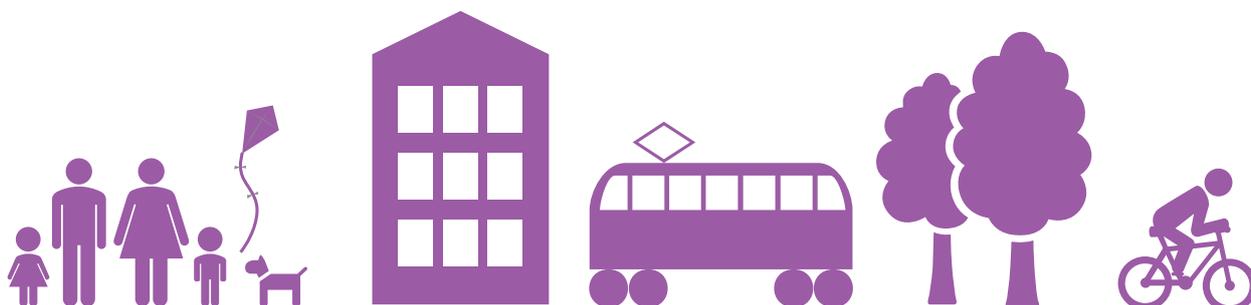


Castlelands

Draft Masterplan
May 2019



Appendix 6 Appropriate Assessment (AA) Screening



TABLE OF CONTENTS

1	Introduction	1
2	Methodology	1
2.1	Guidance.....	1
2.2	Assessment Methodology	2
2.3	Desktop Data Review.....	3
2.4	Consultation Stage.....	4
2.5	Baseline Surveys	4
3	Provision of Information for Screening for Appropriate Assessment	4
3.1	Description of the Draft Masterplan.....	4
3.2	Overview of the Receiving Environment	5
3.3	Assessment of Likely Significant Effects on European Sites	7
4	Conclusions of Screening Assessment Process.....	12
	Appendix I – European sites in relation to the Draft Masterplan.....	13
	Appendix II – Full-day wintering bird survey results.....	19

1 Introduction

This Appropriate Assessment Screening Report, has been prepared by Scott Cawley on behalf of Fingal County Council. It provides information on, and assesses the potential for the Draft Castlelands Masterplan (hereafter referred to as “the draft masterplan”) to impact on the Natura 2000 network (hereafter referred to as European sites)¹.

The responsibility for carrying out Appropriate Assessment (AA) screening lies with the competent authority, Fingal County Council, and this report facilitates the completion of AA screening by the Council. The Council’s AA screening decision is published alongside the draft masterplan.

An AA is required if likely significant effects on European sites arising from the draft masterplan cannot be ruled out at the screening stage, either alone or in combination with other plans or projects. It is the responsibility of the competent authority to make a decision as to whether or not the Masterplan is likely to have significant effects on European sites, either individually or in combination with other plans or projects.

For the reasons set out in detail in this AA Screening Report, an **Appropriate Assessment of the draft masterplan is not required in this instance** as it can be concluded, on the basis of objective information, that the draft masterplan, either individually or in combination with other plans or projects, will not have a significant effect on any European sites.

2 Methodology

2.1 Guidance

This Appropriate Assessment Screening Report has been prepared with regard to the following guidance documents, as relevant:

- *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); and,
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat’s Directive 92/43/EEC* (European Commission, 2018).

¹ The Natura 2000 network is a European network of important ecological sites, as defined under Article 3 of the Habitats Directive 92/43/EEC, which comprises both special areas of conservation and special protection areas. Special conservation areas are sites hosting the natural habitat types listed in Annex I, and habitats of the species listed in Annex II, of the Habitats Directive, and are established under the Habitats Directive itself. Special protection areas are established under Article 4 of the Birds Directive 2009/147/EC for the protection of endangered species of wild birds. The aim of the network is to aid the long-term survival of Europe’s most valuable and threatened species and habitats.

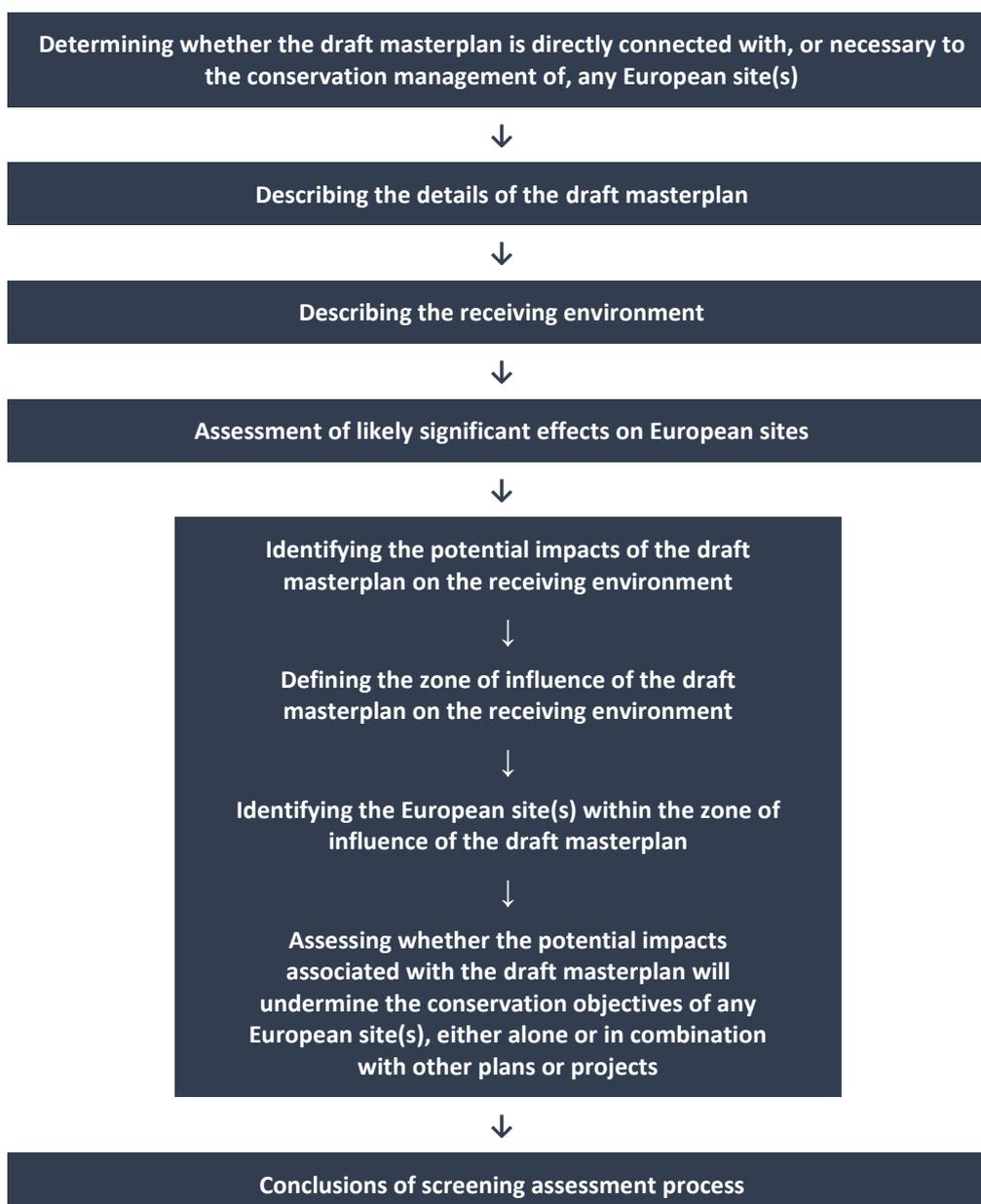
In Ireland these sites are designed as *European sites* - defined under the Planning Acts and/or the Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

