studio apartments, 43 no. 1 bedroom apartments, 103 no. 2 bedroom apartments and 11 no. 3 bedroom apartments) in a series of blocks as follows: Block B1 – 5 storeys over partial below ground partial basement level (33 no. apartments) with an adjacent 2 storey creche of c. 816 sq. m with associated play areas, Block B2 – 7 storeys (54 no. apartments), Block B3 – 3 storeys (8 no. apartments/duplex units), Block B4 – 5 storeys (38 no. apartments), Block B5 – 7 storeys (48 no. apartments), as well as provision of energy centre with associated plant/switch rooms and water storage/plant space (at partial below ground/basement level).
- iii. In the northern portion of the Site – the provision of a commercial mixed use Block C (5 storeys with 7 storey element) consisting of 91 no. apartments (10 no. studio apartments, 29 no. 1 bedroom apartments, 43 no. 2 bedroom apartments & 9 no. 3 bedroom apartments), communal open space at third floor level, supermarket (including off-licence) of c. 2,476 sq. m GFA (c. 1,765 sq. m net retail sales area) at first floor level, with ground floor café/restaurant (c. 205 sq. m), 5 no. units (retail/café/restaurant/class 2 financial services floorspace c. 564 sq. m – to be amalgamated/subdivided as required).

- iv. In the northern portion of the Site the Provision of a Community Hub/Library of c. 2,810 sq. m (4 no. storeys) with flexible internal meeting rooms/spaces including internal double height halls as well as roof garden/terrace areas at second and third floor (roof levels).
- v. A new Vehicular access (as well as new adjacent service access) will be provided from St. Vincent's Street West into the undercroft level of Block C (with 3 no. internal streets provided between St. Vincent's Street West and "Patriots Path" and Thornton Heights along Goldenbridge cemetery). The proposal also provides 106 no. car parking spaces, 8 no. motorcycle spaces as well as 1,285 no. cycle spaces within the blocks and single storey external covered store as well as surface spaces. (At undercroft level of Block C, the Proposed Development includes 54 no. car parking spaces, 5 no. motorcycle spaces and 104 no. cycle spaces).
- vi. Provision of 3 no. main areas of public open space and a "*sports zone*" area adjacent to the existing Inchicore Sports Community Centre c. 0.72 hectares as well as communal open space for the residents within the blocks.
- vii. The proposal includes works, and alterations (including reduction in height, removal of sections, and provision of new openings) into the existing rubble stone wall (a protected structure no. 8705).
- viii. The Proposed Development includes water main upgrade along the Emmet Road from the subject site for c. 200m to to the junction with Tyrconnell Road/Grattan Crescent and tie in works surrounding the Site.

3.2.3 Surface water

Existing Surface Water Drainage

According to OCSC (2022), the Site is currently graded to lower levels in a south-west to north-east direction. The Site therefore naturally drains to Emmet Road located at the northern boundary, before ultimately discharging to the River Camac located to the north of Emmet Road.

The Site and its surroundings are served by a dedicated/separate storm water drainage network (OCSC, 2022). Two main storm drains have been identified serving the Site, the first is a 225mm-diameter concrete sewer which travels along the western boundary of the Site. This sewer later becomes a 300mm diameter sewer before travelling in a westerly direction along Thomas Davis Street West. The Irish Water records drawings indicate that this sewer previously gathered storm drainage from Saint Michael's Estate. However, the drawings from the demolition of St. Michael's Estate and the result of the GPR survey indicate that these connections may have been removed. It is noted that there are discrepancies between the findings of the GPR survey and the record drawings in terms of the plan location and alignment of this sewer- this will need to be further reviewed/verified on site (OCSC, 2022). It is also noted that the sewer passes onto the Site in a number of locations.

The second dedicated storm sewer is a 375mm-diameter concrete sewer which travels along Saint Michael's Estate to the eastern boundary of the Site. This sewer later becomes a 450mm-diameter sewer before travelling under Emmet Road and to the rear of Richmond Park to discharge to the Camac River. Again, the Irish Water Record drawings indicate that this sewer previously gathered storm drainage from Saint Michael's Estate. However, the

drawings from the demolition of the Saint Michael's Estate and the results of the GPR survey indicate that these connections may have been removed (OCSC, 2022).

According to OCSC (2022), sections of the existing public drainage infrastructure that is located at St. Michael's Estate and St. Vincent's Street West are to be relocated from within the development boundary to the public road area, so as to facilitate the new development layout, including planting of significant trees, as part of the landscaping proposal.

Proposed Surface Water Drainage

As documented in the Engineering Services Report (O'Connor Sutton Cronin (OSCS, 2022), the surface water drainage network for the Proposed Development Site has been divided into three (3 No.) main surface water drainage catchments, catchment A, catchment B and catchment C, in order to best manage the rainfall runoff and treat the surface water at source. Each catchment will be further split into sub-catchments, to further optimize the surface water management across the Proposed Development Site.

In accordance with the requirements of the Greater Dublin Strategic Drainage Study (GDSDS) and the requirements by Dublin City Council, the surface water drainage network for the Proposed Development has been designed to incorporate the principles of Sustainable Urban Drainage Systems (SuDS). SuDS measures incorporated into the project design include:

- A minimum of 70% of the total roof area is to be provided as green roof.
- Bioretention systems.
- Tree Pits.
- Pervious paving with filter drains.
- Proprietary Cellular Storage.
- Silt traps installed prior to attenuation storage areas.

Surface water discharges from the Site will be limited to the greenfield runoff rate of 1.5l/s for Catchment A, 9 l/s for Catchment B and 5 l/s for Catchment C, with the provision of a flow restrictor (Hydro-Brake Optimum or similar approved).

Attenuated and treated surface water from the Site will outfall to the existing public surface water infrastructure located at St. Michael's Estate to the east of the Proposed Development and will ultimately discharge to the Camac River located approximately 0.2km north of the Proposed Development (OCSC, 2022).

