

Porterstown Park: Proposed
Recreational Hub
Information for Screening for Appropriate
Assessment

BSM

Est.
1968

**Brady Shipman
Martin**

**Built.
Environment.**

Ecological
Resilience
**Built
Environment**

Client:

Fingal County Council

Date:

23 January 2019

DOCUMENT CONTROL SHEET

6469_Porterstown_RP01_Information for Screening for Appropriate Assessment

Project No. 6469
Client: Fingal County Council
Project Name: Porterstown Park: Proposed Recreational Hub
Report Name: Information for Screening for Appropriate Assessment
Document No. Porterstown_RP01
Issue No. 02
Date: 23/01/2019

This document has been issued and amended as follows:

| Issue | Status | Date | Prepared | Checked |
|-------|-------------------------------|-------------|----------|---------|
| 01 | Final | 29 Mar 2018 | MH | PB |
| 02 | Final – Revised Scheme Design | 23 Jan 2019 | MH | TB |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |



Contents

- 1 Introduction and background 1
- 2 Methodology 1
 - 2.1 Baseline data collection and field visit..... 1
- 3 Screening for Appropriate Assessment 2
 - 3.1 Background..... 2
 - 3.2 Potential zone of influence..... 2
 - 3.3 Study area and surrounding environment..... 3
 - 3.3.1 Site location and European sites3
 - 3.3.2 Other designated areas (other than European sites).....5
- 4 Description of the proposed development 5
- 5 Links to European sites, including cumulative effects..... 5
 - 5.1 European sites and habitats with links to European sites 5
 - 5.1.1 Potential impacts during construction6
 - 5.1.2 Potential impacts during operation.....7
- 6 Other issues..... 14
- 7 Mitigation specific to European sites 14
- 8 In-combination effects 14
- 9 Screening conclusion 14
- Appendix I: Background 15
 - Stages in the assessment..... 15
 - Conservation Objectives of European sites 16



1 Introduction and background

This document constitutes an Appropriate Assessment Screening Report. The purpose of the report is to provide the information required to assist Fingal County Council, the competent authority, to undertake a screening exercise for Appropriate Assessment (AA). This will determine the effects, if any, on European sites, also known as Natura 2000 Sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA), designated for nature conservation), of the development of a proposed recreational hub at Porterstown Park, Dublin.

A desk study review and site visits were undertaken and the potential impacts on European sites, both as a result of the proposed works and in-combination with other plans and projects, are appraised in this report.

The requirements for an Appropriate Assessment are set out under Article 6 of the *EU Habitats Directive* (92/34/EEC), transposed into Irish law through the *European Union (Birds and Natural Habitats) Regulations 2011 – 2015* and the *Planning and Development Act, 2000* (as amended).

Brady Shipman Martin was commissioned to undertake the study, which was carried out by Senior Ecologist Matthew Hague CEnv MCIEEM.

2 Methodology

2.1 Baseline data collection and field visit

A desk-based assessment was undertaken of the site at Porterstown Park and the wider area. This focused on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) in the designations for the European sites. A survey was undertaken by the author on 23rd March 2018, specifically to inform this Appropriate Assessment document, and additional ecological surveys were undertaken in August 2018, by ecologist Brian Keeley MCIEEM, in the preparation of a bat survey report for the proposed development (presented separately). Where relevant the results of that survey also inform this report.

This report takes the following guidance documents into account:

- *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 NPWS 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting European sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001);
- *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*. Guidance issued by the European Commission (21st November 2018).

Information was collated from the organisations and websites listed below:

- Data on European sites and rare and protected plant and animal species contained in the following databases:
 - The National Parks and Wildlife Service (NPWS) of the Department of Culture, Heritage and the Gaeltacht (www.NPWS.ie);
 - The National Biodiversity Data Centre (NBDC) (www.biodiversityireland.ie);
 - BirdWatch Ireland (www.birdwatchireland.ie);

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

- Bat Conservation Ireland (www.batconservationireland.org).
- Information on land-use zoning from the online mapping of the Department of Housing, Planning and Local Government (<http://www.myplan.ie/en/index.html>);
- Recent and historical OSi mapping and aerial photography, including www.geohive.ie;
- Photographs taken at the site;
- Information on local watercourses from www.catchments.ie;
- Information on water quality in the area (www.epa.ie);
- Information on soils, geology and hydrogeology in the area (www.gsi.ie);
- Information on the status of EU protected habitats in Ireland (NPWS, 2013);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Fingal County Development Plan 2017 – 2023, including the accompanying Natura Impact Report.

The report has regard to the following legislative instruments:

- Planning and Development, Act 2000, as amended;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- European Union (Birds and Natural Habitats) Regulations 2011 – 2015.