2.2 Assessment Methodology

The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if an Appropriate Assessment is required, documented screening is required. Screening identifies the potential for effects on the conservation objectives of European sites, if any, which would arise from a proposed plan or project, either alone or in combination with other plans and projects (i.e. likely significant effects).

Significant effects on a European site are those that would negatively undermine the conservation objectives supporting the favourable conservation condition of the Qualifying Interest (QI) habitats and/or the QI/Special Conservation Interest (SCI) species of a European site(s).

Screening for Appropriate Assessment involves the following steps:



If the conclusions at the end of screening are that there is no likelihood of significant effects occurring on any European sites as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there is no requirement to undertake an Appropriate Assessment.

In establishing which European sites are potentially at risk (in the absence of mitigation) from the draft masterplan, a source-pathway-receptor approach was applied. In order for an impact to occur, there must be a risk enabled by having a source (e.g. water abstraction or construction works), a receptor (e.g. a European site or its QI(s) or SCI(s)²), and a pathway between the source and the receptor (e.g. pathway by air for airborne pollution, or a pathway by a watercourse for mobilisation of pollution). For an impact to occur, all three elements must exist; the absence or removal of one of the elements means there is no possibility for the impact to occur.

The identification of source-pathway-receptor connection(s) between the draft masterplan area and European sites essentially is the process of identifying which European sites are within the Zone of Influence (Zoi) of the draft masterplan, and therefore potentially at risk of significant effects. The Zoi is the area over which the draft masterplan could affect the receiving environment such that it could potentially have significant effects on the QI habitats or QI/SCI species of a European site, or on the achievement of their conservation objectives³.

The identification of a source-pathway-receptor link does not automatically mean that significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. extent and duration of construction works), the characteristics of the pathway (e.g. direction and strength of prevailing winds for airborne pollution) and the characteristics of the receptor (e.g. the sensitivities of the European site and its QIs/SCIs). Where uncertainty exists, the precautionary principle⁴ is applied.

2.3 Desktop Data Review

The desktop data sources used to inform the assessment presented in this report are as follows (accessed between November 2018 and April 2019):

- Online data available on European sites and protected habitats/species as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie, including conservation objectives documents
- Online data available on protected species as held by the National Biodiversity Data Centre (NBDC) from www.biodiversityireland.ie
- Information on the surface water network and surface water quality in the area available from www.epa.ie
- Information on groundwater resources and groundwater quality in the area available from www.epa.ie and www.gsi.ie
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie

² The term qualifying interest is used when referring to the habitats or species for which an SAC is designated; the term special conservation interest is used when referring to the bird species (or wetland habitats) for which an SPA is designated.

³ As defined in the *Guidelines for Ecological Impact Assessment in the UK and Ireland* (CIEEM, 2018)

⁴ The precautionary principle is a guiding principle that derives from Article 191 of the Treaty on the Functioning of the European Union and has been developed in the case law of the European Court of Justice (e.g. ECJ case C-127/02 – Waddenzee, Netherlands).

The guidance document *Communication from the Commission on the Precautionary Principle* (European Commission, 2000) notes that the precautionary principle “covers those specific circumstances where scientific evidence is insufficient, inconclusive or uncertain and there are indications through preliminary objective scientific evaluation that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the chosen level of protection”.

Applying the precautionary principle in the context of screening for appropriate assessment requires that where there is uncertainty or doubt about the risk of significant effects on a European site(s), it should be assumed that significant effects are possible and AA must be carried out.

- Information on the location, nature and policies, objectives, and design of the draft masterplan supplied by the planning team
- Information on land use and zoning within the *Fingal Development Plan 2017-2023*⁵

2.4 Consultation Stage

Consultation during the Appropriate Assessment process provides important information on the state of European sites and any specific concerns that key stakeholders may have. The Department of Culture, Heritage and the Gaeltacht will be given the opportunity to comment on the draft masterplan and this AA Screening report, and any submission received after the period of public display will be taken into account during the subsequent stages in the preparation of the draft masterplan.

2.5 Baseline Surveys

This section describes the ecological surveys carried out to inform the assessment of likely significant effects on European sites.

Wintering bird survey visits were undertaken within the lands on three occasions: an initial site walkover survey, which included a walked transect of the lands to check for signs of wintering birds, such as feathers or droppings, was undertaken on 7th February 2019. This survey also included observations of wintering birds flying over the lands from a vantage point within the lands. Following completion of this initial survey, two full-day wintering bird surveys were undertaken on 22nd and 28th March 2019 following the same methodologies.

3 Provision of Information for Screening for Appropriate Assessment

The following sections provide information to facilitate the Appropriate Assessment screening of the draft masterplan to be undertaken by the competent authority.

