

Appropriate Assessment (AA) Screening Determination for proposed Local Authority Development	
Project Name:	Proposed Housing Development at Mourne View, Skerries, Co. Dublin
Ref No:	
Description:	
Fingal County Council intends to construct 14 no. dwellings and associated infrastructure at Mourne View, Skerries, Co. Dublin.	
Legislative Context:	
<p>This determination has considered the relevant legislative context and guidance, including;</p> <ol style="list-style-type: none"> 1) Articles 6(3) and (4) of European Union (EU) Council Directive 92/43/EEC (Habitats Directive) 2) European Communities (Birds and Natural Habitats) Regulations S.I. No 477 of 2011 (as amended) 3) Assessment of plans and projects significantly in relation to Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (EU Commission, Brussels (2021) 4) Appropriate Assessment of plans and projects in Ireland: Guidance for planning authorities (DoEHLG, 2009), 5) Appropriate Assessment Screening for Development Management (Office of the Planning Regulator, 2021). 	
Screening Report:	
<p>Fingal County Council requested that an Appropriate Assessment Screening Statement be prepared. The Report, entitled Proposed Housing Development at Mourne View, Skerries, Co. Dublin APPROPRIATE ASSESSMENT SCREENING REPORT' was prepared by Brady Shipman Martin and reviewed by Fingal Ecologist, Jessica Clarke, prior to this Screening Determination being prepared.</p> <p>The AA Screening Report screened out any potential for alone or in combination effects of the proposed project on any SAC or SPA. From the report and reviewed literature, it is apparent that;</p> <ul style="list-style-type: none"> • The nearest Designated Sites are North-west Irish Sea SPA [004236] and Skerries Island SPA [004122] located 175 m north and 1.8 km east of the site, respectively. • The site is currently public open space (a field with two footpaths). Habitats on site consist of Amenity Grassland (GA2) and Buildings and artificial surface (BL3). • Although the site is managed grassland, the Appropriate Assessment states, the site does not provide ex-situ feeding grounds for Qualifying Interests species such as Light-bellied Brent geese. This is supported by a study on Light-bellied Brent Geese that found the nearest grassland site found to support Brent geese was 1.5 east of this site, near Holmpatrick Terrace, Skerries¹. • There is no direct pathway for noise, dust, visual or hydrological impacts to affect any European Sites. • Foul wastewater will be directed to the existing public foul network outside the site boundary and treated therein before discharging to the sea in Skerries via the Barnageeragh WWTP. The seas in Skerries form part of the North-West Irish Sea cSPA. The Appropriate Assessment states that the capacity available at Barnageeragh Wastewater Treatment Plant is sufficient to accommodate the inflow arising from the proposed development 	

¹ Handby, Bearhop and Colhoun (2022) Understanding patterns of urban habitat use in overwintering light-bellied Brent geese in Dublin, Ireland (Unpublished Project Report in collaboration with Irish Brent Goose Research Project)

and it will therefore be possible to maintain the unpolluted status of the waters of the Irish Sea. Therefore, no likely impacts are likely to occur to the North-west Irish Sea cSPA as a result of this connection.

- There are no open surface water bodies on site. The nearest watercourse is the Margaretstown River, located 320 m south of the proposed site. From this location, the river merges with the Mill stream in Skerries and travels a total of 2.5 km before entering the Irish Sea.
- When operational, run-off or surface water that is generated within the site will be discharged to the existing storm water network. To facilitate this arrangement, works are required to connect the new on-site surface water collection network to existing surface water pipes via a connection point outside of the development boundary. While the surface water network will ultimately discharge to the North-west Irish Sea SPA, the likelihood of significant inputs of silt or contaminants reaching downstream SACs or SPAs during these works is considered low as no in-stream works are required and the risk of contaminating the culverted surface water network during the connection works with volumes of silt, dirty water or hydrocarbons can be controlled by adhering to best practice measures (e.g. Uisce Eireann Codes of Practice^{2,3}). In addition, as described in the AA Screening Report, even in the event of a pollution incident (such as a fuel or cement spill) of significant scale to impact upon surface/ ground water quality in the proposed development site, any pollution from the construction site would be minimal in quantity and if it entered any watercourse it would be so diluted as to be undetectable by the time the water enters the estuary and would not be perceptible in North-west Irish Sea SPA. The assumption of dilution is supported in the literature⁴.
- Any surface water discharged from the site during the operational phase will be collected via SuDS measures implemented to a design standard. It is noted the SuDS measures proposed do not require any in-stream works or additional mitigation measures during their construction for the protection of downstream SACs or SPAs.

