

Application for Development of Public Park associated with the library in Main Street, Garristown, Co. Dublin

Appropriate Assessment (Screening)

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



Front of library building

Prepared by
Dr Mary Tubridy, MCIEEM, MIPI
Mary Tubridy & Associates

Tel 087-2506311 Email: mtubridyassociates@gmail.com

April 2021

CONTENTS

1 Introduction

1.1 Background	3
1.2 Legislative context	4
1.3 Methodology	4

2 Assessment criteria

2.1 Nearby Natura sites	5
2.2 Existing environment at the site	8
2.3 The development proposal	8
2.4 Direct, indirect or secondary impacts to Natura site	9
2.5 Other plans and projects	9

3 Finding of no significant impacts matrix 10

References	11
------------	----

Appendix 1 Site Synopsis for River Nanny Estuary and Shore
SPA Code: 004158

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 landscape the surrounds of Garristown Public Library.

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.

The public library in Garristown is situated on the Main Street adjacent to the Catholic Church (Fig. 1). It is proposed to landscape the green space around the library.



Fig. 1. Location of library in Garristown

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 adjacent to 15km of the library. Table 1 provides information on the important habitats and species associated with those sites. An account of the nearest Natura (SAC) sites is in Appendix 1. This is the River Nanny Estuary and Shore SPA.

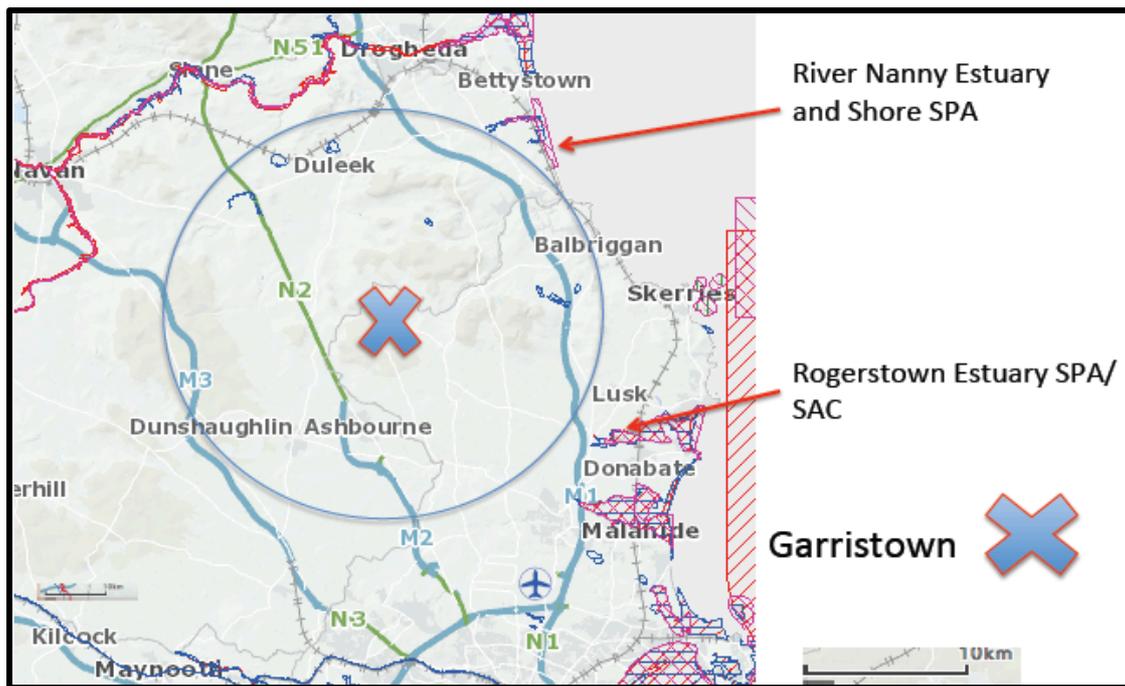


Fig. 2 Natura sites within and adjacent to 15km

Table 1 Characteristics of Natura sites listed on Fig. 2

Site Name and Code	Distance (km)	Qualifying interests
Rogerstown Estuary SPA 004015	16.7	Greylag Goose (<i>Anser anser</i>) [A043] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Shoveler (<i>Anas clypeata</i>) [A056] 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] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Redshank (<i>Tringa totanus</i>) [A162] Wetland and Waterbirds [A999]

Site Name and Code	Distance (km)	Qualifying interests
Rogerstown Estuary SAC 000208	16.7	Estuaries [1130] Mudflats and sandflats not covered by seawater 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]
River Nanny Estuary and Shore SPA 004158	15.3	Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Ringed Plover (<i>Charadrius hiaticula</i>) [A137] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Herring Gull (<i>Larus argentatus</i>) [A184] Wetland and Waterbirds [A999]

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.