A description of the draft masterplan and the receiving environment is provided to identify the potential ecological impacts. The environmental baseline conditions are discussed, as relevant to the assessment of ecological impacts where they may highlight potential pathways for impacts associated with the draft masterplan to affect the receiving ecological environment (e.g. hydrological data).

The potential impacts are examined in order to define the potential zone of influence of the draft masterplan on the receiving environment. This then informs the assessment of whether the draft masterplan will result in likely significant effects on any European sites; i.e. affect the conservation objectives supporting the favourable conservation condition of the European site's QIs or SCIs.

3.1 Description of the Draft Masterplan

Fingal County Council has prepared a draft masterplan for the townland of Castlelands, located south of Balbriggan in Co. Dublin in response to objectives in the Fingal Development Plan⁶.

The draft masterplan will provide a robust development framework for the long-term sustainable development of the Castlelands area. The overarching vision for Castlelands is to create a new, distinct and sustainable urban quarter of high quality residential accommodation in a landscape setting. The aim is to deliver a unique identity

⁵ Fingal County Council (2017). *Fingal Development Plan 2017-2023*. Available from www.fingal.ie/planning-and-buildings

⁶ Fingal County Council (2017). *Fingal Development Plan 2017-2023*. Available from www.fingal.ie/planning-and-buildings

for Castlelands as a vibrant residential community, a place that is desirable to live, where the needs of the residents are met through high quality private and public open spaces. Further details are outlined in the draft masterplan⁷.

3.2 Overview of the Receiving Environment

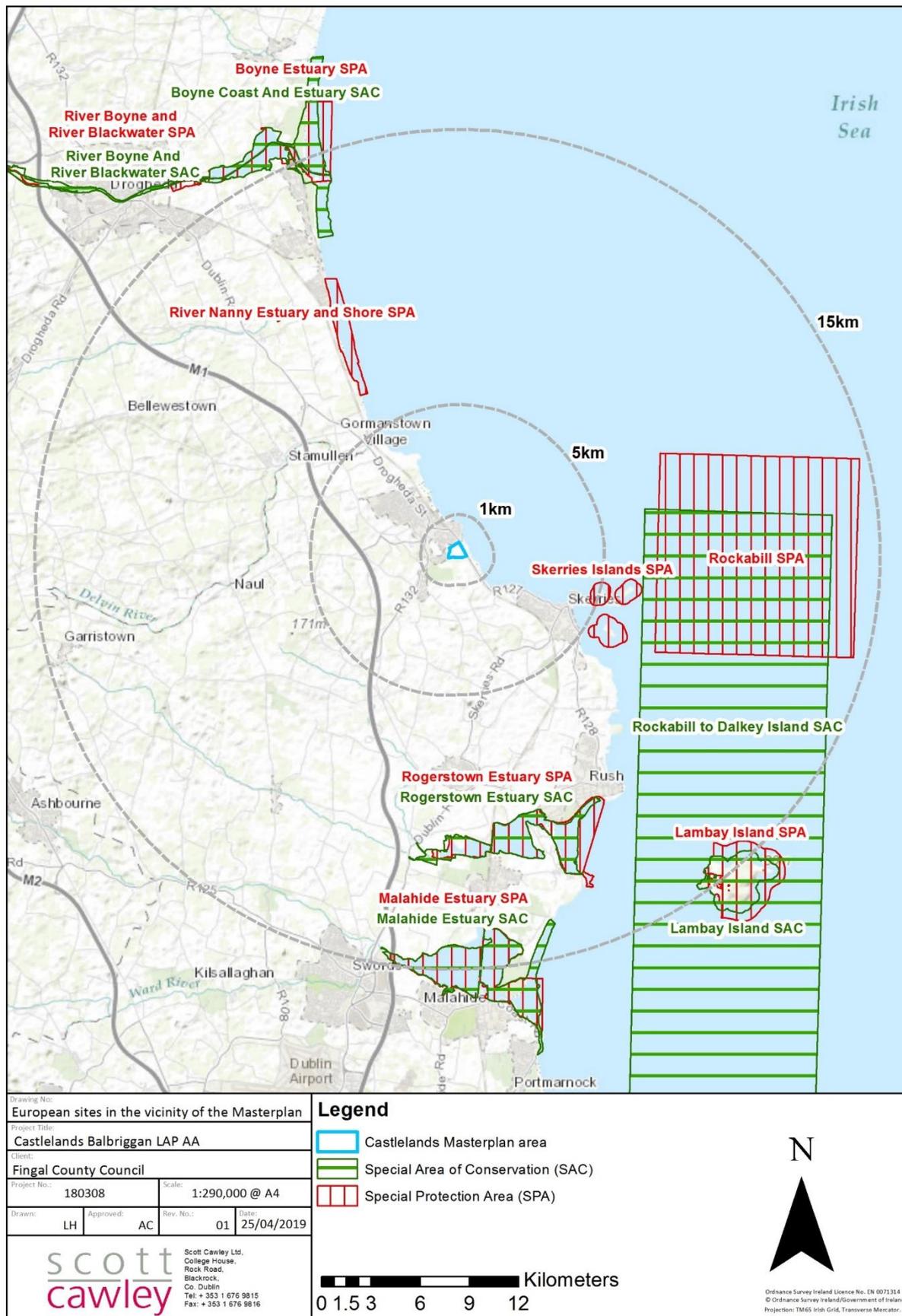
3.2.1 European sites

The plan area does not overlap with any European sites, and no European sites are located either immediately adjacent to or downstream of the plan area. The closest European site to the plan area is Skerries Islands SPA (004122), which is located c. 5km southeast. The Skerries Islands SPA has been designated for a range of SCI breeding and wintering wetland bird species. Other European sites within the wider area are Rockabill SPA (004014), c. 6.8km east and designated for its population of terns *Sterna* spp., the River Nanny Estuary SPA (004158) c. 6.3km north and designated for its population of wintering wetland birds, and Rockabill to Dalkey Island SAC (003000) c. 6km east, which has been designated for its population of harbour porpoise *Phocoena phocoena* and the habitat reefs.