The report takes full account of the design of the proposed development and a detailed examination of all relevant elements of the proposal was undertaken.

Given the amount of information available, including from the developer, NPWS and other sources, it has been possible to gather adequate information on the site and the adjacent area (in particular, the European sites), in order to make an informed, sound judgement as to the potential impacts of the proposed development on the qualifying interests of the European sites.

3 Screening for Appropriate Assessment

3.1 Background

The first part of the Appropriate Assessment process is the Screening phase. Screening identifies the likely effects of the proposed development on European sites that could arise, either alone or in combination with other plans or projects, and considers whether these impacts are likely to have a significant effect on the European site in view of the site's conservation objectives.

Following Screening, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment for the purposes of Article 6(3) of the Habitats Directive. This means that if the conclusions at the end of the screening exercise are that significant effects on any European sites, as a result of the proposed development, either alone or in combination with other plans and projects, are likely, uncertain or unknown, then an Appropriate Assessment must be carried out. This is in accordance with established precedent and case law.

3.2 Potential zone of influence

For the risk of an adverse effect to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a

watercourse that links the construction site to the designated site. Although there may be a risk of an impact it may not necessarily occur, and if it does occur, it may not be significant.

Identification of a risk means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. Rather, NPWS (2010) recommends that *'the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects'*. It is often considered appropriate to include all European sites within 15km.

However, in some instances where there are hydrological connections a whole river catchment or a groundwater aquifer may need to be included. Similarly where bird flight paths are involved the impact may be on an SPA more than 15 km away. Taking this into account, as a starting point a search was carried out for all European sites within 15km of the site at Porterstown Park. This search was then extended in order to ensure that all European sites with any potential links to the proposed development were accounted for in the study.

3.3 Study area and surrounding environment

3.3.1 Site location and European sites

The proposed development site (see **Figure 1**) is located within an existing public park, and the majority of the park is occupied by highly managed playing fields. The playing fields are divided by a number of mature tree lines and hedgerows, with ditches frequent. At the time of the survey several of these ditches contained shallow water, however no flowing water was recorded. The southern-most field, which is outside the proposed development area, comprises a damp, unmanaged field, which appears to have been subject to topsoil stripping and other disturbance in the recent past.

