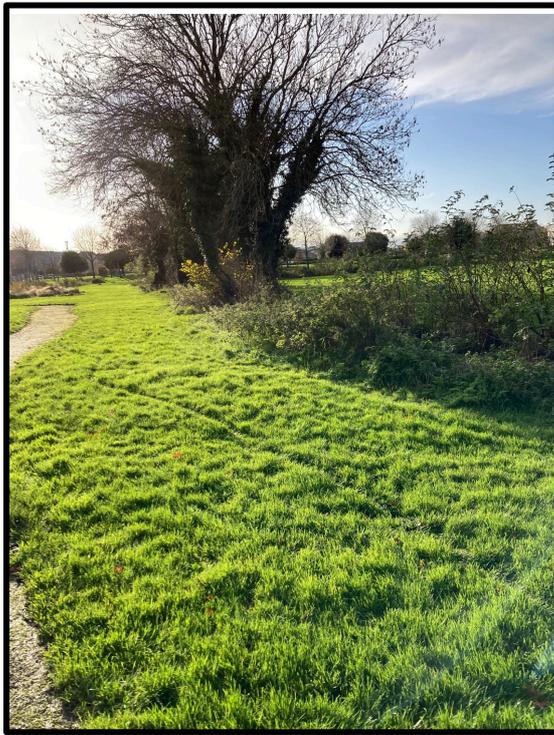


Application for Development at Lanesborough Park, Finglas, County Fingal

Appropriate Assessment (Screening)

In accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC)



Lanesborough Park hedgerow

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Appendix 1

Site Synopsis for South Dublin Bay and River Tolka Estuary SPA
Code: 004024

1 Introduction

1.1 Background

This report has been written at the request of Ait to assist Fingal County Council in carrying out an Appropriate Assessment of a proposal to redevelop Lanesborough Park.

Appropriate Assessment is required under the Habitats Directive and has been undertaken in accordance with Section 177U of the Planning and Development Act, 2000, (as amended by the Act of 2010, and by SI 473 of 2011); guidance produced by the National Parks and Wildlife Service, DOEHLG (2009), and documents produced by the EU 'Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the 'Habitats' Directive 92/43/EEC produced by the European Commission in November 2001.

Dr Mary Tubridy, ecologist, has prepared the report.

Lanesborough Park is situated in a residential area north of Finglas village (Fig.1).

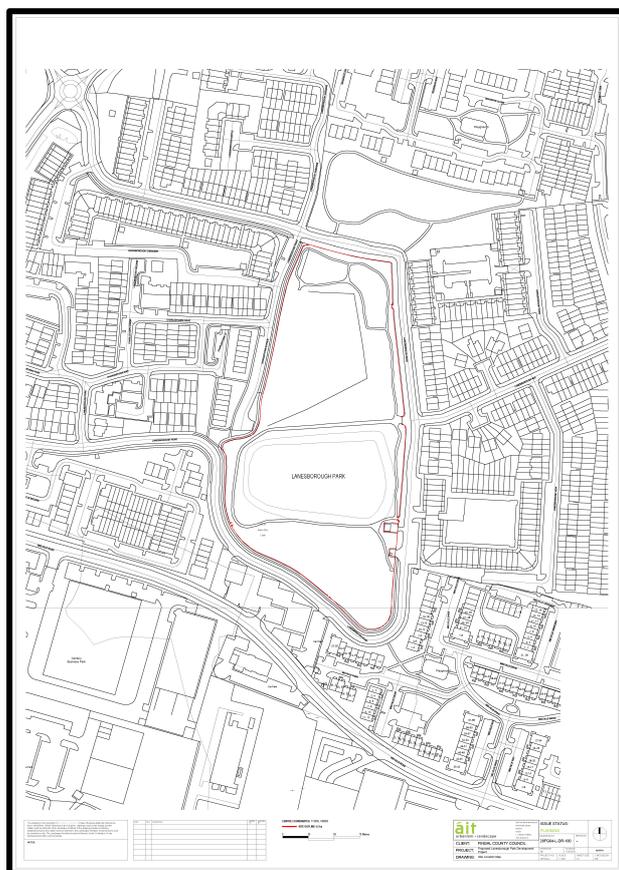


Fig. 1. Location of Lanesborough Park

1.2 Legislative and Policy Context

Appropriate Assessment was introduced by the EU Habitats Directive as a way of determining during the planning process whether a plan or project is likely to have a significant effect on the Natura 2000 sites so far designated (i.e. the candidate SAC's and SPA's), or their conservation objectives.

