

Proposed Traveller Accommodation:  
Coolquay, Co. Dublin  
Information for Screening for Appropriate  
Assessment

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

The report has regard to the following legislative instruments:

- Planning and Development, Act 2000, as amended;
- European Commission (EC) Habitats Directive 92/43/EEC;
- European Commission (EC) Birds Directive 2009/147/EC;
- European Communities (Birds and Natural Habitats) Regulations 2011 (SI no 477 of 2011).

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

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

## 3 Screening for Appropriate Assessment

### 3.1 Background

The first part of the Appropriate Assessment process is the Screening phase. Screening identifies the likely effects of the proposed development on European

sites that could arise, either alone or in combination with other plans or projects, and considers whether these impacts are likely to have a significant effect on the European site in view of the site's conservation objectives.

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

### 3.2 Potential zone of influence

For the risk of an adverse effect to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a watercourse that links the construction site to the designated site. Although there may be a risk of an impact it may not necessarily occur, and if it does occur, it may not be significant.

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

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

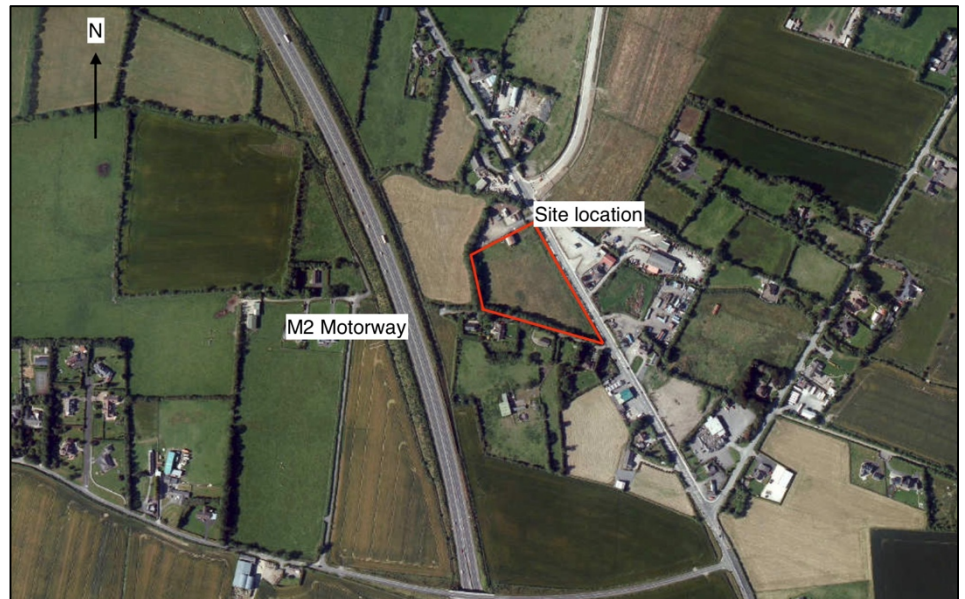
However, in some instances where there are hydrological connections a whole river catchment or a groundwater aquifer may need to be included. Similarly where bird flight paths are involved the impact may be on an SPA more than 15 km away. Taking this into account, as a starting point a search was carried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

### 3.3 Study area and surrounding environment

#### 3.3.1 Site location and European sites

The proposed development site (see Figure 1) comprises a single field in agricultural use (currently being grazed by horses). The field is subject to minimal management and extensive bramble scrub encroachment is taking place. The field is damp in places, and a small flooded area was present near the eastern boundary on the day of the survey. The site is bounded to the east by the R135 regional road and the M2 Motorway is located approximately 100m to the west. The northern perimeter of the site is bounded by a concrete wall. An agricultural barn of no ecological significance is also present on the site. A mature ash-dominated tree line is present

along the southern and eastern boundaries. The western boundary also features a stream/drainage ditch, which is, according to the EPA database (<https://gis.epa.ie/EPAMaps/>), a 2<sup>nd</sup> order tributary of the Ward River. A small drainage ditch is also present along the eastern boundary. On the day of the survey the streams were damp, with occasional shallow ponds and had no flowing water.