All of the European sites present in the wider area of the draft masterplan area are shown on Figure 1 below. The QIs/SCIs of the European sites in the wider area of the draft masterplan area are provided in Appendix I.

⁷ Fingal County Council (2019). *Castlelands Draft Masterplan*.

Figure 1 European sites in the vicinity of the draft masterplan area



3.2.2 Habitats

Based on field observations in February and March 2019, the plan area is currently a greenfield site with a new housing development in the north-eastern corner. The plan area is a large field under cultivation for arable crops (potatoes) and the perimeter of the site is comprised of hedgerows and treelines. The lands were identified as potentially suitable foraging habitat for a range of bird species for which European sites in Appendix I are designated.

3.2.3 Flora and Fauna Species

A search of the NBDC database returned records of several species for which European sites are designated. These include the following:

- [1351] Harbour porpoise *Phocoena phocoena*. This marine species is a QI of the Rockabill to Dalkey Island SAC (003000). This is the most abundant species of cetacean in Irish waters⁸. There are numerous records of the species offshore from Balbriggan, including records of stranded animals and sightings of live animals;
- [1355] Otter *Lutra lutra*. This aquatic species is a QI of the River Boyne and River Blackwater SAC (002299). It has a widespread distribution in Ireland and is especially associated with rivers, lakes and coastal waters⁹;

Neither of the aforementioned species occur within or have potential to occur within the plan area.

The database search also returned a range of seabird records. Wintering bird surveys to inform this report recorded several bird species which are SCIs for European sites. Small numbers (*i.e.* 15 birds or fewer) of herring gull *Larus argentatus*, black-headed gull *Larus ridibundus*, bar-tailed godwit *Limosa lapponica*, grey heron *Ardea cinerea* and curlew *Numenius arquata* were recorded flying over the lands. Additionally, small numbers of curlew, herring gull and lesser black-backed gull were observed foraging within the lands. Data collected for full day wintering bird surveys is presented within Appendix II of this report.

3.2.4 Hydrology

The draft masterplan area is located within the Nanny-Delvin catchment and the Matt sub-basin. The Castlelands Stream¹⁰ traverses the extreme southeast corner of the draft masterplan area, before discharging directly into the Irish Sea, *c.*150m east of the draft masterplan area. There is no water quality data on this watercourse available from the EPA database of watercourses. The Northwest Irish Sea coastal waterbody has a water quality status of 'good' and its WFD risk status is currently under review.

3.3 Assessment of Likely Significant Effects on European Sites

This section identifies the potential impacts associated with the draft masterplan, examines whether there are any European sites within the Zol of effects from the draft masterplan, and assesses whether there is any risk of

⁸ Berrow, S.D. and O'Brien, J. (2013). *Harbour porpoise SAC survey 2013*. Report to the National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Irish Whale and Dolphin Group. pp. 37.

⁹ Reid, N., Hayden, B., Lundy, M.G., Pietravalle, S., McDonald, R.A., and Montgomery, W.I. (2013). *National otter survey of Ireland 2010/12*. Irish Wildlife Manuals No. 76. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht, Dublin, Ireland.

¹⁰ The Castlelands Stream is not listed as a watercourse on the EPA database of river waterbodies, but has been identified within the surface water management plan for the Draft Masterplan.

the draft masterplan resulting in a likely significant effect on any European site, either alone or in combination with other plans or projects.

In assessing the potential for the proposed development to result in a likely significant effects on any European sites, any measures intended to avoid or reduce the harmful effects of the plan on European sites are not taken into account.

3.3.1 Habitat loss and fragmentation

The draft masterplan area does not overlap with the boundary of any European site. Therefore, there are no European sites at risk of direct habitat loss impacts. Wintering bird surveys were carried out on 22nd and 28th March 2019 to identify whether the draft masterplan area is used by SCI species for which European sites have been designated. As outlined in Section 3.2.3, several species of wintering wetland birds were observed passing through or foraging within the plan area. For this reason, and on a precautionary basis, the closest SPAs for which these species are SCIs have been included within the zone of influence of the draft masterplan.

The SCI species recorded within the plan area are discussed in relation to the closest SPA populations as follows:

- [A184] Herring gull *Larus argentatus*. Small numbers observed flying over the lands (peak count: 8), and foraging within the lands (peak count: 5). This species is listed as an SCI for River Nanny Estuary and Shore SPA (004158)¹¹, c. 6.3km north of the plan area where it is listed as an overwintering species. The baseline population for the species in the River Nanny Estuary and Shore SPA (004158) is 509. Records of gull species are not regularly recorded as part of IWeBS. The birds noted flying over the lands potentially represent a maximum of 1.6% of the SPA population, if they form part of the population of the SPA at all;
- [A160] Curlew *Numenius arquata*. Small numbers were observed foraging within the lands (peak count: 2), and one individual flying overhead. This species is listed as an SCI for North Bull Island SPA (004006)¹², c. 23km south of the plan area, where it is listed as an overwintering species. The baseline population for the species in the North Bull Island SPA (004006) is 937 birds, based on the 5-year mean peak count for the period 1995/96-1999/00¹³. More recent data (2006/07-2015-16) from IWeBS¹⁴ indicates mean peak counts for Dublin Bay of 993 birds. The birds noted within the lands potentially represent a maximum of 0.2% of the SPA population, if they form part of the population of the SPA at all;
- [A183] Lesser black-backed gull *Larus fuscus*. A single bird observed foraging within the lands. This species is listed as an SCI for Lambay Island SPA (004069)¹⁵, c. 14km southwest of the plan area, where it is known to breed. There is no publicly available information on the baseline population for lesser black-headed gulls on Lambay Island SPA, and full species are not regularly recorded through IWeBS. Notwithstanding its status as a red-listed species in *Birds of Conservation Concern in Ireland 2014-2019*¹⁶, a single bird is considered to form a very small proportion of the overall population of the SPA, if the bird observed within the lands belongs to the Lambay Island population at all;
- [A028] Grey heron *Ardea cinerea*. Individual birds were observed flying overhead on two occasions during the surveys. This species is listed as an SCI for Wexford Harbour and Slobs SPA (004076), c. 125km south of

¹¹ NPWS (2017). *Natura 2000 Standard Data Form – River Nanny Estuary and Shore SPA (IE0004158)*.