Article 6(3) states " Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to *appropriate assessment* of its implications for the site in view of the site's conservation objectives. In 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."

Article 6(4) states 'If, in spite of a negative assessment of the implications for the [Natura 2000] 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 a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest"

The methodology for Appropriate Assessment also has regard for the following legislation and guidance produced by the EC and Irish government:

Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats' Directive 92/43/EEC produced by the European Commission in November 2001.

Section 177U of the Planning and Development Act, 2000, (as amended by the Act of 2010, and by S.I. 473 of 2011)

Guidance produced by the National Parks and Wildlife Service, DOEHLG (2009).

1.3 Methodology

Guidance produced by the National Parks and Wildlife Service, DOEHLG (2009), clarified the four stages required by an AA.

Stage 1: Screening

This stage identifies the likely impacts upon Natura 2000 sites of the plan

either alone or in combination with plans, and considers whether these impacts are likely to be significant. Screening for Appropriate Assessment includes the following:

- Description of the project and its relevance to the management of Natura sites within 15km radius.
- Characterisation of the Natura 2000 sites and protected species potentially affected.
- Identification and description of individual and cumulative impacts likely to result.
- Assessment of the significance of the impacts identified on site integrity.

The results of this stage are reported in a Screening Report and submitted to the authorities. If this report suggests that impacts are not likely to be significant the Appropriate Assessment is completed by this stage and a Screening Report is produced and submitted. If the Screening Report suggests otherwise the following stages are carried out.

Stage 2: Preparation of a Natura Impact Statement

A Natura Impact Statement is prepared which considers the impact on the integrity of the Natura 2000 site of the plan, either alone or in combination with plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts. This is provided to the planning or regulatory authority, which then conducts an assessment of the information supplied. Examples of significant effects are loss of area of designated habitats, fragmentation of these habitats, disturbance to designated species at the site and along ecological corridors and indirect effects such as changes in water quality.

Stage 3: Assessment of alternative solutions

This stage of the analysis which also forms part of the NIS and examines alternative ways of achieving the objectives of the plan that avoid adverse impacts on the integrity of the Natura 2000 site.

Stage 4: Assessment where adverse impacts remain

An assessment of compensatory measures may also form part of the NIS, where, in the light of an assessment of Imperative Reasons of Overriding Public Interest (IROPI), it is deemed that the plan can proceed by reasons of public interest.

This report covers AA Screening only.

2 Assessment Criteria

2.1 Nearby Natura sites

Fig. 2 shows the location of relevant Natura sites within 15km of the park. Table 1 provides information on the important habitats and species associated

with those sites. An account of the nearest Natura site South Dublin Bay and Tolka Estuary is in Appendix 1.