Foul water

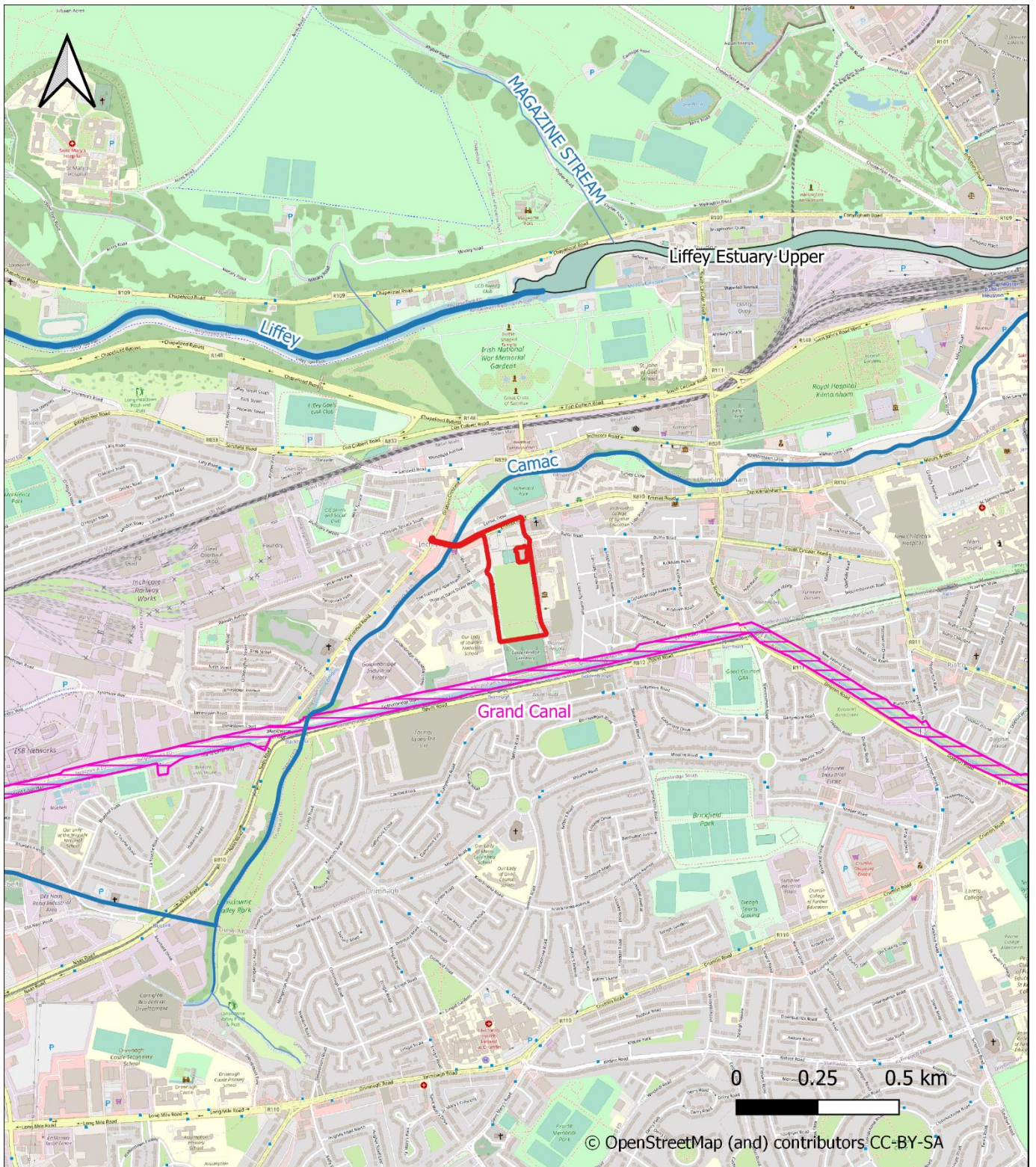
The following information has been extracted from the Engineering Services Report for this application (OCSC, 2022). The wastewater sewer design for the Proposed Development will be in accordance with Irish Water's Code of Practice for Wastewater Infrastructure (Revision 2 – July 2020) and the Building Regulations Part H.

It is proposed to separate the wastewater and surface water drainage networks, which will serve the Proposed Development, and provide independent connections to the adjacent local wastewater and surface water sewer network infrastructure, respectively.

The Proposed Development will be separated into individual gravity wastewater catchments, each wastewater network will discharge to the existing wastewater network located at St. Michael's Estate. Surface water runoff from the undercroft car parking areas will also be

discharged to the existing foul sewer network located at St. Michael's Estate to the east of the Proposed Development Site, via class 1 petrol interceptors.

Irish Water (IW) have provided a Confirmation of Feasibility (COF) (Reference: CDS22003279), that confirms the proposal for foul drainage connection to the Irish Water network is feasible without infrastructure upgrades. Foul water from the Proposed Development will ultimately be treated at Ringsend WwTP (Licence ref.D0034-01).



Legend:		Project:		
Site Boundary Hydrology River Network Routes Transitional Water Bodies NPWS Proposed Natural Heritage Area (NPWS, 2015)		Emmet Road Development	Client: Dublin City Council	
		Title:	Site Location	Drawn By: SA Checked: LT Date: 20/09/2022 Notes: Site boundaries shown are for illustration purposes only and do not represent legal or exact boundaries
				Projection: IRENET95 / Irish Transverse Mercator Scale @ A4: 1:15000