Conclusion

The report by Brady Shipman Martin concludes;

“In view of best scientific knowledge, this report concludes that the proposed residential development at Mourne View, Skerries, Co. Dublin; individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

It is considered that this report provides sufficient relevant information to allow Fingal County Council to carry out an Appropriate Assessment Screening and reach a determination that the proposed development will not have any likely significant effects on European sites under Article 6 of the Habitats Directive in light of their conservation objectives.”

Screening Determination:

Fingal County Council have examined, analysed and evaluated the content of the proposed Housing Development at Mourne View, Skerries, Co. Dublin, including the information and assessments presented in the screening for appropriate assessment report and are in agreement with the

² [Wastewater-Code-of-Practice.pdf](#)

³ [Water-Code-of-Practice.pdf](#)

⁴ [The effect of dilution on the fate and behaviour of chemicals in the environment \(marinebiodiversity.org\)](#)

conclusion of the screening for appropriate assessment report with respect to the potential for the proposed project 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 project, and in the absence of any measures intended to avoid or reduce any harmful effects on European sites, that the project is not likely to have a significant effect on any European sites, either alone or in combination with other plans or projects.

Signed: Jessica O'Leary

Role/ Department: Ecologist, Planning and Strategic Infrastructure

Date: 29th November 2023

Environmental Impact Assessment (EIA) Screening Determination for proposed Local Authority Development

Project Name: Proposed Housing Development at Mourne View, Skerries, Co. Dublin

Ref No:

Description:

Fingal County Council intends to construct 14 no. dwellings and associated infrastructure at Mourne View, Skerries, Co. Dublin.

Legislative Context:

This determination has considered the relevant legislative context and guidance as set out in the EIA Screening Report, including;

- (Directive 2011/92/EU), as amended by Directive 2014/52/EU.
- Planning and Development Act 2000 (as amended)
- Schedule 5, Parts 1 and 2 of the Planning and Development Regulations 2001 (as amended)
- Schedule 7 of the Planning and Development Regulations 2001 (as amended)
- Guidelines on the Information to be contained in Environmental Impact Assessment Reports (EPA, May 2022).
- Department of Housing, Planning and Local Government Guidelines for Planning Authorities and an Bord Pleanála on carrying out Environmental Impact Assessment (2018).
- European Commission (EC) Environmental Impact Assessment of Project: Guidance on Screening (2017).
- European Commission Interpretation of definitions of project categories of Annex I and II of the EIA Directive (2015).
- Office of the Planning Regulator OPR Practice Note PN02 Environmental Impact Assessment Screening (incorporating amendment of September 2022).

Screening Report:

Fingal County Council requested that an Environmental Impact Screening Statement be prepared by Brady Shipman martin. The Report, entitled "Proposed Housing Development at Mourne View, Skerries, Co. Dublin EIA SCREENING REPORT IN ACCORDANCE WITH ARTICLE 120 OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001, AS AMENDED", was reviewed and evaluated by, Fingal Ecologist, Jessica Clarke.

From the report and reviewed literature, it is apparent that the development includes;

- A total of 14no. dwellings representing a density of 19.2 dwellings/hectare for Site A and 25.7 dwellings/hectare for Site B
- A mix of one storey and two storey dwelling types
- New carriageways designed to the standards as set out in Design Manual for Urban Roads and Streets (DMURS 2013)
- On street parking for 8no. and in curtilage parking for 1-2 no. vehicles
- Parking for bicycles in the back gardens of the dwellings
- Associated site development works including foul drainage, surface water, mains water, gas and telecommunications connections.
- The site will be serviced by Irish Water, ESB, EIR, GNI, VM utilities which are all available
- Public lighting to pavements adjacent to and within the site will be designed and installed to the standards of the Public Lighting Section in Fingal County Council Operations Department
- Private open space is provided to all dwellings in the form of back gardens.
- A 1.9-2.9m deep privacy strip between the public footpaths and the external walls of the dwellings which form part of the SuDS strategy.

- Space standards within dwellings and provision of private amenity space meet the requirements stated in Fingal Development 2023-2029, Quality Housing for Sustainable Communities; and Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities (DEHLG, 2009) and Design Manual for Quality Housing (DoHLGH, 2022)

The development site currently public open space (a field with two footpaths) comprising a total of 0.69 ha. Habitats on site consist of Amenity Grassland (GA2) and Buildings and artificial surface (BL3). There are no indications the site is utilised by rare or protected flora or fauna and no invasive plant species were noted on site. The site is therefore of low ecological value.