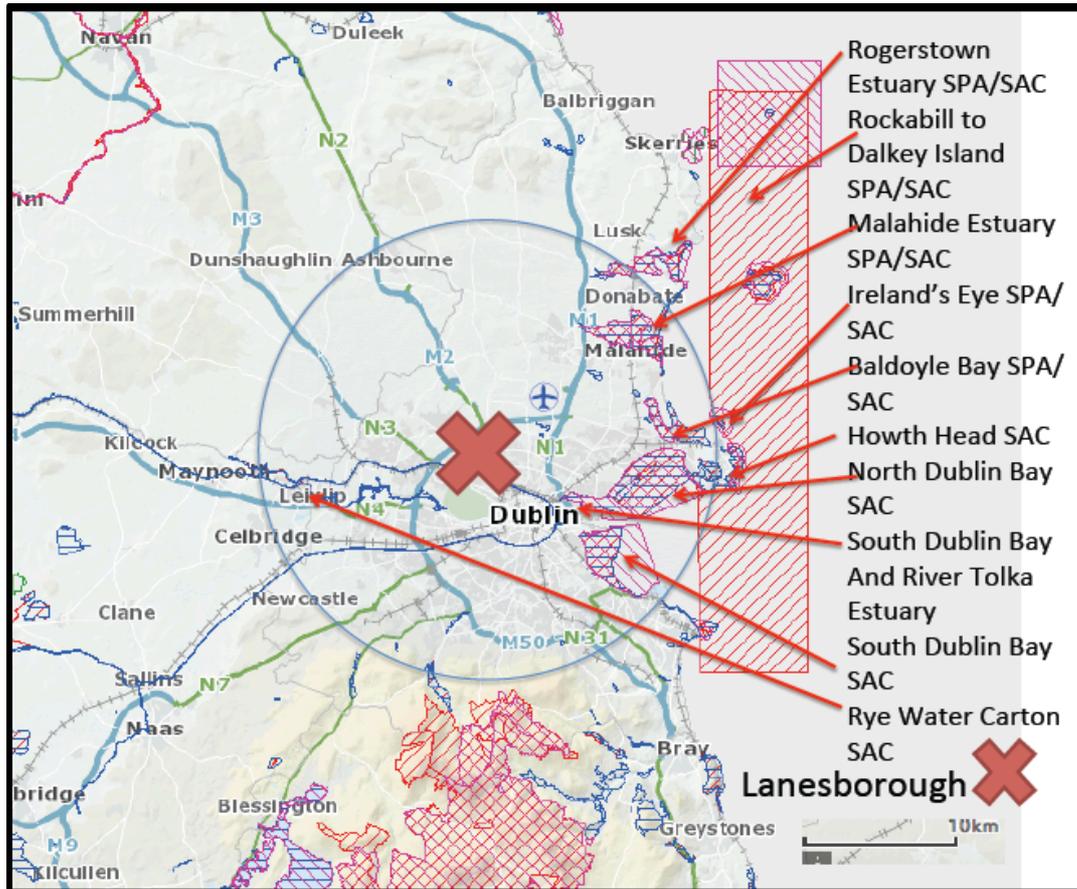


Fig. 2 Natura sites within 15km of Lanesborough

Table 1 Characteristics of Natura sites within 15km of the park

Site Name and Code	Distance (km)	Qualifying interests
Rogerstown Estuary SPA/SAC 000208	12.6	Estuaries [1130]Mudflats and sandflats not covered byseawater at low tide [1140] <i>Salicornia</i> and other annuals colonising mud and sand[1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

Site Name and Code	Distance (km)	Qualifying interests
Rockabill to Dalkey Island SPA/SAC 003000	15.1	Reefs [1170] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]
Malahide Estuary SPA/SAC 000205	9.7	Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
Ireland's Eye SPA/SAC 002193	15	Cormorant (<i>Phalacrocorax carbo</i>) [A017] Herring Gull (<i>Larus argentatus</i>) [A184] Kittiwake (<i>Rissa tridactyla</i>) [A188] Guillemot (<i>Uria aalge</i>) [A199] Razorbill (<i>Alca torda</i>) [A200]
Baldoyle Bay SPA/SAC 000199	10.2	Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]
Howth Head SAC 000202	14.1	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]

Site Name and Code	Distance (km)	Qualifying interests
North Dublin Bay SAC 000206	9.6	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]
South Dublin Bay and River Tolka Estuary SPA 004024	6.9	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]

Site Name and Code	Distance (km)	Qualifying interests
South Dublin Bay SAC 000210	9.7	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]
Rye Water Carton SAC No. 001398	13.5	Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]

+ A candidate Special Area of Conservation is designated under the EU Habitats Directive (92/43/EEC) for the protection of certain habitats and species as listed in the Directive i.e. Annexed habitats and species

++ A special Protection Area is designated under the EU Birds Directive (79/409EEC) for the protection of birds as listed in the Directive i.e. annexed species.

* Priority Habitat

The Conservation Objective for Natura sites is:

1 To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected and are listed in Table 1.

It is noteworthy that the Natura sites in the vicinity of the park are dominated by wetland habitats, principally associated with the coast. Only one of the QI species Light bellied brent goose could possibly use Lanesborough Park as a feeding site.

2.2 Existing Environment at the Site

Biodiversity at the site was assessed through desk research and preliminary fieldwork.

Desk research primarily involved an examination of historic mapping and recent aerial photography to search for evidence of semi-natural habitats.

The park was inspected by Dr Mary Tubridy in January 2021 to characterize habitats, assess their biodiversity value and examine the potential of the park to support badger, bats and Brent geese.