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

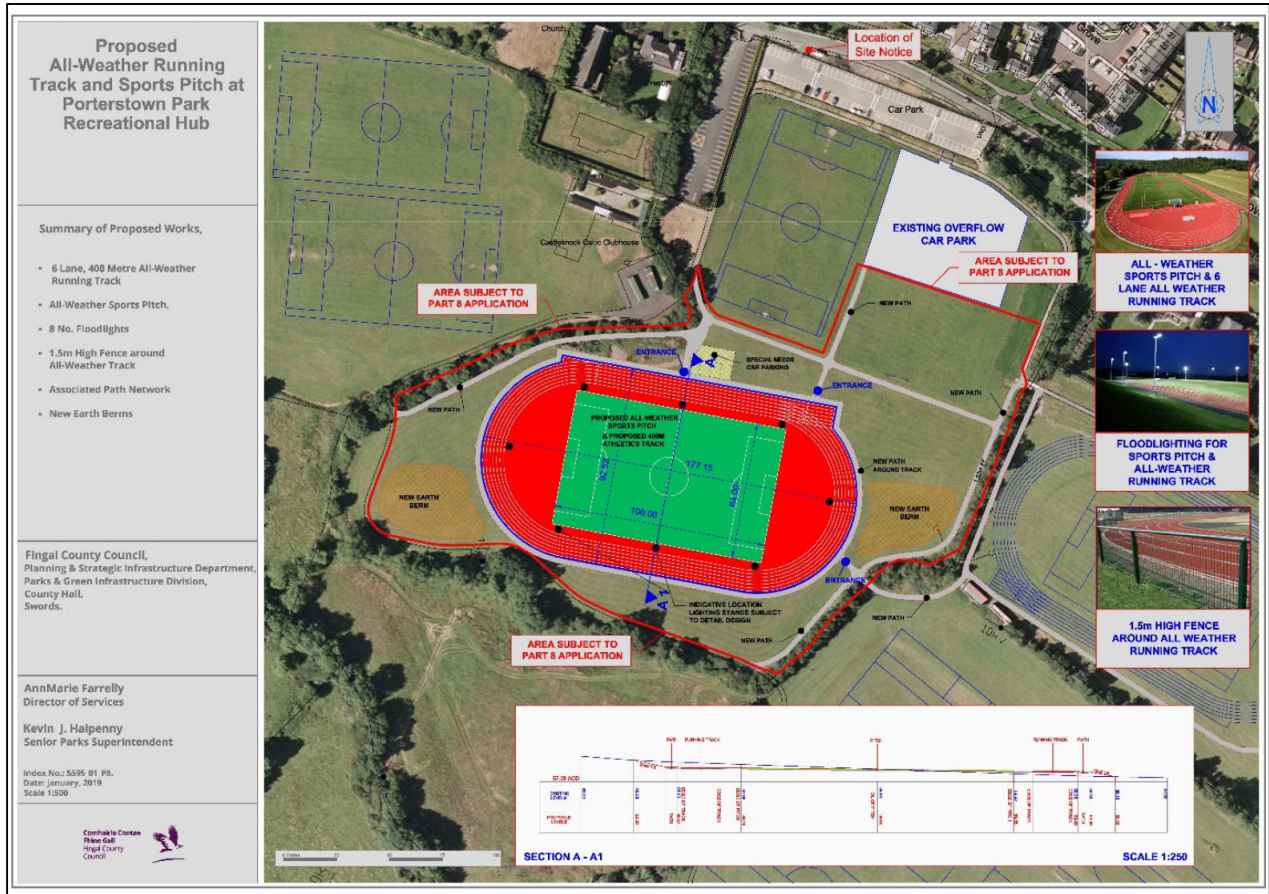


Figure 1: Location of proposed development site at Porterstown Park, Co. Dublin

There are a number of European sites located within a 15km radius of the proposed development (see **Figure 2**). These are:

- **Special Areas of Conservation (SAC)**
 - Rye Water Valley/Carton SAC (site code 001398), c.5.6km to the west;
 - Glenasmole Valley SAC (site code 001209), c.12.6km to the south;
 - South Dublin Bay SAC (site code 000210), c.13.3km to the east;
 - Wicklow Mountains SAC (site code 002122), c.14.8km to the south;
 - North Dublin Bay SAC (site code 000206), c.14.9km to the east;
- **Special Protection Areas (SPA)**
 - South Dublin Bay and River Tolka Estuary SPA (site code 004024), c.11.8km to the east;
 - North Bull Island SPA (site code 004006), c.14.9km to the east;

Beyond the 15km zone there are a number of additional European sites, (two SACs and three SPAs) between 15 and 20km. These sites are also included in this appraisal.

- **Special Areas of Conservation (SAC)**
 - Malahide Estuary SAC (site code 000205), 17.0km to the north east;
 - Baldoyle Bay SAC (site code 000199), c. 17.9km to the north east;

- **Special Protection Areas (SPA)**
 - Wicklow Mountains SPA (site code 004040), 16.2km to the south;
 - Malahide Estuary SPA (site code 004025), c. 17.1km to the north east;
 - Baldoyle Bay SPA (site code 004016), c.18.2km to the north east.