**Figure 1:** Location of proposed development site at Coolquay, Co. Dublin

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

- Malahide Estuary SAC (000205);
- Broadmeadow/Swords Estuary (Malahide Estuary) SPA (site code 004025);
- Rogerstown Estuary SAC (000208);
- Rogerstown Estuary SPA (004015);
- Baldoyle Bay SAC (000199);
- Baldoyle Bay SPA (004016);
- Rye Water Valley/Carton SAC (001398);
- South Dublin Bay and River Tolka Estuary SPA (004024).

The nearest of these European designated sites are the Broadmeadow/Swords Estuary SPA and Malahide Estuary SAC, located approximately 9950m to the east (straight line distance). The proposed development site is potentially linked to this SPA and SAC via local watercourses/drainage ditches, which are tributaries of the Ward River, which in turn flows into the Broadmeadow River at Swords.



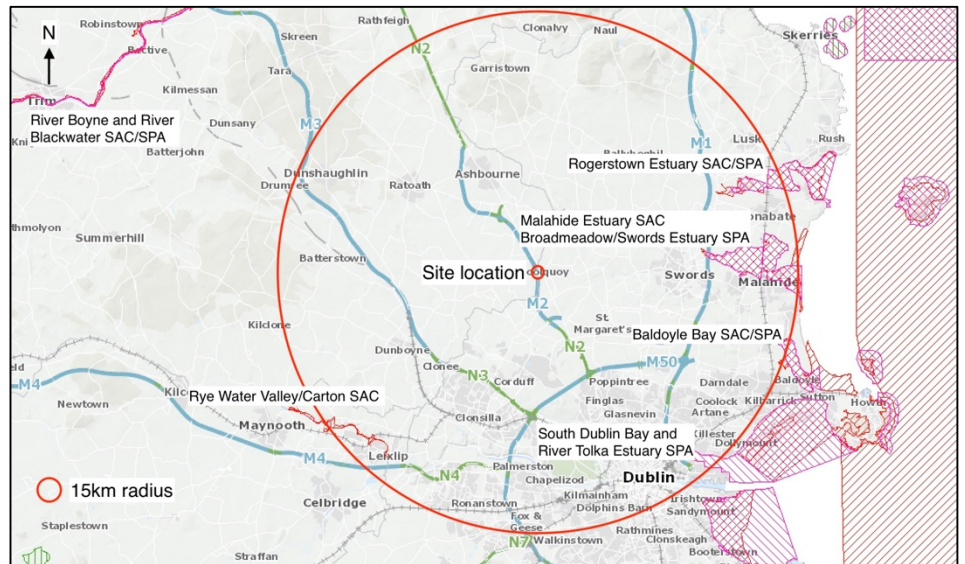


Figure 2: Study site at Coolquay showing European sites

### 3.4 Description of the proposed development

The proposed development comprises the construction of a new traveller accommodation site at Coolquay, Co. Dublin. The development will include 10 new bays, each totalling 460m<sup>2</sup>, with associated roadways and paths as well as public open space and ancillary features.

### 3.5 Links to European sites, including cumulative effects

#### 3.5.1 European sites and habitats with links to European sites

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

No features of ecological significance are present on the proposed development site, however the mature tree lines and the stream on the western boundary are of local ecological value in accordance with the ecological resource valuations presented in the National Roads Authority Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA, 2009 (Rev. 2)).

No evidence of any habitats or species with links to European sites was recorded during either the field survey or desk study undertaken and no ‘reservoir’ type habitats are present. There will be no loss of any habitat or species listed as a Qualifying Interest or Special Conservation Interest of any designated site as a consequence of the works. There is, therefore, no potential for the cumulative effects of habitat loss or fragmentation to occur. There will be no significant effects on the European sites as a result of:

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





- Air pollution.