Historic research confirmed with the exception of hedgerows there was no evidence that the park has supported semi-natural habitats.

The principal feature of biodiversity interest is the presence of hedgerows in the park. All hedgerow lengths are of biodiversity and cultural importance as they were present on the 1st ed OS map.

Other features of biodiversity interest are more recent and include 1) small plantations of native trees with oak and ash c. 20-30 years old 2) presence of pollinator friendly plants including bramble in shrubberies along the boundary fence and a recently planted apple orchard at northern end of the park which is 2=3 years old. All grassland in the park was identified as the common amenity type (GA2).

No sign of badger usage was found at the park nor signs of feeding by Brent geese.

2.3 Development Proposal

Details of the landscaping scheme are shown in Fig. 3



Fig. 3 Development layout

The proposal is informed by the biodiversity audit prepared for this site as it involves the retention of existing hedgerows in the park, their enhancement by the location of tall grass nearby and their integration into the design of amenity areas particularly by the installation of a short bridge over their associated ditch. Almost all trees will be retained. Species diversity in existing small woodlands and grasslands around the perimeter of the park will be improved through specialised planting and reseeded. Lighting is not proposed thus avoiding any disturbance to nocturnal species.

During construction a 15m buffer will be established around hedgerows. Best practice construction methods will be adhered to, to avoid causing pollution and damaging trees. Thus potentially polluting materials will be carefully stored and managed.

2.4 Direct, indirect or secondary impacts to Natura sites

No direct, indirect or secondary impacts will occur to Natura sites.

The proposed development will not lead to a reduction or loss of any habitats within the Natura sites or annexed habitats outside it. Fieldwork in January 2021 suggests that the habitats are not similar to those found in the Natura sites. Habitats which will be disturbed are common types, principally GA2 (Amenity grassland).

Neither will the landscaping works proposed lead to the fragmentation of the habitats used by species associated with the nearby Natura sites as fieldwork in January confirmed that the park is of low potential as feeding, roosting or nesting sites for these species. It was also considered that the park has low potential as a foraging, commuting or roosting area for bats.

Indirect impacts such as through water quality will not occur. Water if needed to establish landscaping will be provided through the council's supply.

While some disturbance will occur to biodiversity, this will be of limited duration and the final scheme once mature will improve the biodiversity interest of the park. Any works affecting the hedgerow will occur between 1st September and 1st March to avoid disturbance to nesting birds.

2.5 Other plans and projects

Other plans and projects relevant to these Natura sites are:

1 Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022
As well as confirming the importance of Natura sites and requirements for AA the Regional Planning guidelines highlight Green Infrastructure values.

2 Fingal County Development Plan 2017-2023

Fingal Development plan has a particular focus on promoting Green Infrastructure. The GI maps in the County Development Plan show all green spaces in the county including parks. The GI approach to planning emphasizes the multi-functional value of nature and green spaces and the role of spatial planning in improving connectivity between fragmented spaces. Redevelopment of Lanesborough Park to improve biodiversity values will increase the GI value of this site.

3 Finding of no significance impacts matrix

Name of project or plan	Landscaping scheme for Lanesborough Park, Finglas, County Fingal
Name and location of Natura 2000 sites	Rogerstown Estuary SPA/SAC 00208 Rockabill to Dalkey Island SPA/SAC 003000 Malahide Estuary SPA/SAC 000205 Ireland's Eye SPA/SAC 002193 Baldoyle Bay SPA/SAC 000199 Howth Head SAC 000202 North Dublin Bay SAC 000206 South Dublin Bay SAC 000210 South Dublin Bay and River Tolka Estuary SPA 004024 Rye Water Carton SAC 001398
Description of the project or plan.	Landscaping in the park to improve its amenity and biodiversity value
Is the project or plan directly connected with or necessary to the management of the sites (provide details)?	No
Are there other projects or plans that together with the project or plan being assessed could affect the site?	All plans potentially affecting these Natura sites have been subject to AA and SEA screening.
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites.	Not relevant
Explain why these effects are considered significant	Not relevant
List of agencies consulted: (provide contact name and telephone or email)	
Data Collected to Carry Out the Assessment	Desk research covering maps, aerial photos, biodiversity data bases and preliminary fieldwork in January 2021
Who carried out the assessment?	Dr Mary Tubridy MCIEEM, MIPI
Level of Assessment	AA screening

Where can the full results of the assessment be accessed and viewed	Attached report
Overall conclusion	Stage 1 Screening indicates that the proposal will not have a significant negative impact on the Natura 2000 network.