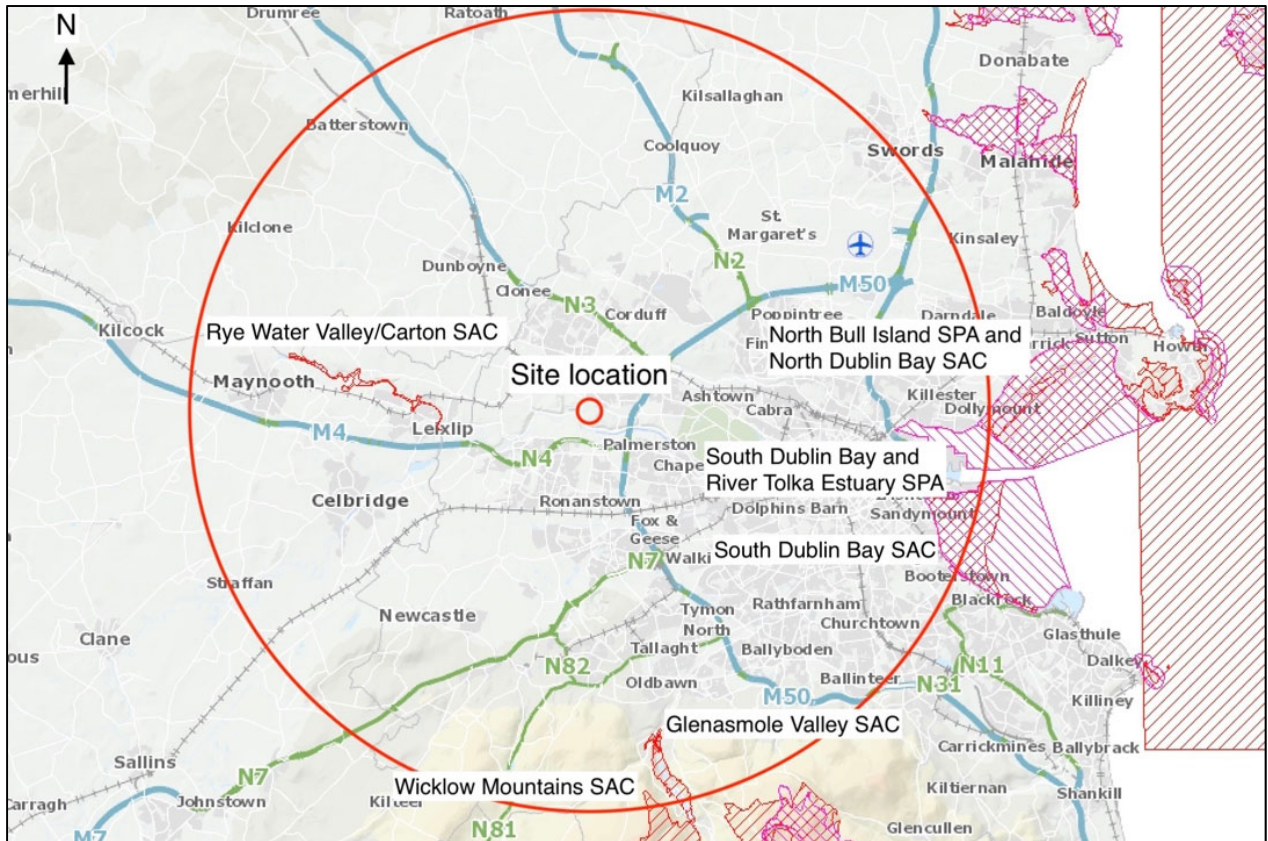


Figure 2: Study site at Porterstown Park showing European sites (red circle denotes 15km radius from the site)

3.3.2 Other designated areas (other than European sites)

The nearest sites designated for nature conservation, not otherwise designated as European sites, are Liffey Valley proposed Natural Heritage Area (pNHA site code 000128, c.0.2km to the south west) and Royal Canal pNHA (site code 002103, c.1.0km to the north). These sites are included in this report in order to address potential impacts on them in light of their potential functions in support of the European sites.

4 Description of the proposed development

The proposed development comprises the construction of a new all-weather soccer pitch and surrounding athletics track.

5 Links to European sites, including cumulative effects

5.1 European sites and habitats with links to European sites

The proposed development site is not under any wildlife or conservation designation. Furthermore, no rare, threatened or legally protected plant species, as listed in the *Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988)*, the *Flora Protection Order, 2015* or the *EU Habitats Directive*, are known to occur within the site.

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

No features of ecological significance are likely to be affected by the proposed development, however the mature tree lines and associated ditches/streams that are present throughout the park are of local ecological value in accordance with the ecological resource valuations presented in the National Roads Authority Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA, 2009 (Rev. 2)).

No evidence of any habitats or species with links to European sites was recorded during either the field survey or desk study undertaken and no 'reservoir' type habitats are present. There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the works. There is, therefore, no potential for the cumulative effects of habitat loss or fragmentation to occur. This includes effects on, for example, light-bellied Brent goose and curlew, both of which species are listed as Scientific Conservation Interests in the offshore SPAs, and are not known to roost or feed at Porterstown Park.

There will be no significant effects on the European sites as a result of:

- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution;
- Air pollution.

The nearest of the European designated sites is the Rye Water Valley/Carton SAC, located approximately 5.6km to the west (straight line distance), and upstream of the site via the River Liffey. There is no link (pathway) between this SAC and the proposed development, due to its location and the intervening topography.

The proposed development site is potentially linked via surface water with a number of European sites to the east, associated with Dublin Bay. The pathway linking the proposed development area at Porterstown to these European sites is via the River Liffey, which is located approximately 350m to the south at its closest point. The European sites are all in excess of 12km from the proposed development boundary (straight line distance).

It is considered that no other European sites have any connection (pathway) with the proposed development at Porterstown, due to their locations, the intervening topography and the features (Qualifying Interests and Special Conservation Interests) for which they are designated. These sites are not considered further in this report.

5.1.1 Potential impacts during construction

All site clearance and construction activities pose a potential risk to watercourses as **surface water** arising at a site may contain contaminants. The main contaminants arising from construction activities may include suspended solids, hydrocarbons and concrete/cement products. If not properly managed, such pollutants could pose a temporary risk to surface water quality in the local surface water network during construction.

The site is surrounded by drainage ditches, which flow eventually into the River Liffey. However, while theoretically there are potential links between the proposed development site and the European sites of Dublin Bay via surface water run-off, no significant impacts on water quality are predicted during the construction phase.