FIGURE 2. SITE LOCATION

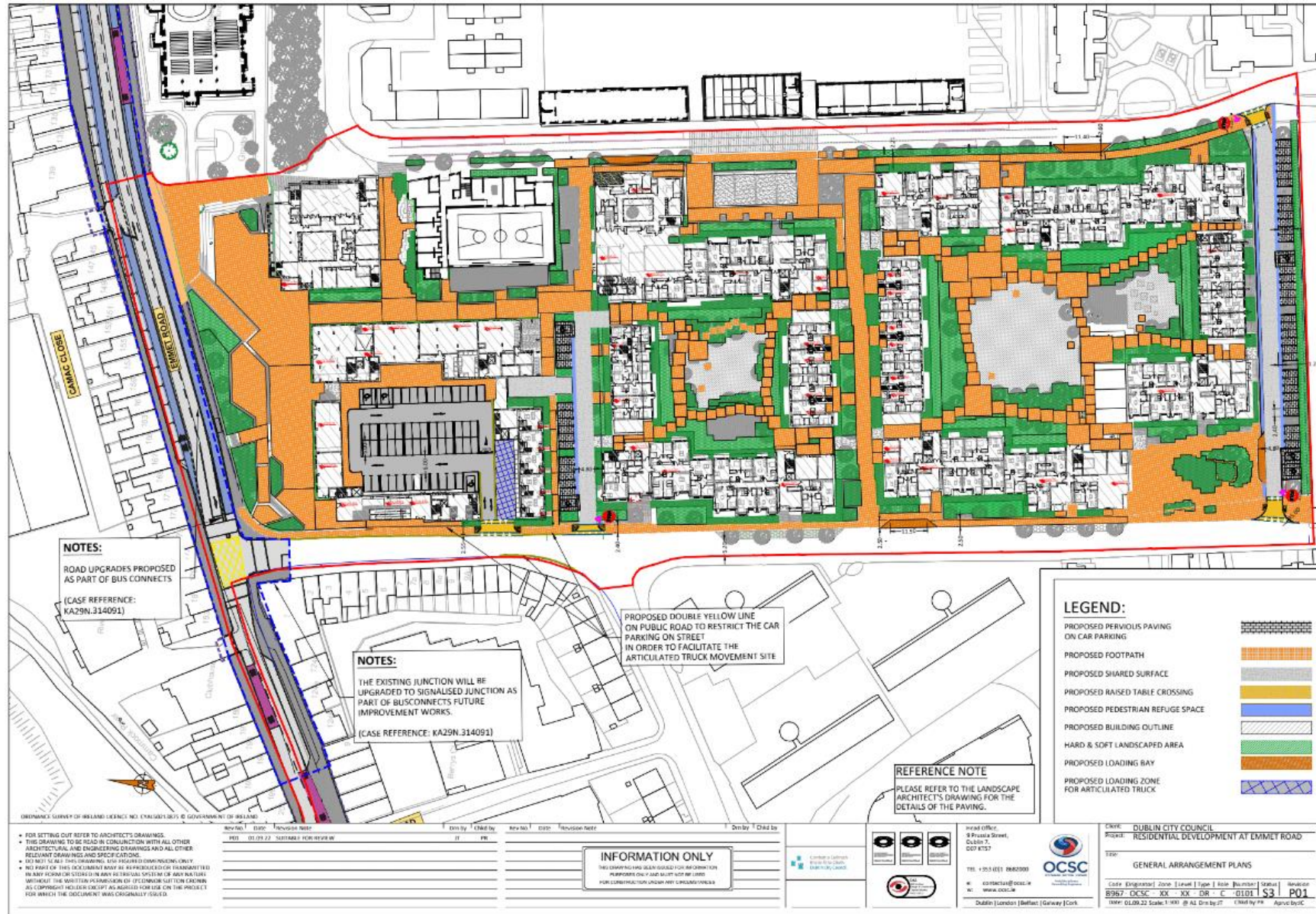


FIGURE 3. PROPOSED SITE LAYOUT (OCSC, DRG. NO. 0101 – S3 – P01).

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the Liffey and Dublin Bay catchment and Liffey_SC_090 sub-catchment. The closest surface water body to the Site is the River Camac (EPA code: 09C02) which flows in a north-easterly direction to within ca. 80m of the northern Site boundary of the main development area. The proposed upgrade works to the water supply network along Emmet Road to Blackhorse Bridge cross the River Camac at Blackhorse Bridge. The Grand Canal lies 120m from the Site's southern boundary, on the opposite side of the Goldenbridge Cemetery (EPA, 2022).

The River Camac was assigned *Poor* water quality status [assessment was made in 2019, at the *Camac Close Emmet Rd* monitoring station (station no. RS09C020500)] and is considered *At Risk* of not achieving its Water Framework Directive status objectives. The River Camac eventually discharges to the River Liffey ca. 1.8km to the north-east of the Site of the Proposed Development. The status of the Upper Liffey Estuary is classed as *Good* and its risk status is currently under review (EPA, 2022).

The Site of the Proposed Development is situated on the Dublin groundwater body, which has *Good* status. Its risk status is currently under review. The aquifer type in the area is *Locally Important* (LI) on bedrock which is moderately productive in local zones only. The groundwater rock units underlying the aquifer are classified as *Dinantian Upper Impure Limestones*. The level of vulnerability to groundwater contamination from human activities is *High* across the Site. The quaternary sediments beneath the Site are classed as *Till derived from limestones*, with soil at the Site assigned to the Teagasc soil group *Made ground* (GSI, 2022).

3.4 Identification of Relevant European Sites

To identify the European Sites that potentially lie within the Zone of Influence (ZOI) of the Proposed Development, a Source-Pathway-Receptor method (S-P-R) was adopted, as described in 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021), a practice note produced by the Office of the Planning Regulator, Dublin. This note was published to provide guidance on screening for appropriate assessment (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 Appropriate Assessment Screening Reports such as this.

The guidance document published by the Department of Housing, Planning and Local Government (then DEHLG) 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities' (2009) recommends an arbitrary distance of 15km as the precautionary ZOI for a plan or project being assessed for likely significant effects on European Sites, stating however that this should be evaluated on a case-by-case basis.

As such, the 15km ZOI is used in this report as an initial starting point for collating European Sites for AA screening.