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. These are the habitats and species listed in Table 1. It should be noted that both Natura sites are associated with the coast and species of concern (QI's) are principally birds associated with wetlands.

2.2 Existing Environment at the Site

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

Desk research which principally involved an examination of historic mapping did not reveal the presence of important features of semi-natural value within the site. A hedgerow was present along the eastern boundary.

Fieldwork involved an inspection of the site by Dr Mary Tubridy on December 10th 2020. This inspection revealed that the principal habitat on site is GA2 grassland. This is a common type of grassland associated with managed lawns of low biodiversity interest.

In the grounds of the library mature trees (all conifers) are associated with this grassland. Of some biodiversity interest are the shrubberies bounding the site which are of value to nesting songbirds. Fieldwork did not reveal any signs of badger activity.

The principal area of biodiversity interest associated with this site is the earth bank on which a hedgerow was shown in the 1st ed OS map. Scrub now covers this bank. It provides a link between the site, general farmland biodiversity and a small stream which rises locally and flows north to join the Delvin river.

2.3 Development Proposal

The sketch below provides information on the nature of the landscaping scheme. It has been informed by a biodiversity audit of the site.

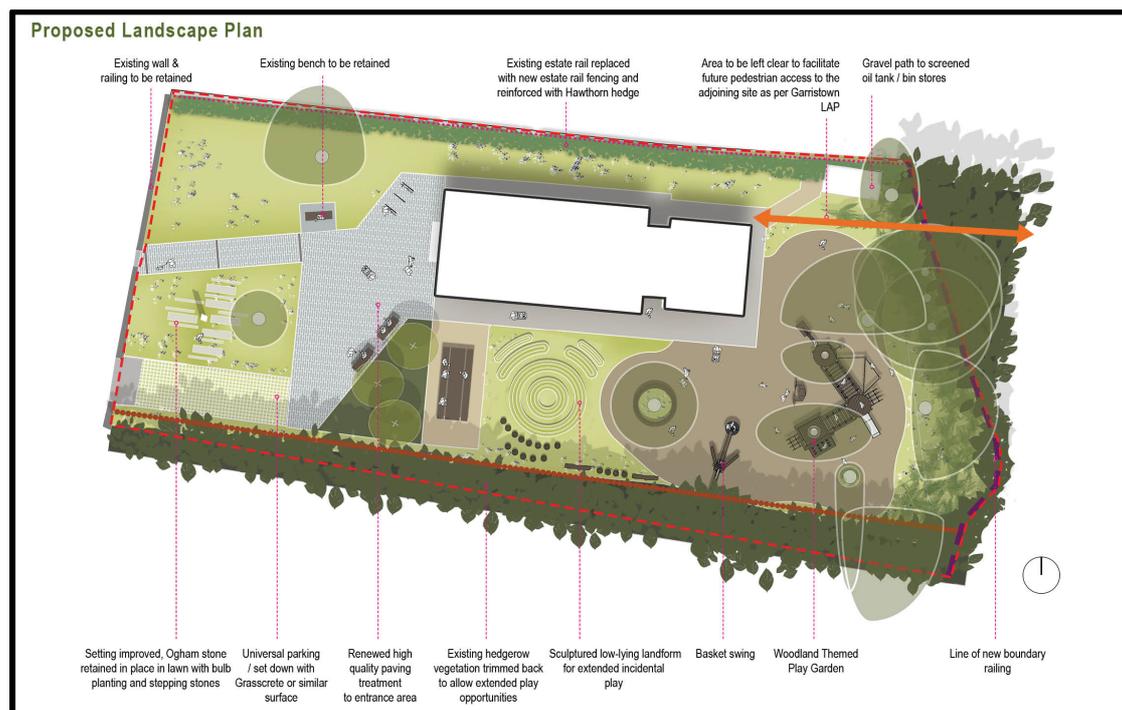


Fig. 3 Development layout

The plan proposes to retain all trees and semi-natural shrubberies, improve their management and provide some naturalistic play areas to the rear of the site. The shrubbery to the rear of the site will be fenced thus reducing disturbance to biodiversity in this key area.

If water is necessary for landscaping it will be provided from the council's supply. During construction a 5m buffer will be established around the semi natural shrubberies and trees. Best practice construction methods will be adhered to, to avoid causing pollution and damaging trees. Potentially polluting materials will be carefully stored and managed.

2.4 Direct, indirect or secondary impacts to Natura sites

The removal of GA2 grassland and its replacement with permeable surfaces to facilitate play areas will not have any direct, indirect or secondary impacts 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 confirmed that the habitats which will be disturbed are common types.