¹² NPWS (2017). *Natura 2000 Standard Data Form – North Bull Island SPA (IE0004006)*.

¹³ NPWS (2014). *North Bull Island Special Protection Area (Site Code 4006) and South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 4024). Conservation Objectives Supporting Document*. National Parks and Wildlife Service. October 2014.

¹⁴ Birdwatch Ireland (2019). *IWeBS Site Summary Data*. Hosted online at www.birdwatchireland.ie. Accessed 1st May 2019

¹⁵ NPWS (2017). *Natura 2000 Standard Data Form – Lambay Island SPA (IE0004069)*

¹⁶ Colhoun, K., and Cummins, S. (2013). *Birds of Conservation Concern in Ireland 2014-2019*. Irish Birds 9:523-544.

the plan area, where it is known to breed¹⁷. The baseline population for the species in the Wexford Harbour and Slobs SPA (004076) is 52 birds¹⁷. The birds noted within the lands potentially represent a maximum of 4% of the SPA population, although it is considered highly unlikely that they form part of the SPA population in light of the very large distance between the lands and the European site;

- [A157] Bar-tailed godwit *Limosa lapponica*. A small flock of birds was observed flying over the site on two occasions during the surveys (peak count: 17). This species is listed as an SCI of Malahide Estuary SPA (004025)¹⁸, c. 13km south of the plan area. The baseline population for the species in the Malahide Estuary SPA (004006) is 156 birds, based on the 5-year mean peak count for the period 1995/96-1999/00¹⁹. More recent data (2006/07-2015-16) from IWeBS¹⁴ indicates mean peak counts for the Broadmeadow (Malahide) Estuary of 96 birds. The birds noted flying over the lands potentially represent a maximum of 18% of the SPA population, if they form part of the population of the SPA at all;

As demonstrated above, and based on a review of available data, the number of individuals of the aforementioned species recorded feeding within the lands was small and represent a small proportion of the European sites' populations. It is worth noting also that only three of the SCI species were noted foraging within the lands, with most bird species recorded flying over the lands without landing. The lands are therefore not considered to be an important *ex situ* site for any SCI species as defined within the supporting documentation of any European sites. Additionally, a large proportion of lands within the area surrounding draft masterplan contain similar habitats to the plan area. For these reasons, any habitat loss as a result of developments within the draft masterplan will not have a significant effect on any SCI species.

In Combination

As the lands are not considered to form part of an important *ex situ* site for any SCIs of any European sites, there is no potential for in-combination effects arising from habitat loss or fragmentation.

3.3.2 Habitat degradation as a result of hydrological impacts

Surface water run-off and discharges from the draft masterplan area enter the Irish Sea c. 150m east of the draft masterplan area, via the Castlelands Stream. The zone of influence (Zoi) of potential effects on water quality from the draft masterplan is considered, on a precautionary basis, to extend to the discharge point of the Castlelands Stream only. In light of the following, the zone of influence is not considered to extend beyond this, and the draft masterplan development will not have any measurable effects on water quality in the Irish Sea:

- The location of the draft masterplan lands relative to the surface water network;
- The relatively small area of the draft masterplan lands, and the relatively small scope and potential scale of development within the plan area;
- The resultant relatively low volume of any surface water run-off or discharge events relative to the receiving surface water and marine environments; and
- The level of mixing, dilution and dispersion of any surface water run-off/discharges in the receiving watercourses and the Irish Sea. There is a large distance of separation and marine water buffer between Balbriggan town and any European sites in the Irish Sea. It is anticipated that any pollutants entering the

¹⁷ NPWS (2011). *Wexford Harbour and Slobs Special Protection Area (Site Code 4076) & the Raven Special Protection Area (Site Code 4019). Conservation Objectives Supporting Document*. Version 1. National Parks and Wildlife Service.

¹⁸ NPWS (2017). *Natura 2000 Standard Data Form – Malahide Estuary SPA (IE0004025)*

¹⁹ NPWS (2013). *Malahide Estuary Special Protection Area (Site Code 4025). Conservation Objectives Supporting Document*. National Parks and Wildlife Service. August 2013.

sea from the plan area will be diluted to such an extent that they will not be discernible, before they reach any European sites.

Therefore, there is no possibility of the draft masterplan undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Dublin Bay as a result of surface water run-off or discharges.

Foul Water

Foul water, comprising sewage and industrial effluent (and some surface water run-off), from the draft masterplan area will be treated at Balbriggan Wastewater Treatment Plant (WWTP). The most recent information from Irish Water indicates that the plant is operating below its capacity of 70,000 PE²⁰ with a current operational loading of 41,406 PE. Balbriggan WWTP operates under a discharge licence from the EPA (D0023-01) and must comply with the licence conditions.

Considering the spare capacity at Balbriggan WWTP, and the 'good' water quality status of the Irish Sea in the vicinity of Balbriggan town, the draft masterplan will not impact the overall water quality status of the Irish Sea as a result of increased foul water loading from developments within the draft masterplan area.

Therefore, there is no possibility of the draft masterplan undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, the north-western Irish Sea as a result of foul water discharges.

In Combination

Theoretically, there is potential for "in-combination" effects on water quality in the north-western Irish sea from any other projects or land use plans carried out which can influence conditions in this area via rivers and other surface water features. As noted under the surface water and foul water sections above, the north-western Irish sea is currently 'unpolluted' and the Balbriggan WWTP is operating under its design capacity, with a large available capacity for additional foul waters. As there is no possibility of the draft masterplan resulting in any measurable effect on water quality in the Irish Sea on its own, there is also no possibility of it acting in-combination with other plans or projects to affect water quality within the Irish Sea. Additionally, there are protective policies and objectives in place at a strategic planning level (i.e. within the *Fingal Development Plan 2017-2023*⁵ to protect water quality in the Irish Sea, to which any development will need to comply.

3.3.3 Disturbance and displacement impacts

Construction-related disturbance and displacement of fauna species could potentially occur within the vicinity of the draft masterplan. For mammal species such as otter, disturbance effects would not be expected to extend beyond 150m²¹. For birds, disturbance effects would not be expected to extend beyond a distance of c.300m, as noise levels associated with general construction activities would attenuate to close to background levels at that distance. There are no European sites within the disturbance ZoI; the next nearest European site to the draft masterplan is c. 5.2km east of the draft masterplan area.