The methodology used to identify relevant European Sites comprised the following:

- Use of current 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;

- The catchment data were used to establish or discount potential hydrological connectivity between the Project Boundary and any European Sites.
- All European Sites within the zone of influence (within 15km of the Proposed Development Site) were identified and are shown in Figure 4.
- The potential for connectivity with European Sites at distances greater than 15km from the Proposed Development was also considered in this initial assessment. In this case, potential connectivity between the Proposed Development Site and one European Site located at a distance greater than 15km from the Proposed Development based on the S-P-R model was identified.
- Table 3 provides details of all relevant European Sites as identified in the preceding steps. The potential for pathways between European Sites and the Proposed Development Site was assessed on a case-by-case basis using the Source-Pathway-Receptor framework as per the OPR Practice Note PN01 (March 2021). Those European Sites where a pathway has been identified are highlighted in green. Pathways considered included:
 - a. Direct pathways e.g., proximity (i.e., location within the European Site), water bodies, air (for both air emissions and noise impacts).
 - b. Indirect pathways (e.g., disruption to migratory paths, 'Sightlines' where noisy or intrusive activities may result in disturbance to shy species).
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report.
- There is absolutely no reliance placed in this Appropriate Assessment Screening Report on measures intended to avoid/reduce harmful effects on the European Sites.

The result of this preliminary screening concluded that there is a total of six SACs and four SPAs located within the ZOI of the Proposed Development Site. The distances to each site listed are taken from the nearest possible point of the Proposed Development Site boundary to the nearest possible point of each European Site.

Potential pathways between the Proposed Development Site and five European Sites within the ZOI were identified. The European Sites linked to the Proposed Development are:

- South Dublin Bay SAC
- North Dublin Bay SAC
- Rockabill to Dalkey SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

TABLE 3. EUROPEAN SITES WITHIN THE 15KM PRECAUTIONARY ZONE OF INFLUENCE OF THE PROPOSED DEVELOPMENT AND POTENTIAL PATHWAYS BETWEEN THEM. THOSE EUROPEAN SITES FOR WHICH A S-P-R LINK WAS IDENTIFIED ARE HIGHLIGHTED IN GREEN.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
Special Areas of Conservation (SAC)			
South Dublin Bay SAC (000210)	[1140] Mudflats and sandflats not covered by seawater at low tide; [1210] Annual vegetation of drift lines; [1310] Salicornia and other annuals colonising mud and sand; [2110] Embryonic shifting dunes	6.8 km	Yes – Weak hydrological pathway via groundwater flows from the Proposed Development Site and via potential surface water discharge to the River Camac during Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase.
North Dublin Bay SAC (000206)	[1140] Tidal Mudflats and Sandflats; [1210] Annual Vegetation of Drift Lines; [1310] Salicornia Mud; [1330] Atlantic Salt Meadows; [1410] Mediterranean Salt Meadows; [2110] Embryonic Shifting Dunes; [2120] Marram Dunes (White Dunes); [2130] Fixed Dunes (Grey Dunes)*; [2190] Humid Dune Slacks; [1395] Petalwort (<i>Petalophyllum ralfsii</i>)	9.3 km	
Glenasmole Valley SAC (001209)	[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (* important orchid sites)* ; [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)*	9.3 km	None – There are no impact pathways present linking the Proposed Development and the habitats and species listed for these SACs. The intervening distances between the Site and the SACs are sufficient to exclude the possibility of significant effects on the SACs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.
Wicklow Mountains SAC (002122)	[3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>); [3160] Natural dystrophic lakes and ponds; [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ; [4030] European dry heaths; [4060] Alpine and Boreal heaths; [6130] Calaminarian grasslands of the <i>Violetalia calaminariae</i> ; [6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe); [7130] Blanket bogs (* if active bog); [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>); [8210] Calcareous rocky slopes with chasmophytic vegetation; [8220] Siliceous rocky slopes with chasmophytic vegetation; [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; [1355] <i>Lutra lutra</i> (Otter)	11 km	
Rye Water Valley/ Carton SAC (001398)	[7220] Petrifying springs [1014] Narrow-mouthed Whorl Snail <i>Vertigo angustior</i> [1016] Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i>	11.7 km	

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
Baldoyle Bay SAC (000199)	[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (* important orchid sites)* ; [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); [7220] Petrifying springs with tufa formation (<i>Cratoneurion</i>)*	13.8 km	<p>None – There are no impact pathways present linking the Proposed Development and the habitats and species listed for these SACs.</p> <p>The intervening distances between the Site and the SACs are sufficient to exclude the possibility of significant effects on the SACs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.</p>
Rockabill to Dalkey Island SAC (003000)	[1170] Reefs [1351] Harbour Porpoise <i>Phocoena phocoena</i>	15.1 km	<p>Yes – Weak hydrological pathway via groundwater flows from the Proposed Development Site and via potential surface water discharge to the River Camac during Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase.</p>
Special Protected Area (SPA)			
South Dublin Bay and River Tolka Estuary SPA (004024)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A137] Ringed Plover <i>Charadrius hiaticula</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A192] Roseate Tern <i>Sterna dougallii</i> ; [A193] Common Tern <i>Sterna hirundo</i> ; [A194] Arctic Tern <i>Sterna paradisaea</i> ; [A999] Wetlands and Waterbirds	6.2 km	<p>Yes – Weak hydrological pathway via groundwater flows from the Proposed Development Site and via potential surface water discharge to the River Camac during Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase.</p>

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
North Bull Island SPA (004006)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A048] Shelduck <i>Tadorna tadorna</i> ; [A052] Teal <i>Anas crecca</i> ; [A054] Pintail <i>Anas acuta</i> ; [A056] Shoveler <i>Anas clypeata</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A140] Golden Plover <i>Pluvialis apricaria</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A156] Black-tailed Godwit <i>Limosa limosa</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A160] Curlew <i>Numenius arquata</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A169] Turnstone <i>Arenaria interpres</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A999] Wetlands and Waterbirds	9.3 km	The Proposed Development does not provide significant <i>ex-situ</i> foraging/roosting habitat for SCI species (refer to section 3.5.2.1 and 3.5.2.4 for more details).
Wicklow Mountains SPA (004040)	[A098] Merlin <i>Falco columbarius</i> ; [A103] Peregrine <i>Falco peregrinus</i>	11 km	None – There is no hydrological connection. In addition, the intervening distances between the Site and the SPAs are sufficient to exclude the possibility of significant effects on the SPAs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.
Baldoyle Bay SPA (004016)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A048] Shelduck <i>Tadorna tadorna</i> ; [A137] Ringed Plover <i>Charadrius hiaticula</i> ; [A140] Golden Plover <i>Pluvialis apricaria</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A999] Wetlands and Waterbirds	14.2 km	The Proposed Development does not provide significant <i>ex-situ</i> foraging/roosting habitat for SCI species (refer to section 3.5.2.1 and 3.5.2.4 for more details).