Neither will the proposed development lead to the fragmentation of the habitat used by species associated with the Natura sites. Habitats on site were not considered suitable for species associated with the Natura sites.

In order to reduce impacts to wildlife (nesting birds) using the shrubberies works will take place between 1st September and 1st March. While there will be some disturbance to biodiversity during construction in the medium term biodiversity at this site will be enhanced by this landscaping scheme.

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 also require that each county produce a Green Infrastructure Strategy alongside its Development Plan.

2 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. 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 the grounds of the library to improve biodiversity and amenity values will increase the GI value of this site.

3 Finding of no significance impacts matrix

Name of project or plan	Landscaping the surrounds of the Public Library in Garristown Village
Name and location of Natura 2000 sites	River Nanny Estuary and Shore SPA 004158 Rogerstown Estuary SPA 004015 Rogerstown Estuary SAC 000208
Description of the project or plan.	Upgrading parking and development of a naturalistic play area for children at the rear of the site.
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 sites?	Other plans have been examined. All of which have been subject to AA.
Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 sites.	No negative impact
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 historical mapping and field inspection by Dr Mary Tubridy on December 10 th 2020.
Who carried out the assessment?	Dr Mary Tubridy
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.

CEC (2009). Council Directive 2009/147/EC, of 30th November, on the conservation of wild birds (codified version). Official Journal of the European Union, L 20/7, 26.1.2010.

Department of the Environment, Heritage and Local Government
European Communities (Natural Habitats) Regulations 1997 including all amendments 1997-2011.

(www.irishstatutebook.ie/eli/2011/si/477/made/en/print)

Dept. of Environment (2015) Flora (Protection) Order, S.I. No. 356/2015.

(www.irishstatutebook.ie/eli/2015/si/356/made/en/print)

Department of the Environment, Heritage and Local Government. (2009).
Appropriate Assessment of Plans and Projects in Ireland – Guidance for
Planning Authorities (as revised 2010).

European Commission, Environment DG, 2001. Assessment of plans and
projects significantly affecting Natura 2000 sites, Methodological guidance on
the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC.
(ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf)

NPWS (2014) Site Synopsis River Nanny Estuary and Shore SPA No. 004158

Appendix 1

Site Synopsis River Nanny Estuary and Shore SPA No. 004158

The site comprises the estuary of the River Nanny and sections of the shoreline to the north and south of the estuary (c. 3 km in length), in Co. Meath. The estuarine channel, which extends inland for almost 2 km, is narrow and well sheltered. Sediments are muddy in character and edged by saltmarsh and freshwater marsh/wet grassland. The saltmarsh is best developed in the eastern portion of the estuarine channel, with species such as Sea Plantain (*Plantago maritima*), Sea Aster (*Aster tripolium*), Red Fescue (*Festuca rubra*) and Sea Purslane (*Halimione portulacoides*) occurring. Further up the estuary, the marsh habitats support species such as Bulrush (*Typha latifolia*) and Yellow Flag (*Iris pseudacorus*). The shoreline, which is approximately 500 m in width to the low tide mark, comprises beach and intertidal habitats. It is a well-exposed shore, with coarse sand sediments. The well-developed beaches, which are backed in places by clay cliffs, provide high tide roosts for the birds. The village of Laytown occurs in the northern side of the River Nanny estuary.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Oystercatcher, Ringed Plover, Golden Plover, Knot, Sanderling and Herring Gull. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

This is an important site for wintering waders, with nationally important populations of Golden Plover (1,759), Oystercatcher (1,014), Ringed Plover (185), Knot (1,140) and Sanderling (240) present (all figures are mean peaks for the 5 year period 1995/96-1999/2000). The populations of Knot and Sanderling are of particular note as they represent approximately 4% of their respective national totals. Herring Gull (609) also occurs here in nationally important numbers. A range of other waterbirds also occurs, including Cormorant (35), Light-bellied Brent Goose (145), Mallard (76), Grey Plover (55), Lapwing (1,087), Dunlin (721), Bar-tailed Godwit (59), Curlew (107), Redshank (150), Turnstone (59), Black-headed Gull (926), Common Gull (66) and Great Black-backed Gull (70). The site is of most importance as a roost area for the birds but the intertidal flats also provide feeding habitat. The River Nanny Estuary and Shore SPA is of ornithological importance as it supports five species of wintering waterbirds and one gull species in numbers of national importance. The regular occurrence of two species listed on Annex I of the E.U. Birds Directive, i.e. Golden Plover and Bar-tailed Godwit, is of note.

Assessment dated
20.1.2015