²⁰ Irish Water (2017) *Annual Environmental Report- Balbriggan Wastewater Treatment Plant*.

²¹ This is consistent with Transport Infrastructure Ireland (TII) guidance (*Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes* and *Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes*) documents. This is a precautionary distance, and likely to be moderated by the screening effect provided by surrounding vegetation and buildings, with the actual ZoI of construction related disturbance likely to be much less in reality.

There is a possibility that birds recorded on the lands during the surveys could form part of a European site's population. However, as the populations in the masterplan area are not considered to form an important *ex situ* population of any SCIs of any European sites (as outlined in Section 3.3.1), and due to the availability of similar habitats in the surrounding landscape, there is no possibility of significant effects arising from disturbance or displacement impacts.

3.3.4 Summary

The potential impacts associated with the draft masterplan do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the qualifying interest/special conservation interests of any European sites. Therefore, the draft masterplan is not likely to have significant effects on any European sites.

As the draft masterplan itself will not have any effects on the QIs/SCIs or conservation objectives of any European sites, there is no potential for any other plan or project to act in combination with it to result in likely significant effects on any European sites.

The potential impacts of the draft masterplan on the receiving environment, their Zol, and the European sites at risk of likely significant effects are summarised in Table 1 below.

Table 1: Summary of analysis of likely significant effects on European sites.

Potential Direct, Indirect In Combination Effects and the Zol of the Potential Effects	Are there any European sites within the Zol of the draft masterplan?
<p>Habitat loss</p> <p>Habitat loss will be confined to the lands within the draft masterplan boundary.</p>	<p>No</p> <p>There are no European sites within the draft masterplan boundary. The draft masterplan area potentially provides some foraging habitat for SCI species of European sites but does not support numbers large enough to be considered an important <i>ex situ</i> site as defined within the supporting documents of any European sites.</p>
<p>Habitat degradation as a result of hydrological impacts</p> <p>Habitats and species downstream of the draft masterplan area and the associated surface water drainage discharge points, and downstream of offsite wastewater treatment plants.</p>	<p>No</p> <p>There are no European sites at risk of hydrological effects associated with the draft masterplan.</p>
<p>Disturbance and displacement impacts</p> <p>Potentially up to several hundred metres from the draft masterplan boundary, dependent upon the predicted levels of noise, vibration and visual disturbance associated with the draft masterplan, in conjunction with the sensitivity of the qualifying interest species to disturbance effects</p>	<p>No</p> <p>There are no European sites within the potential zone of influence of disturbance effects associated with the construction or operation of the draft masterplan.</p> <p>Although some SCI species of European sites occur within the masterplan area from time to time, the masterplan area does not support numbers large enough to be considered an important <i>ex situ</i> site as defined within the supporting documents of any European sites.</p>

4 Conclusions of Screening Assessment Process

Following an examination, analysis and evaluation of the relevant information, including in particular, the nature of the plan and its potential relationship with European sites and their conservation objectives, as well as considering other plans and projects, and applying the precautionary principle, it is the professional opinion of the authors of this report that there is no potential for likely significant effects on any European sites, for the reasons set out in Section 3.3 above.

Therefore, it is the professional opinion of the authors of this report that the application for consent for the draft masterplan does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

However, the authors of this report acknowledge that it is for the competent authority to carry out a screening for AA and to reach one of the following determinations:

- 1 AA of the draft masterplan is required if it cannot be excluded, on the basis of objective information, that the draft masterplan, individually or in combination with other plans or projects, will have a significant effect on any European sites;
- 2 AA of the draft masterplan is not required if it can be excluded, on the basis of objective information, that the draft masterplan, individually or in combination with other plans or projects, will have a significant effect on any European sites.

Appendix I – European sites in relation to the Draft Masterplan

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) of the European sites in the vicinity of the draft masterplan area (see Figure 1)