FIGURE 4. EUROPEAN SITES WITHIN 15KM OF THE PROPOSED DEVELOPMENT SITE.

3.5 Assessment of Likely Significant Effects

A European Site will only be at risk from likely significant effects where the Source-Pathway-Receptor link exists between the Proposed Development and the European Site. As such, the remainder of this AA Screening report will focus on the European Sites for which a S-P-R link was identified, namely:

- South Dublin Bay SAC
- North Dublin Bay SAC
- Rockabill to Dalkey Island SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

3.5.1 Conservation objectives

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them.

Site specific conservation objectives (SSCO) have been compiled for the European Sites listed above. Site-specific conservation objectives aim to define favourable conservation condition for habitats or species at a site.

The maintenance of habitats and species within European Sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing.
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future.
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

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

3.5.2 Identification and Assessment of Likely Significant Effects

The conservation objectives of the European Sites within the zone of influence were reviewed and assessed 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 of the European Sites listed above.

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 resulting from the Proposed Development during the Construction and Operational Phases was determined based on a range of indicators, including:

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

The following elements of the Proposed Development were assessed for their potential for likely significant effects on European Sites.

- **Construction Phase**

- Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks.
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies.
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater.
- Waste generation during the Construction Phase comprising soils, construction and demolition wastes.
- Increased noise, dust and/or vibrations as a result of construction activity.
- Increased dust and air emissions from construction traffic.
- Increased lighting in the vicinity as a result of construction activity.

- **Operational Phase**

- Surface water drainage from the Site of the Proposed Development.
- Foul water from the Proposed Development leading to increased loading on wastewater treatment plants.
- Increased lighting in the vicinity emitted from the Proposed Development; and
- Increased human presence in the vicinity as a result of the Proposed Development.

3.5.2.1 Habitat Loss and Alteration

The project is not located within any European Site and therefore there will be no direct or indirect loss or alteration of habitat as a result of the Proposed Development.

Results of the winter bird surveys carried out over 6 days across the 2020/21 winter season and 5 days across the 2021/22 winter season confirm very little usage of the Site of the Proposed Development by species listed as Special Conservation Interest for the relevant SPAs.

Over the course of the 66 hours surveyed, one observation of Light-bellied Brent Geese (LBBG) was made during the 2020/21 winter season. No records of this species were made during the 2021/22 winter and no LBBG droppings were recorded at the Site during any of the

2021/22 winter Site visits. This demonstrates that the Site of the Proposed Development is not a significant *ex-situ* feeding Site for LBBG.

Although there is some potential feeding habitat for waterfowl and shorebird species at the Site in the form of the amenity grassland present, little to no usage of the Site was recorded during the two winters it was surveyed. It is noted that the Site is not located in close proximity to the coast. As such, it is unlikely that the Site will be used regularly if at all by any SCI species other than Gull species. LBBG were only recorded feeding on the Site once in winter 2020/21 and the lack of visual records or droppings since then indicate that it is not regularly used as an important feeding site by the LBBG.

It is therefore concluded that there will be no loss of any important *ex-situ* foraging/roosting habitat, to any of the SCI species listed for the relevant SPAs, as a result of the Proposed Development.

Based on initial site assessment/observations, expert opinion, and the findings of the survey itself; it is the considered professional opinion of Enviroguide Consulting that the Site of the Proposed Development is not currently utilised in any significant manner by SCI species listed for the relevant SPAs.

3.5.2.2 Habitat / Species Fragmentation

As there will be no direct habitat loss within any European Sites, no habitat fragmentation will arise as a result of the Proposed Development.

3.5.2.3 Changes in Water Quality and Resource

According to the Hydrological Risk Assessment Report for the Proposed Development (Enviroguide, 2022) there is a potential low risk to groundwater quality within the aquifer beneath and immediately downgradient of the Site of the Proposed Development. *‘There is limited potential for vertical migration from surface to the aquifer due to the presence of low permeability clays above the aquifer. Any potential impact to groundwater will be localised as groundwater flow paths (and contaminant migration paths) are expected to be less than 1km...and not to extend to Dublin Bay. Therefore, there will be no impact on the identified Natura 2000 sites and pNHA sites hydraulically connected with the Proposed Development Site including in the absence of avoidance and mitigation’* measures.

There is a weak hydrological connection between the Site, North Dublin Bay SAC, South Dublin Bay SAC, Rockabill to Dalkey Island SAC, North Bull Island SPA and South Dublin Bay and River Tolka Estuary SPA via surface water and treated wastewater from the Proposed Development.

- SuDS Measures are included in the Project Design however, they **are not** being relied upon in any way to mitigate against likely significant effects on a European Site. SuDS measures by their nature mitigate the emissions from a site, potential impacts as a result of the Proposed Development have been assessed in the absence of the implementation of SuDS measures:
 - It is a policy of Dublin City Council (SI18) to “require the use of Sustainable Urban Drainage Systems in all new developments, where appropriate, as set out in the Greater Dublin Regional Code of Practice for Drainage Works”. As such, the Proposed Development design will entail a suite of SuDS measures that will be incorporated into the Proposed Development.