References

CEC (1992) Directive 92/43/EEC, of 21st May, on the conservation of natural habitats and of wild fauna and flora. Official Journal of the European Union, L 206, 22.7.1992.

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(ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)

NPWS (6/10/2014). SITE SYNOPSIS FOR SOUTH DUBLIN BAY AND RIVER TOLKA ESTUARY SPA SITE CODE: 004024

Appendix 1

SITE SYNOPSIS FOR SOUTH DUBLIN BAY AND RIVER TOLKA ESTUARY SPA SITE CODE: 004024

The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dun Laoghaire, and the estuary of the River Tolka to the north of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included.

In the south bay, the intertidal flats extend for almost 3 km at their widest. The sediments are predominantly well-aerated sands. Several permanent channels exist, the largest being Cackle 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. There is a bed of Dwarf Eelgrass (*Zostera noltii*) below Merrion Gates which is the largest stand on the east coast. Green algae (*Ulva* spp.) are distributed throughout the area at a low density. The macro-invertebrate fauna is well-developed, and is characterised by annelids such as Lugworm (*Arenicola marina*), *Nephtys* spp. and Sand Mason (*Lanice conchilega*), and bivalves, especially Cackle (*Cerastoderma edule*) and Baltic Tellin (*Macoma balthica*). The small gastropod Spire Shell (*Hydrobia ulvae*) occurs on the muddy sands off Merrion Gates, along with the crustacean *Corophium volutator*. 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 site includes Booterstown Marsh, an enclosed area of saltmarsh and muds that is cut off from the sea by the Dublin/Wexford railway line, being linked only by a channel to the east, the Nutley stream. Sea water incursions into the marsh occur along this stream at high tide. An area of grassland at Poolbeg, north of Irishtown Nature Park, is also included in the site.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern and Arctic Tern. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of the SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

The site is an important site for wintering waterfowl, being an integral part of the internationally important Dublin Bay complex – all counts for wintering waterbirds are five year mean peaks for the period 1995/96 to 1999/2000. Although birds regularly commute between the south bay and the north bay, recent studies have shown that certain populations which occur in the south bay spend most of their time there. An internationally important population of Light-bellied Brent Goose (368) occurs regularly and newly arrived birds in the autumn feed on the Eelgrass bed at Merrion. At the time of designation the site supported nationally important numbers of a further nine species: Oystercatcher (1,145), Ringed Plover (161), Grey Plover (45), Knot (548), Sanderling (321), Dunlin (1,923), Bar-tailed Godwit (766), Redshank (260) and

Black-headed Gull (3,040). Other species occurring in smaller numbers include Great Crested Grebe (21), Curlew (127) and Turnstone (52). Little Egret, a species which has recently colonised Ireland, also occurs at this site.

South Dublin Bay is a significant site for wintering gulls, with a nationally important population of Black-headed Gull, but also Common Gull (330) and Herring Gull (348). Mediterranean Gull is also recorded from here, occurring through much of the year, but especially in late winter/spring and again in late summer into winter.

Both Common Tern and Arctic Tern breed in Dublin Docks, on a man-made mooring structure known as the E.S.B. dolphin – this is included within the site. Small numbers of Common Tern and Arctic Tern were recorded nesting on this dolphin in the 1980s. A survey in 1995 recorded nationally important numbers of Common Tern nesting here (52 pairs). The breeding population of Common Tern at this site has increased, with 216 pairs recorded in 2000. This increase was largely due to the on-going management of the site for breeding terns. More recent data highlights this site as one of the most important Common Tern sites in the country with over 400 pairs recorded here in 2007.

South Dublin Bay is an important staging/passage site for a number of tern species in the autumn (mostly late July to September). The origin of many of the birds is likely to be the Dublin breeding sites (Rockabill and the Dublin Docks) though numbers suggest that the site is also used by birds from other sites, perhaps outside the state. This site is selected for designation for its autumn tern populations: Roseate Tern (2,000 in 1999), Common Tern (5,000 in 1999) and Arctic Tern (20,000 in 1996).

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

Date of assessment is 30.5.2015