Table 2

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
Special Area of Conservation (SAC)	
<p>Rockabill to Dalkey Island SAC [003000] [1170] Reefs [1351] Harbour porpoise <i>Phocoena phocaena</i></p> <p>NPWS (2013) <i>Conservation Objectives: Rockabill to Dalkey Island SAC 003000</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 6.8km east of the draft masterplan area</p>
<p>Rogerstown Estuary SAC [000208] [1130] Estuaries [1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonising mud and sand [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)</p> <p>NPWS (2013) <i>Conservation Objectives: Rogerstown Estuary SAC 000208</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 10.2 km south of the draft masterplan area</p>
<p>Boyne Coast and Estuary SAC [001957] 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonizing mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes') 2130 *Fixed coastal dunes with herbaceous vegetation ('grey dunes')</p> <p>NPWS (2012) <i>Conservation Objectives: Boyne Coast and Estuary SAC 001957</i>. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 12.3km north of the draft masterplan area</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
<p>Malahide Estuary SAC [000205] [1140] Mudflats and sandflats not covered by seawater at low tide [1310] Salicornia and other annuals colonising mud and sand [1320] Spartina swards (<i>Spartinion maritimae</i>) [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1410] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [2120] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)</p> <p>NPWS (2013) <i>Conservation Objectives: Malahide Estuary SAC 000205</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c.13km south of the draft masterplan area</p>
<p>Lambay Island SAC [000204] [1170] Reefs [1230] Vegetated sea cliffs of the Atlantic and Baltic coasts [1364] Grey seal <i>Halichoerus grypus</i> [1365] Harbour seal <i>Phoca vitulina</i></p> <p>NPWS (2013) <i>Conservation Objectives: Lambay Island SAC 000204</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 14.2km south-east of the draft masterplan area</p>
<p>River Boyne and River Blackwater SAC [002299] 7230 Alkaline fens 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion, Alnion incanae, Salicion albae</i>)* 1099 River Lamprey <i>Lampetra fluviatilis</i> 1106 Salmon <i>Salmo salar</i> 1355 Otter <i>Lutra lutra</i></p> <p>NPWS (2018) <i>Conservation objectives for River Boyne and River Blackwater SAC [002299]</i>. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c.16km north-west of the draft masterplan area</p>
Special Protection Area (SPA)	
<p>Malahide Estuary SPA [004025] [A005] Great Crested Grebe <i>Podiceps cristatus</i> [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A048] Shelduck <i>Tadorna tadorna</i> [A054] Pintail <i>Anas acuta</i> [A067] Goldeneye <i>Bucephala clangula</i> [A069] Red-breasted Merganser <i>Mergus serrator</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> [A149] Dunlin <i>Calidris alpina</i> [A156] Black-tailed Godwit <i>Limosa limosa</i> [A157] Bar-tailed Godwit <i>Limosa lapponica</i></p>	<p>Located c. 13km south of the draft masterplan area</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
<p>[A162] Redshank <i>Tringa totanus</i> [A999] Wetland and Waterbirds</p> <p>NPWS (2013) <i>Conservation Objectives: Malahide Estuary SPA 004025</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>Rogerstown Estuary SPA [004015]</p> <p>[A043] Greylag Goose <i>Anser anser</i> [A046] Brent Goose <i>Branta bernicla hrota</i> [A048] Shelduck <i>Tadorna tadorna</i> [A056] Shoveler <i>Anas clypeata</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> [A149] Dunlin <i>Calidris alpina alpina</i> [A156] Black-tailed Godwit <i>Limosa limosa</i> [A162] Redshank <i>Tringa totanus</i> [A999] Wetlands</p> <p>NPWS (2013) <i>Conservation Objectives: Rogerstown Estuary SPA 004015</i>. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 10.2km south of the draft masterplan area</p>
<p>Lambay Island SPA [004069]</p> <p>[A009] Fulmar <i>Fulmarus glacialis</i> [A017] Cormorant <i>Phalacrocorax carbo</i> [A018] Shag <i>Phalacrocorax aristotelis</i> [A043] Greylag Goose <i>Anser anser</i> [A183] Lesser Black-backed Gull <i>Larus fuscus</i> [A184] Herring Gull <i>Larus argentatus</i> [A188] Kittiwake <i>Rissa tridactyla</i> [A199] Guillemot <i>Uria aalge</i> [A200] Razorbill <i>Alca torda</i> [A204] Puffin <i>Fratercula arctica</i></p> <p>NPWS (2018) <i>Conservation objectives for Lambay Island SPA [004069]</i>. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 14km south-east of the draft masterplan area</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
<p>Rockabill SPA [004014]</p> <p>[A148] Purple Sandpiper <i>Calidris maritima</i> [A192] Roseate Tern <i>Sterna dougallii</i> [A193] Common Tern <i>Sterna hirundo</i> [A194] Arctic Tern <i>Sterna paradisaea</i></p> <p>NPWS (2013) Conservation Objectives: <i>Rockabill SPA 004014. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 7km east of the draft masterplan area</p>
<p>Skerries Islands SPA [004122]</p> <p>[A017] Cormorant <i>Phalacrocorax carbo</i> [A018] Shag <i>Phalacrocorax aristotelis</i> [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A148] Purple Sandpiper <i>Calidris maritima</i> [A169] Turnstone <i>Arenaria interpres</i> [A184] Herring Gull <i>Larus argentatus</i></p> <p>NPWS (2018) <i>Conservation objectives for Skerries Islands SPA [004122].</i> Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 5km east of the draft masterplan area</p>
<p>River Nanny Estuary and Shore SPA [001458]</p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i> [A137] Ringed Plover <i>Charadrius hiaticula</i> [A140] Golden Plover <i>Pluvialis apricaria</i> [A143] Knot <i>Calidris canutus</i> [A144] Sanderling <i>Calidris alba</i> [A184] Herring Gull <i>Larus argentatus</i> [A999] Wetlands</p> <p>NPWS (2012) Conservation Objectives: <i>River Nanny Estuary and Shore SPA 004158. Version 1.0.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Located c. 6.3km north of the draft masterplan area</p>
<p>Boyne Estuary SPA [004080]</p> <p>[A048] Shelduck <i>Tadorna tadorna</i> [A130] Oystercatcher <i>Haematopus ostralegus</i> [A140] Golden Plover <i>Pluvialis apricaria</i> [A141] Grey Plover <i>Pluvialis squatarola</i> [A142] Lapwing <i>Vanellus vanellus</i> [A143] Knot <i>Calidris canutus</i> [A144] Sanderling <i>Calidris alba</i> [A156] Black-tailed Godwit <i>Limosa limosa</i> [A162] Redshank <i>Tringa totanus</i> [A169] Turnstone <i>Arenaria interpres</i> [A195] Little Tern <i>Sterna albifrons</i></p>	<p>Located c. 14km north of the draft masterplan area</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
<p>[A999] Wetlands</p> <p>NPWS (2013) <i>Conservation Objectives: Boyne Estuary SPA 004080. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	
<p>River Boyne and River Blackwater SPA [004232]</p> <p>[A229] Kingfisher <i>Alcedo atthis</i></p> <p>NPWS (2018) <i>Conservation objectives for River Boyne and River Blackwater SPA [004232]. Generic Version 6.0.</i> Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 20.5km north-west of the draft masterplan area</p>
<p>North Bull Island SPA [004006]</p> <p>[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i></p> <p>[A048] Shelduck <i>Tadorna tadorna</i></p> <p>[A052] Teal <i>Anas crecca</i></p> <p>[A054] Pintail <i>Anas acuta</i></p> <p>[A056] Shoveler <i>Anas clypeata</i></p> <p>[A130] Oystercatcher <i>Haematopus ostralegus</i></p> <p>[A140] Golden Plover <i>Pluvialis apricaria</i></p> <p>[A141] Grey Plover <i>Pluvialis squatarola</i></p> <p>[A143] Knot <i>Calidris canutus</i></p> <p>[A144] Sanderling <i>Calidris alba</i></p> <p>[A149] Dunlin <i>Calidris alpina</i></p> <p>[A156] Black-tailed Godwit <i>Limosa limosa</i></p> <p>[A157] Bar-tailed Godwit <i>Limosa lapponica</i></p> <p>[A160] Curlew <i>Numenius arquata</i></p> <p>[A162] Redshank <i>Tringa totanus</i></p> <p>[A169] Turnstone <i>Arenaria interpres</i></p> <p>[A179] Black-headed Gull <i>Chroicocephalus ridibundus</i></p> <p>[A999] Wetland and Waterbirds</p> <p>NPWS (2015). <i>Conservation Objectives: North Bull Island SPA 004006. Version 1.</i> National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht</p>	<p>Located c. 23km south of the draft masterplan area</p>