The potential for surface water generated at the Site of the Proposed Development to reach the European Sites within Dublin Bay and cause significant effects, during both the Construction and Operational Phases, is negligible due to:

- The distance and consequent potential for dilution in the River Camac, River Liffey and Dublin Bay. Surface water discharges would have to travel over 9 river km along the River Camac and River Liffey before reaching the European Sites within Dublin Bay.
- The potential for dilution in the surface water network during heavy rainfall events.
- A Hydrological Risk Assessment Report was carried out by Enviroguide Consulting to assess the potential for any likely significant impacts on the receiving water environment and specifically on designated and protected European Sites hydrologically connected with the Proposed Development, during both the Construction and Operational Phases, in the absence of taking account of any measures intended to avoid or reduce harmful effects of it (i.e., mitigation measures). There was no identified risk to the quality or impact on the receiving environments associated with the Proposed Development that would result in a significant effect on any European Site. The risk assessment states that *'In the instance of a worst-case unmitigated release of deleterious materials or suspended sediment, there is potential for discharge of contaminants to the surface water network. Surface water within the receiving Camac River may be impacted locally in the immediate vicinity of the surface water drainage outfall from the Site. Taking account of the potential for assimilation within the drainage network and the Camac River and River Liffey downstream of the surface water drainage outfall point, there is a negligible risk to water quality within the River Liffey, Liffey Estuary and Dublin Bay. There is no identified risk to the Natura 2000 and pNHA sites hydraulically connected with the Site in the absence of mitigation and design avoidance measures.'*(Enviroguide, 2022).
- The Site Specific Flood Risk Assessment (SSFRA) for the Proposed Development (OCSC, 2022) identified that the Site was not at risk of coastal or groundwater flooding. The Site is within Flood Zone C for fluvial flooding, where the probability of flooding from rivers and sea is low (less than 0.1% AEP for both fluvial and coastal flooding).

Foul water from the Proposed Development will be treated at Ringsend WwTP. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA via discharges from Ringsend WwTP during the Operational Phase.

The potential for foul waters generated at the Site of the Proposed Development to reach European Sites within Dublin Bay and cause significant effects, during the Operational Phase, is negligible due to:

- The completion of the first phase of upgrade works to Ringsend WwTP, which increased the capacity of the facility by 400,000 Population Equivalent (P.E.) in December 2021 and the further upgrade works proposed which will increase the capacity to 2.4 million PE (see section 3.5.2.6 for more details).

- It is considered that effects on marine biodiversity and the European Sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely (see section 3.5.2.6 for more details). The natural characteristics of Dublin Bay result in enriched water rapidly mixing and degrading such that the plume has no appreciable effect on water quality at European Sites.
- The increase of 1,702 Population Equivalent (P.E.) at the facility as a result of the Proposed Development, assuming each PE unit was not previously supported by the WwTP, is considered to be an insignificant increase in terms of the overall scale of the facility. This potential maximum increased load does not have the capacity to alter the effluent released from the WwTP to such an extent as to result in likely significant effects on the European Sites.
- According to the most recent Wastewater Treatment Capacity Register for Dublin (link: <https://www.water.ie/docs/connections/developer-services/capacity-registers/wastewater/2021/IW-WWCR-WEB-Dublins-2021.pdf> accessed on the 21st of September 2022), there is currently spare treatment capacity available at Ringsend WwTP based on loads received in 2020 and available treatment capacity now or through the completion of the upgrade works.

Likely significant effects to European Sites as a result of wastewater generated by the Proposed Development and treated at Ringsend WwTP can therefore be ruled out.

3.5.2.4 Disturbance and / or Displacement of Species

For the same reasons outlined in section 3.5.2.3, the Proposed Development does not have the capacity to cause any significant disturbance and/or displacement of species due to water quality impacts.

Wintering waterfowl such as Light-bellied Brent Geese and Curlew are known to utilise *ex-situ* inner-city grassland feeding grounds during the winter months. To determine whether any known *ex-situ* foraging habitat for SCI species is located within the vicinity of the Proposed Development, reference was made to Enviroguide Consulting (2019) and Benson (2009). These documents provide information on the network of *ex-situ* inland feeding sites utilised by winter birds in Dublin. According to the aforementioned documents, there are no known *ex-situ* feeding sites in close proximity to the Proposed Development. Good Counsel GAA Club, Brickfield Park and Dolphin's Barn Green are located ca. 545m, 577m and 900m to the south-east of the Site respectively, and it is deemed that there is no potential for significant impacts to these species, should they be utilising these sites, as a result of disturbance due to noise, dust or increased human activity at the Site of the Proposed Development during both the Construction and Operational Phases.

The Site of the Proposed Development itself has also been considered as regards its potential as an *ex-situ* feeding ground for the above species. The green space which makes up the majority of the Site lands is categorised as 'GA2- Amenity Grassland' habitat (as per Fossitt, 2000), and covers an area that was resown after the demolition of several buildings at the Site over the course of the last decade. Although this type of habitat theoretically has the potential to provide suitable *ex-situ* foraging habitat for several SCI species listed for this SPA, little to no usage of the Site was recorded during the two winters the Proposed Development Site was surveyed.

Should wintering waterfowl regularly commute over the Proposed Development Site to *ex-situ* feeding sites in the vicinity of the Proposed Development Site, there is a potential risk of bird collisions with the Site Structures. Other than Black-headed Gull (which were present on all counts), SCI species were noted in flight over the Proposed Development on only two occasions during the Wintering Bird Surveys carried out (Light-bellied Brent Geese and Oystercatcher) and no significant flight path was observed to be consistently in use over the Site.

It is therefore the informed opinion of the author of this report that, due to the lack of recorded use of lands at the Site of the Proposed Development as *ex-situ* feeding ground for Brent geese, or any other SCI species, based on the two seasons of Wintering Bird Surveys carried out to date; the loss of this area of grassland as a result of the Proposed Development will not cause any significant impacts to the aforementioned SCI bird species, or any other for that matter.