Three trees will be lost as part of the proposal but they will be replaced with four trees. The proposal also includes nest/ roost boxes for swifts, house sparrow, house martin, Swallow, bats and insects. The proposal therefore meets the requirements of Policy GINHP14 of the Fingal Development Plan which promotes biodiversity net gain in new developments.

No surface water features are present onsite. Foul and surface water will connect to the existing foul and surface water network via works within the road network outside of the boundary of the construction site. The risk of contaminating the culverted foul or surface water networks with volumes of silt, dirty water or hydrocarbons necessary to cause significant effects to the Qualifying Interests of downstream Designated Sites during construction is considered unlikely following adherence to best practice measures (e.g. Uisce Eireann Codes of Practice^{5, 6}).

Any surface water discharged from the site during the operational phase will be collected via SuDS measures implemented to a design standard. It is noted the SuDS measures proposed do not require any in-stream works or additional mitigation measures during their construction for the protection of downstream SACs or SPAs.

The nearest Designated Sites are North-west Irish Sea SPA [004236] and Skerries Island SPA [004122] located 175 m north and 1.8 km east of the site, respectively. There are no direct pathways for noise, dust, visual or hydrological impacts to affect any European Sites. Although the site is managed grassland, the Appropriate Assessment states that the site does not provide ex-situ feeding grounds for Qualifying Interests species such as Light-bellied Brent geese. This is supported by literature such as a study by Handby et al. (2022) which GPS tracked Light-bellied Brent Geese in Dublin and found the nearest grassland sites found to support Brent geese was on the far side of Skerries, near Holmpatrick Terrace, over 1.5 km away⁷.

Potential impacts in relation to flood risk, archaeology, social changes, land use, landscapes, soil, water and traffic have been assessed and outlined in the submitted EIA Screening report and indicate no significant impacts are likely to occur that will negatively affect the environment or community in the long term.

Regarding Mandatory EIA, the Screening Report states;

“Classes of development listed in Part 1 of Schedule 5 of the PDR 2001 relate to major industrial and infrastructural projects (e.g. power stations, refineries, metal works, major pipelines and

⁵ [Wastewater-Code-of-Practice.pdf](#)

⁶ [Water-Code-of-Practice.pdf](#)

⁷ Handby, Bearhop and Colhoun (2022) Understanding patterns of urban habitat use in overwintering light-bellied Brent geese in Dublin, Ireland (Unpublished Project Report in collaboration with Irish Brent Goose Research Project)

powerlines, and mines). The proposed development does not conform to any of the classes of development and is not a 'project' as set out in Part 1 of Schedule 5 of PDR 2001. Therefore, there is no requirement for mandatory EIA under this provision."

With reference to Part 2 of Schedule 5 of the PDR 2001, the authors state "The pre-screening exercise has concluded that the proposed development is 'sub-threshold' in respect of development classes 10(b)(i) and 10(b)(iv) as listed in Part 2 of Schedule 5 of the PDR 2001, and therefore should be screened for the requirement for 'sub-threshold EIA' in accordance with Article 120 of the PDR 2001, to determine whether there is a likelihood of significant effects and, therefore, whether EIA is required for the proposed development"

As the development is below the thresholds set out in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, EIA Guidelines state that a screening determination, in accordance with Criteria set out in Schedule 7 of the 2001 Regulations (as amended), is required to be undertaken by the competent authority with consideration of 1. Characteristics of the Proposed Development, 2. the Location of Proposed Development and 3. the resulting Types and Characteristics of Potential Impacts.

Following consideration of the proposal in accordance with Schedule 7, the EIA Screening Report states;

"It is considered that the proposed development would not be likely to have significant negative effects on the environment.... Therefore, it is recommended that, having regard to the information set out above, the Competent Authority (Fingal County Council) may reach a screening determination that there is no real likelihood of significant effects arising as a result of the proposed development; and, therefore, that environmental impact assessment and the preparation of an environmental impact assessment report is not required."

Screening Determination:

Having regard to the forgoing, the proposed Housing Development at Mourne View, Skerries, Co. Dublin does not trigger a mandatory EIA under the EIA Directive or the 2001 Regulations (as amended). Furthermore, having reviewed the EIA Screening Report and supporting documents (Appropriate Assessment Screening Report), and in light of best scientific knowledge, the proposed development is not likely to have significant effects on the environment due to the nature, scale or location of the proposed development relevant to areas of environmental sensitivity and the potential for impacts to occur. Fingal County Council therefore accept the conclusions of the EIA Screening Report.

Signed: Jessica Clarke

Role/ Department: Ecologist, Planning and Strategic Infrastructure

Date: 29th November 2023