Given the limited nature and small scale of the proposed development the risk of contamination of any watercourses, including the local drainage ditches, is extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that **this would not be perceptible in the offshore European sites**. This is due to both the separation between the River Liffey and the proposed development site and the significant distance to the European sites associated with Dublin Bay.

No construction-related impacts, on European sites or otherwise, are envisaged as a result of the proposed development.

5.1.2 Potential impacts during operation

The management of surface water for the proposed recreational hub will be designed in accordance with the policies and guidelines outlined in the Greater Dublin Strategic Drainage Study (GSDSDS) and to the requirements of Fingal County Council.

No foul water will arise on site as a result of the development of the recreational hub at Porterstown Park.

There will be no residual operational phase impacts on European sites or qualifying features as a result of the proposed development of the recreational hub at Porterstown.

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

Table 1 lists relevant European sites, outlines their reasons for designation and discusses potential source-pathway-receptor links and impacts or risks to these sites from the proposed development.

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|--|---|--|
| <p>South Dublin Bay SAC (site code 000210)</p> | <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • <i>Annual vegetation of drift lines [1210], Salicornia and other annuals colonising mud and sand [1310], Embryonic shifting dunes [2110]. These habitats are listed as features of interest but are not Qualifying Interests of the SAC.</i> <p>According to the Site Specific Conservation Objectives (Version 1, dated 22 August 2013), which covers the QI (mudflats and sandflats not covered by seawater at low tide) only, the Conservation Objective is to maintain the favourable condition, as defined by the range of attributes and targets set out. As appraised in this report, the proposed development will have no impact on the Conservation Objectives.</p> <p>According to the SAC's Natura 2000 information, this intertidal site extends from the South Wall at Dublin Port to the West Pier at Dun Laoghaire, a distance of c. 5 km. At their widest, the intertidal flats extend for almost 3 km. The seaward boundary is marked by the low tide mark, while the landward boundary is now almost entirely artificially embanked. Several permanent channels exist, the largest being Cockle Lake. A small sandy beach occurs at Merrion Gates, while some bedrock shore occurs near Dun Laoghaire. A number of small streams and drains flow into the site. The proximity of the site to Dublin City results in it being a very popular recreational area. It is also important for educational and research purposes.</p> <p>The site possesses a fine and fairly extensive example of intertidal flats. Sediment type is predominantly sand, with muddy sands in the more sheltered areas. A typical macro-invertebrate fauna exists. Has the largest stand of <i>Zostera</i> on the east coast. Supports part of the important wintering waterfowl populations of Dublin Bay. Regularly has an internationally population of <i>Branta bernicla horta</i>, plus nationally important numbers of at least a further 6 species, including <i>Limosa lapponica</i>. Regular autumn roosting ground for significant numbers of <i>Sterna</i> terns, including <i>S. dougallii</i>. The scientific interests of the site have been well documented.</p> | <p>No.</p> <p>No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Porterstown could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea via the River Liffey.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible at this SAC, which is over 13km to the east (straight line distance).</p> <p>Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development which, apart from the potential link via surface water, is completely unconnected to the European site.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p> |



Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|--|--|--|
| <p>North Dublin Bay SAC (site code 000206)</p> | <ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] • Embryonic shifting dunes [2110] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] • Humid dune slacks [2190] • <i>Petalophyllum ralfsii</i> (Petalwort) [1395] <p>According the site Conservation Objectives document (Version 1, dated 06 November 2013), the Conservation Objectives are to maintain or restore the favourable condition of each QI, as defined by the range of attributes and targets set out. As appraised in this report, the proposed development will have no impact on these Conservation Objectives.</p> <p>The North Bull Island sand spit is a relatively recent depositional feature, formed as a result of improvements to Dublin Port during the 18th and 19th centuries. It is almost 5km long and 1km wide and runs parallel to the coast between Clontarf and Sutton. The sediment which forms the island is predominantly glacial in origin and siliceous in nature. Between the island and the mainland there occurs two sheltered intertidal areas which are separated by a solid causeway constructed in 1964. The seaward side of the island has a fine sandy beach. A substantial area of shallow marine water is included in the site. The interior of the island is excluded from the site as it has been converted to golf courses. The proximity of the North Bull Island to Dublin City results in it being a very popular recreational area. It is also very important for educational and research purposes. Nature conservation is a main landuse within the site.</p> <p>The site possesses an excellent diversity of coastal habitats. The North Bull Island dune system is one of the most important systems on the east coast and is one of the few in Ireland that is actively accreting. It possesses extensive and mostly good quality</p> | <p>No.</p> <p>No significant effects on water quality, and therefore on the site's QIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Porterstown could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the local surface water drainage network and from there, eventually, to the sea via the River Liffey.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible at this SAC, which is almost 15km to the east (straight line distance).</p> <p>Furthermore there will be no loss of habitat or species, or disturbance to the qualifying interests of this site as a result of the proposed development which, apart from the potential link via surface water, is completely unconnected to the European site.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p> |