Based on initial Site assessment/observations, expert opinion, and the findings of the winter bird surveys of the Site; it is the considered professional opinion of Enviroguide Consulting that the Site of the Proposed Development is not currently utilised in any significant manner by SCI species listed for the relevant SPAs. It also does not currently represent an important flyway for SCI species, with a lone occurrence of 230 LBBG in January 2022 and a single Oystercatcher in March 2022 being the only SCI waterfowl species recorded in flight over the Site. Furthermore, the Proposed Development entails building heights ranging from 1-7 storeys in height (max height 24m) and as such, the risk of migrating birds colliding with the structure due to its height is deemed to be negligible. Migrating species tend to commute far above this with Swans and Geese flying up to 2500ft (ca.750m) during migration along Irish Coasts (Irish Aviation Authority, 2020). Birds that fly over the Site to commute across the city or in order to reach feeding grounds at various locations would fly lower than these migration heights

Therefore, it is deemed that the Proposed Development will not have any significant adverse effects on these species in terms of disturbance, or flight-line obstruction going forward.

3.5.2.5 Changes in Population Density

For the same reasons outlined in section 3.5.2.1, 3.5.2.3 and 3.5.2.4, the Proposed Development does not have the capacity to cause any significant changes in the population density of any species within any European Site.

3.5.2.6 Potential for In-combination Effects

Existing Planning Permissions

There are several existing planning permissions on record in the area ranging from small-scale extensions and alterations to existing residential properties to some larger-scale developments. The larger-scale development identified within the vicinity of the Proposed Development are as follows:

Planning Ref: 2997/21. **Applicant:** Derek Kelly. **Address:** Emmet Manor , Emmet Court, Saint Vincent Street West, Dublin, 8. **Decision date:** 10-Feb-2022. **Decision:** REQUEST AI EXT OF TIME. **Description:** *The development will consist of: (i) Construction of a four-storey flat-roofed apartment block comprising 4 no. one-bedroom and 12 no. two-bedroom apartments each to be served by private south facing terraces and 1 no. vehicular parking space; (ii) Provision of new bicycle shed and bin store to serve apartment block; and (iii) All*

ancillary works, inclusive of landscaping and SuDS drainage, necessary to facilitate the development. The proposal will increase the number of residential apartments within Emmet Court from 96 to 112 and reduce the number of car parking spaces from 87 to 75.

Planning Ref: 3815/20. **Application Type:** Permission. **Applicant:** Board of Management of Our Lady of Lourdes National School. **Address:** Our Lady of Lourdes National School, Goldenbridge, Inchicore, Dublin 8. **Granted:** 11-Mar-2021. **Description:** *PROTECTED STRUCTURE: The site is bordered by St. Vincent Street West and Emmet Crescent. The proposed development consists of: A) Phased demolition of the middle section of the existing school building; removal of prefabricated temporary teaching accommodation units and selected trees. B) Refurbishment and alterations of the retained sections of the building including internal works to existing classrooms on ground floor to provide a new two classroom special educational needs unit and provision of the application of new insulated rendering system to building facades and upgrade of existing windows and doors. C) Construction of two-storey extension to the middle section of the existing school building, consisting of a general purpose hall, special education tuition rooms, multi-purpose room, home school liaison room, 4 no. general classrooms, a library, offices, staff room, stores, toilets, circulation areas, and ancillary accommodation. D) Provision of 22 no. on-site car parking spaces. E) Widening of existing vehicular access and provision for a new pedestrian site access with refurbishment of existing gates and provision of new gates all facing Emmet Crescent Street. F) Provision of 60 no. on-site bicycle parking spaces; refurbishment of gate facing St. Vincent Street West; provision of covered bin store. G) Provision of new hard surfaced and planted play and amenity areas, erection of 6 no. new flagpoles, refurbishment and upgrade of existing boundary walls, fences and gates (as described above and including a pedestrian gate towards the convent at the western site boundary), and provision of ancillary site works at this location. The site is in the curtilage of protected structures, Sisters of Mercy Chapel & Convent to the west.*

Planning Ref: 4260/19. **Application Type:** Permission. **Applicant:** Circle Voluntary Housing Association. **Address:** Site 1b St. Michael's Estate, Inchicore, Dublin 8. **Granted:** 24-Jan-2020. **Description:** *Permission for development at this site (0.72 hectare), known as Site 1b St. Michael's Estate, Inchicore, Dublin 8 bounded by Richmond Barracks to the north, the rear of Connolly Avenue to the east and Thornton Heights to the south. The development will consist of a one to four storey older persons housing with supports scheme, incorporating: (i) 52 no. apartment dwellings with balconies; (a) 16 no. 2 bedroom apartments; (b) 36 no. 1.5 bedroom apartments. (ii) Communal facilities at ground floor level to include a multipurpose room, additional ancillary spaces, staff offices and a publicly accessible tea room (26.5m²). (iii) Landscaping works to include resident courtyards and a landscaped open space (facing the St. Michaels Estate road) incorporating a new vehicle setdown area. (iv) 15 no. car parking spaces. (13 no. new car parking spaces to be accessed from an existing vehicular entrance and the relocation of 2 no. existing car parking spaces adjacent to the new vehicle setdown area). (v) 52 no. bicycle parking spaces. (vi) (ESB substation), external signage, site perimeter boundary treatments, plant rooms, waste storage enclosures and all associated ancillary development works and services. (vii) The development will consist of the following floor areas: - Total gross internal floor area (GIA): 4,655m² (inclusive of all residential, communal, vertical circulation & ancillary spaces). - Area of external deck/gallery access (excluding balconies): 1,066.6m². - Area of roof terrace (excluding balconies): 100.1m². (viii) The building will be one to four storeys in height, with a top parapet level of 40.04m OD (measuring 14.835m above finished ground floor level).*

Planning Ref: 2453/19. **Application Type:** Permission. **Applicant:** Vabtol Limited. Association. **Address:** Site to the rear of 205A, Emmet Road, Inchicore, Dublin 8. **Granted:** 29-July-2019. **Description:** *Amendment to Planning Ref. No. 3635/16 for the previous approved 4-storey apartment development in the backlands for the increase in height to six storey building above semi-basement level consisting of: 6 no. one-bed, 18 no. two-bed apartments; which include balconies to the north, west & south elevations, additional covered bike storage areas, refuse store, with revised 18 no. car parking spaces off vehicular access road from Emmet Road, with associated landscaping & site works.*