European Site Name [Code] and its Qualifying interest(s) / Special Conservation Interest(s) (*Priority Annex I Habitats)	Location Relative to the draft masterplan Area
<p>Wexford Harbour and Slobs SPA [004076]</p> <p>[A004] Little Grebe <i>Tachybaptus ruficollis</i> [A005] Great Crested Grebe <i>Podiceps cristatus</i> [A017] Cormorant <i>Phalacrocorax carbo</i> [A028] Grey Heron <i>Ardea cinerea</i> [A037] Bewick's Swan <i>Cygnus columbianus bewickii</i> [A038] Whooper Swan <i>Cygnus cygnus</i> [A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> [A048] Shelduck <i>Tadorna tadorna</i> [A050] Wigeon <i>Anas penelope</i> [A052] Teal <i>Anas crecca</i> [A053] Mallard <i>Anas platyrhynchos</i> [A054] Pintail <i>Anas acuta</i> [A062] Scaup <i>Aythya marila</i> [A067] Goldeneye <i>Bucephala clangula</i> [A069] Red-breasted Merganser <i>Mergus serrator</i> [A082] Hen Harrier <i>Circus cyaneus</i> [A125] Coot <i>Fulica atra</i> [A130] Oystercatcher <i>Haematopus ostralegus</i> [A140] Golden Plover <i>Pluvialis apricaria</i> [A141] Grey Plover <i>Pluvialis squatarola</i> [A142] Lapwing <i>Vanellus vanellus</i> [A143] Knot <i>Calidris canutus</i> [A144] Sanderling <i>Calidris alba</i> [A149] Dunlin <i>Calidris 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 totanus</i> [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> [A183] Lesser Black-backed Gull <i>Larus fuscus</i> [A195] Little Tern <i>Sterna albifrons</i> [A395] Greenland White-fronted Goose <i>Anser albifrons flavirostris</i> [A999] Wetland and Waterbirds</p> <p>NPWS (2012) <i>Conservation objectives for Wexford Harbour and Slobs SPA [004076]. Version 1.</i> Department of Culture, Heritage and the Gaeltacht.</p>	<p>Located c. 135km south of the draft masterplan area</p>

Appendix II – Full-day wintering bird survey results.

Table 3: Wintering bird survey observations for Castlelands Masterplan

Date	Time	BTO Code	Number	Activity	Habitat
22.03.19	09:05	HG	1	Flying	BC1
22.03.19	09:21	HG	8	Flying	BC1
22.03.19	10:15	CU	2	Foraging	BC1
22.03.19	14:50	CU	1	Flying	BC1
22.03.19	16:35	BA	15	Flying	BC1
28.03.19	09:42	H.	1	Flying	BC1
28.03.19	09:46	H.	1	Flying	BC1
28.03.19	09:53	H.	1	Flying	BC1
28.03.19	10:35	HG	5	Foraging	BC1
28.03.19	13:44	BA	17	Flying	BC1
28.03.19	16:33	LB	1	Foraging	BC1



Appropriate Assessment (AA) Screening Determination

Planning and Development Act 2000 (as amended) Planning and Development Regulations 2001 (as amended)

Pursuant to the requirements of the above, Fingal County Council has prepared a Draft Masterplan for Castlelands (the Draft Masterplan).

This screening for Appropriate Assessment Determination of the Draft Masterplan has been prepared as per the requirements of Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), and has been informed by the content of the appropriate assessment screening report, prepared by Scott Cawley Ltd., that is included with the Draft Masterplan documentation.

The screening for appropriate assessment report presents an assessment of the potential for the Draft Masterplan to impact on European sites and, furthermore, assesses whether the Draft Masterplan is likely to have a significant effect on any European sites. The examination, analysis and evaluation of the various elements of the Draft Masterplan are set out in Section 3.3 of the screening for appropriate assessment report.

Assessment of likely significant effects on European sites

All aspects of the Draft Masterplan which are capable of having a significant effect on a European site have been identified in Section 3.2 of the screening for appropriate assessment report. The potential impacts of the Draft Masterplan on the receiving environment, and their predicted zone of influence, are identified in Section 3.3 of the screening for appropriate assessment report.

The examination, analysis and evaluation of the potential impacts of the Draft Masterplan on the qualifying interests of any European sites, and the implications of the Draft Masterplan on their conservation objectives, is presented in full in Section 3.3 of the screening for appropriate assessment report.

The conclusion of that assessment is that the potential impacts associated with the Draft Masterplan do not have the potential to affect the conservation objectives supporting

the qualifying interests of any European sites. Therefore, the Draft Masterplan is not likely to have significant effects on any European sites. In reaching that conclusion, the screening for appropriate assessment report has not taken into account any measures intended to avoid or reduce the harmful effects of the Draft Masterplan on any European sites.

In combination assessment

An examination and analysis of the potential for other plans and/or projects to act in combination with the Draft Masterplan to have a significant effect on any European sites within its zone of influence is presented in Section 3.3 of the screening for appropriate assessment report. The assessment concluded that there are no other plans or projects that will act in combination with the Draft Masterplan to have a significant effect on any European sites.

Fingal County Council finds that the scope of the evaluation presented in the screening for appropriate assessment report has fully examined the potential for in combination effects between other plans and projects and the Draft Masterplan and agrees with the conclusion reached.

Conclusions and determination

Fingal County Council have examined, analysed and evaluated the content of the Draft Masterplan, including the information and assessment presented in the screening for appropriate assessment report, and are in agreement with the conclusion of the screening for appropriate assessment report with respect to the potential for the Draft Masterplan to have a likely significant effect on any European sites.

Fingal County Council have determined that, in light of best scientific knowledge, including in particular the nature of the predicted impacts that may arise from the Draft Masterplan, and in the absence of any mitigation measures, that the Draft Masterplan is not likely to have a significant effect on any European sites, either alone or in combination with other plans or projects.


Peter Byrne

Senior Planner
7th May 2019