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|--|--|---|
| | <p>examples of embryonic, shifting marram and fixed dunes, as well as excellent examples of humid dune slacks. Both Atlantic and Mediterranean salt marshes are well represented and a particularly good marsh zonation is shown. The salt marshes grade into mudflats and sandflats, some of which are dominated by annual <i>Salicornia</i> species. <i>Petalophyllum ralfsii</i> occurs at its only known station away from the western seaboard. The site has five Red Data Book vascular plant species and four Red Data Book bryophyte species. This is one of the most important sites for wintering waterfowl in Ireland, with internationally important populations of <i>Branta bernicla horta</i>, <i>Calidris canutus</i> and <i>Limosa lapponica</i>, plus nationally important numbers of a further 14 species. 20% of the national total of <i>Pluvialis squatarola</i> occurs here. Formerly it had important colony of <i>Sterna albifrons</i>. North Dublin Bay is nationally important for three insect species. The scientific interests of the site have been well documented and future prospects are good owing to the various designations assigned to site.</p> | |
| <p>South Dublin Bay and River Tolka Estuary SPA (site code 004024)</p> | <ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Wetland and Waterbirds [A999] | <p>No.</p> <p>No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Porterstown could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the surface water drainage network and from there, eventually, via the local surface water drainage network and the River Liffey, to the River Tolka Estuary/Dublin Bay.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in this SPA. This is due to the significant separation between the proposed development site and the European site (approximately 11.2km straight line distance) and the fact that dilution and mixing of surface and sea water would occur.</p> <p>Furthermore there will be no loss of wetland habitat or species, or disturbance to the special conservation interests of this site as a result of the proposed development. This includes ex-situ effects on bird species associated with Dublin Bay, such as Brent goose.</p> |

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|---------------|---|---|
| | <p>According to the Site Specific Conservation Objectives (Version 1, dated 09 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable condition, as defined by the range of attributes and targets set out. As appraised in this report, the proposed development will have no impact on these Conservation Objectives.</p> <p>According to the SPA's Natura 2000 information this site comprises a substantial part of Dublin Bay. It includes virtually all of the intertidal area in the south bay, as well as much of the Tolka Estuary to the north of the River Liffey. A portion of the shallow bay waters is also included. In the south bay, the intertidal flats extend for almost 3 km at their widest. The sediments are predominantly well-aerated sands. The sands support the largest stand of <i>Zostera noltii</i> on the East Coast. Several permanent channels exist, the largest being Cockle Lake. A small sandy beach occurs at Merrion Gates, while some bedrock shore occurs near Dun Laoghaire. The landward boundary is now almost entirely artificially embanked. Sediments in the Tolka Estuary vary from soft thixotropic muds with a high organic content in the inner estuary to exposed, well aerated sands off the Bull Wall. The proximity of the site to Dublin City results in it being a very popular recreational area. It is also important for educational and research purposes.</p> <p>The site possesses extensive intertidal flats which support wintering waterfowl which are part of the overall Dublin Bay population. It regularly has an internationally important population of <i>Branta bernicla hrota</i>, which feeds on <i>Zostera noltii</i> in the autumn. It has nationally important numbers of a further 6 species: <i>Haematopus ostralegus</i>, <i>Charadrius hiaticula</i>, <i>Calidris canutus</i>, <i>Calidris alba</i>, <i>Calidris alpina</i> and <i>Limosa lapponica</i>. It is an important site for wintering gulls, especially <i>Larus ridibundus</i> and <i>Larus canus</i>. South Dublin Bay is the premier site in Ireland for <i>Larus melanocephalus</i>, with up to 20 birds present at times. Is a regular autumn roosting ground for significant numbers of terns, including <i>Sterna dougallii</i>, <i>S. hirundo</i> and <i>S. paradisaea</i>.</p> | <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p> |



Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|---|---|--|
| <p>North Bull Island SPA (site code 004006)</p> | <ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Shelduck (<i>Tadorna tadorna</i>) [A048] • Teal (<i>Anas crecca</i>) [A052] • Pintail (<i>Anas acuta</i>) [A054] • Shoveler (<i>Anas clypeata</i>) [A056] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Black-tailed Godwit (<i>Limosa limosa</i>) [A156] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Curlew (<i>Numenius arquata</i>) [A160] • Redshank (<i>Tringa totanus</i>) [A162] • Turnstone (<i>Arenaria interpres</i>) [A169] • Black-headed Gull (<i>Larus ridibundus</i>) [A179] • Wetlands & Waterbirds [A999] <p>According the site Conservation Objectives document (Version 1, dated 09 March 2015), for each of the listed SCIs, the Conservation Objective is to maintain the favourable condition, as defined by the range of attributes and targets set out. As appraised in this report, the proposed development will have no impact on these Conservation Objectives.</p> <p>The North Bull Island sand spit is a relatively recent depositional feature, formed as a result of improvements to Dublin Port during the 18th and 19th centuries. It is almost 5km long and 1km wide and runs parallel to the coast between Clontarf and Sutton.</p> | <p>No.</p> <p>No significant effects on water quality, and therefore on the site's SCIs, are predicted. Surface water arising during the site clearance, construction and operation of the proposed development at Porterstown could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the surface water drainage network and from there, eventually, via the local surface water drainage network and the River Liffey, to Dublin Bay.</p> <p>However, there would be no significant effects on the conservation objectives of the European site should this occur, given the nature, scale, and location of the proposed development. Even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that this would not be perceptible in this SPA. This is due to the significant separation between the proposed development site and the European site (almost 15km straight line distance) and the fact that dilution and mixing of surface and sea water would occur.</p> <p>Furthermore there will be no loss of wetland habitat or species, or disturbance to the special conservation interests of this site as a result of the proposed development. This includes ex-situ effects on bird species associated with Dublin Bay, such as Brent goose.</p> <p>No operational impacts on this European site related to foul water management are envisaged as a result of the proposed development.</p> |

Porterstown Park: Proposed Recreational Hub

Information for Screening for Appropriate Assessment

| European Site | Reasons for designation (information correct as of 22 nd January 2019) (*denotes a priority habitat) | Source – Pathway – Receptor link |
|---------------|--|----------------------------------|
| | <p>The sediment which forms the island is predominantly glacial in origin and siliceous in nature. A well-developed dune system runs the length of the island, with good examples of embryonic, shifting marram and fixed dunes, as well as excellent examples of humid dune slacks. Extensive salt marshes also occur. Between the island and the mainland occur two sheltered intertidal areas which are separated by a solid causeway constructed in 1964. The seaward side of the island has a fine sandy beach. A substantial area of shallow marine water is included in the site. Part of the interior of the island has been converted to golf courses. The proximity of the North Bull Island to Dublin City results in it being a very popular recreational area. It is also very important for educational and research purposes. Nature conservation is a main landuse within the site.</p> <p>The site is among the top ten sites for wintering waterfowl in the country. It supports internationally important populations of <i>Branta bernicla hrota</i> and <i>Limosa lapponica</i> and is the top site in the country for both of these species. A further 14 species have populations of national importance, with particular notable numbers of <i>Tadorna tadorna</i> (8.5% of national total), <i>Anas acuta</i> (11.6% of national total), <i>Pluvialis squatarola</i> (6.9% of national total), <i>Calidris canutus</i> (10.5% of national total). North Bull Island SPA is a regular site for passage waders such as <i>Philomachus pugnax</i>, <i>Calidris ferruginea</i> and <i>Tringa erythropus</i>. The site supports <i>Asio flammeus</i> in winter. Formerly the site had an important colony of <i>Sterna albifrons</i> but breeding has not occurred in recent years. The site provides both feeding and roosting areas for the waterfowl species. Habitat quality for most of the estuarine habitats is very good. The site has a population of the rare <i>Petalophyllum ralfsii</i> which is the only known station away from the western seaboard as well as five Red Data Book vascular plant species and four bryophyte species. It is nationally important for three insect species.</p> <p>Wintering bird populations have been monitored more or less continuously since the late 1960s, and the other scientific interests of the site have also been well documented. Future prospects are good owing to various designations assigned to site.</p> | |



6 Other issues

While no invasive plant species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011* (such as Japanese knotweed or giant hogweed) are present on site, a number of these species are known from the wider area of this part of Co. Dublin. There is a risk that during construction such species could be introduced to the site. Avoidance of such risk will be managed during the construction period and no such species will be planted or deliberately imported to the proposed development area.

Additionally, for the reasons outlined in this report for the European sites, no impacts on any other designated sites including proposed Natural Heritage Areas, are likely.

7 Mitigation specific to European sites

In relation to European sites, there will be no impacts as a result of the proposed development. Therefore no mitigation is necessary or proposed for the protection of European sites.