Planning Ref: 2747/20. **Application Type:** Permission. **Applicant:** Durkan (Davitt Road) Ltd. **Address:** Former Dulux Factory Site, Davitt Road, Dublin 12, D12 C97T. **Granted:** 04-Nov-2020. **Description:** *The development will consist of modifications to development previously permitted under Reg. Ref. ABP-303435-19 (DCC Ref. SHD0002/19). The modifications for permission consist of (a) alteration to window format at third and fourth floor level on east and west elevation to provide windows to corridor only; (b) window format altered at sixth floor level of south elevation of Blocks A and B; (c) balconies and windows removed from eastern elevation of 4no. apartments at fifth and sixth floor level of Block B due to internal layout requirements related to fire safety; (d) extension of elevator and lift core within Block A from fourth floor to fifth floor level for fire safety purposes, giving an overall height increase of 3.7m; (e) communal lounge extended by 3sqm to connect to extended lift/stair core at fifth floor level; (f) ESB Kiosk (approx. 23.47sqm) at Galtymore Road elevation relocated approximately 6m to the east and redesigned to ESB standards; (g) bin store added to internal layout of ESB substation building (approx. 7.09sqm); (h) bin store (approx. 9.77sqm) added to eastern courtyard; (i) accessible rest room added to guest room at fifth floor level; (j) glazed balconies converted to brick at ground floor level of south elevation and east and west internal courtyard elevations; (k) alteration to glazing at street level of Block B fronting Davitt Road; (l) alterations to selected balconies (8no.) at third and fifth floor to convert from cladding to glazed treatment; and (m) unit layouts of apartments 104 and 110 at first and second floor of block B, fronting Davitt Road, reconfigured to allow sufficient separation distance between proposed balconies and ground floor ESB substation entrance.*

Planning Ref: 2221/21. **Application Type:** Part 8 Development. **Applicant:** Dublin City Council Housing and Community Services Department. **Address:** Emmet Road, Inchicore, Dublin 8 **Granted:** 09-April-2021 **Description:** *Pursuant to the requirements of the above notice is hereby given of the proposed demolition of the former health centre and St. Michael's community centre at Emmet Road, Inchicore, Dublin 8 and associated site clearance works which include the remains of a disused halting site together with internal site walls, fences, hard surfaces and utilities. No new construction works are proposed at this time, other than those necessary to secure the site or divert services. The foundations of the buildings will be removed, and all services will be removed insofar as this is practicable.*

The site is bounded by a combination of walls and fences of different types, and it is proposed to leave these in place, pending re-development. Most of the paved surface of the site will be removed, and the site grassed pending re-development. The re-development of the subject site will be subject of a separate planning application and consultation process.

The local Authority has concluded following a preliminary examination that there is no real likelihood of the proposed development having significant effects on the environment and therefore an EIAR is not required.

On examination of the above developments, it is considered that there are no means for the Proposed Development to act *in-combination* with any project that would cause any likely significant effects on any European Sites.

Relevant Policies and Plans

The following policies and plans were reviewed and considered for possible in-combination effects with the Proposed Development.

- Dublin City Biodiversity Action Plan 2015-2020
- Draft Dublin City Biodiversity Action Plan 2021-2025
- Dublin City Development Plan 2016-2022
- Dublin City Council Development Plan 2016-2022 Appropriate Assessment

The Dublin City Biodiversity Action Plan 2015-2020 is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development. The Dublin City Development Plan 2016-2022 has directly addressed the protection of European Sites through specific policies (GI2). The relevant recommendations and mitigation measures have been integrated into the plan.

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European Sites.

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 plant by 400,000 P.E. These works, together with the future works permitted will ultimately increase the capacity of the facility from 1.6 million P.E. to 2.4 million P.E. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended solids, ammonia, DIN and MRP. An Environmental Impact Assessment Report (EIAR) was submitted by Irish Water as part of this 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.*" 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

AA 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.

A pre-connection enquiry form (IW Reference No. CDS22003279) was submitted to Irish Water, with Confirmation of Feasibility subsequently confirmed by Irish Water, without the requirement for any upgrades (OCSC, 2022).

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European Sites.

TABLE 4. 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	None	None	None	NO
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
Baldoyle Bay SAC (000199)	No	No	No	None	None	None	NO
Wicklow Mountains SAC (002122)	No	No	No	None	None	None	NO
Glenasmole Valley SAC (001209)	No	No	No	None	None	None	NO
Rye Water Valley / Carton SAC (001398)	No	No	No	None	None	None	NO
Rockabill to Dalkey Island SAC (003000)	No	No	No	None	None	None	NO
SPA							
South Dublin Bay and River Tolka Estuary SPA (004024)	No	No	No	None	None	None	NO
North Bull Island SPA (004006)	No	No	No	None	None	None	NO
Baldoyle Bay SPA (004016)	No	No	No	None	None	None	NO
Wicklow Mountains SPA (004040)	No	No	No	None	None	None	NO

4 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Mixed-use Development at Emmet Road, Dublin 8 has been assessed taking into account:

- the nature, size and location of the proposed works and possible impacts arising from the construction works.
- the qualifying interests 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, on the basis of objective information; 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)

North Dublin Bay SAC (000206)

Baldoyle Bay SAC (000199)

Wicklow Mountains SAC (002122)

Glenasmole Valley SAC (001209)

Rye Water Valley/Carton SAC (001398)

Rockabill to Dalkey Island SAC (003000)

South Dublin Bay and River Tolka Estuary SPA (004024)

North Bull Island SPA (004006)

Baldoyle Bay SPA (004016)

Wicklow Mountains SPA (004040)

In carrying out this AA screening, mitigation measures **have not been taken into account**. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

On the basis of this screening exercise, it can be concluded, based on the best scientific knowledge available, that the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, **can be excluded**. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a Natura Impact Statement (NIS) is not required.

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