8 In-combination effects

It is a requirement of the *Birds and Natural Habitats Regulations, 2011* that when considering whether a plan or project will adversely affect the integrity of a European site the assessment must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

- If it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a European site then the plan or project should proceed without considering the in-combination test, further;
- If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

As appraised in this report the proposed development will not have any significant effects on any European sites. As such it can be concluded that the development either on its own or in-combination with other developments will have no impact on the European sites.

9 Screening conclusion

This report concludes on the best scientific evidence that it can be clearly demonstrated that no elements of the project, to develop a new recreational hub at Porterstown Park, will result in any impact on the integrity or Qualifying Interests/Special Conservation Interests of any relevant European site, either on their own or in-combination with other plans or projects, in light of their conservation objectives.

As such no mitigation measures are required for the protection of these European sites.

It is considered that this report provides sufficient relevant information to allow the Competent Authority (Fingal County Council) to carry out an AA Screening, and reach a determination that the proposed development will not affect the integrity of any of the relevant European sites under Article 6 of the Habitats Directive (92/43/EEC) in light of their conservation objectives.

Appendix I: Background

The European¹ network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as ‘European Sites’ or ‘Natura 2000 sites’) that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

The main aim of the Habitats Directive is “to contribute towards ensuring biodiversity through the conservation of natural habitats of wild fauna and flora in the European territory of the Member States to which the treaty applies”. Any actions taken must be designed to “maintain or restore, at a favourable conservation status, natural habitats and species of wild fauna and flora of Community interest”. Under Article 6 of the Habitats Directive, an assessment is required where a plan or project may give rise to significant effects upon a European site.

In addition, it is a matter of law that candidate SACs (cSACs) and Sites of Community Importance (SCI) are considered in this process;

Article 6 (paragraphs (3) and (4)) of the Habitats Directive states that:

(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have 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.

(4) If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of European is protected. It shall inform the Commission of the compensatory measures adopted.”

The requirements of the Habitats Directive are transposed into Irish law by means of the *European Union (Birds and Natural Habitats) Regulations 2011-2015* (hereafter referred to as the *Birds and Habitats Regulations*)² and by the *Planning and Development Act 2000*, as amended.

In Ireland, the statutory agency responsible for the designated areas is NPWS.

Stages in the assessment

European Commission guidance (2001)³ sets out the principles on how to undertake decision making in applying the Habitats Directive. The requirements of the Habitats Directive comprise four distinct stages:

Stage 1: Screening is the process which initially identifies the likely significant effects upon a European site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts may be significant. It is important to note that the burden of evidence is to show, on the basis of objective information, that there will be no significant effect; if the effect may be significant, or is not known, that would trigger the need for an Appropriate Assessment. There is European Court of Justice case law to the effect that unless the likelihood of a significant effect can be ruled out on the basis of objective information, then an Appropriate Assessment must be made.

Stage 2: Appropriate Assessment is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site’s

¹ The EU Habitats Directive, Article 3.1, states “A Coherent European ecological network of Special Areas of Conservation and Special Protection Areas pursuant to Directive 79/409/EEC shall be set up under the title European”

² SI No. 477 of 2011 and subsequent amendments

³ European Commission (2001) *Assessment of Plans and Projects Significantly Affecting European Sites: Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC*

conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

Stage 3: Assessment of alternative solutions is the process which examines alternative ways of achieving the objectives of the project or plan that would avoid impacts on the integrity of the European site, should avoidance or mitigation measures be unable to cancel out adverse effects.

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain. At Stage 4 an assessment is made with regard to whether or not the development is necessary for imperative reasons of overriding public interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the European network.

Conservation Objectives of European sites

The conservation objectives for a European Site are intended to represent the aims of the Habitats and Birds Directives in relation to that site. To this end, habitats and species of European Community importance should be maintained or restored to 'favourable conservation status' (FCS), as defined in Article 1 of the Habitats Directive below:

The conservation status of a natural habitat will be taken as 'favourable' when:

- Its natural range and the 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;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable 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.

Guidance from the European Commission⁴ indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

The European Commission guidance recommends that screening should fulfil the following steps:

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;
4. Assess the likely significance of any effects on European sites.

⁴ Managing European sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission 2000)

Porterstown Park: Proposed Recreational Hub
Information for Screening for Appropriate Assessment

Brady Shipman Martin

DUBLIN

Canal House
Canal Road
Dublin 6
+353 1 208 1900

CORK

Penrose Wharf Business Centre
Penrose Wharf
Cork
+353 21 242 5620

LIMERICK

11 The Crescent
Limerick
+353 61 315 127

mail@bradyshipmanmartin.com
www.bradyshipmanmartin.com