A potential surface water pathway exists between the proposed development site and the **Broadmeadow/Swords Estuary SPA** and **Malahide Estuary SAC**. However, these European sites are approximately 10km distant from the proposed development boundary. It is considered that no other European sites have any connection (pathway) with the proposed development at Coolquay, due to their locations, the intervening topography and the features (Qualifying Interests and Special Conservation Interests) for which they are designated. These sites are not considered further in this report.



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

European Site	Reasons for designation (information correct as of 23 <sup>rd</sup> March 2018) (*denotes a priority habitat)	Source – Pathway – Receptor link
Malahide Estuary SAC	<p>1140 Mudflats and sandflats not covered by seawater at low tide 1310 <i>Salicornia</i> and other annuals colonising mud and sand 1320 <i>Spartina</i> swards (<i>Spartinion maritimae</i>) [no conservation objectives listed for this habitat] 1330 Atlantic salt meadows (<i>Glaucopuccinellietalia 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>According to this SAC's site Conservation Objectives document (dated 27<sup>th</sup> May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>This SAC is situated in north Co. Dublin, between the towns of Malahide and Swords. It comprises the estuary of the River Broadmeadow. A railway viaduct, built in the 1800s, crosses the site and has led to the inner estuary becoming lagoonal in character and only partly tidal. Much of the outer part of the estuary is well sheltered from the sea by a large sand spit. This spit is now mostly converted to golf-course though some sand dunes and salt marshes remain. A section of bedrock shore extending towards Portmarnock is included as it represents the only continuous section through the fossiliferous Lower Carboniferous rocks in the Dublin Basin, and is the type locality for several species of fossil coral.</p> <p>The site has an important example of intertidal sand and mud flats, with <i>Zostera</i> spp. Their quality is variable but generally good. Salt marshes are well represented, particularly Atlantic salt meadows and <i>Salicornia</i> flats. Most of the sand dune system is managed for a golf course but significant areas of fixed dunes and shifting white dunes remain. The site has <i>Viola hirta</i>, a Red Data Book plant species. It is of high importance for wintering waterfowl, with an internationally important population of <i>Branta bernicla hrota</i> and nationally important populations of a further 14 species, including <i>Pluvialis apricaria</i>. It also supports a regionally important population of</p>	<p>No.</p> <p>While there are potential links between the proposed development site and the SAC and SPA via surface water, no significant impacts on water quality are predicted.</p> <p>Although surface water arising during <b>construction</b> works could potentially contain pollutants (suspended solids, hydrocarbons and other chemicals) there would be no significant impacts on the conservation objectives of the European sites due to the temporary nature of any such discharges (the construction phase only), the comparatively small volumes of potential discharges and the significant separation between the proposed development site and the European sites.</p> <p>In addition the construction methodology will ensure that there will be no impacts on water quality, and therefore no impacts on the qualifying interests of any designated sites as a result of the proposed development.</p> <p>The management of surface water for the proposed development once it is operational will be designed in accordance with the policies and guidelines outlined in the Greater Dublin Strategic Drainage Study (GSDSDS) and to the requirements of Fingal County Council. The proposed storm water network will discharge to the culverted ditch that runs along the eastern boundary (parallel to the R135), via a flow control device (to restrict runoff to match pre-development rates) and a petrol interceptor.</p> <p>Foul water at the site once the proposed traveller accommodation is operational will be collected and discharged to a new wastewater treatment system, to be located in the south eastern corner of the site. The system to be used is of appropriate design and capacity and will discharge to sand polishing filters. No impacts on water quality are expected to arise once the system is operational and is maintained in full working order.</p> <p>There will be no residual operational phase impacts on European sites or qualifying features as a result of the proposed development.</p>



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European Site	Reasons for designation (information correct as of 23 <sup>rd</sup> March 2018) (*denotes a priority habitat)	Source – Pathway – Receptor link
	<p><i>Limosa lapponica</i>. This site has educational value and has been the subject of a number of research projects.</p>	
Broadmeadow/Swords Estuary SPA	<p>Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]            Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]            Shelduck (<i>Tadorna tadorna</i>) [A048]            Pintail (<i>Anas acuta</i>) [A054]            Goldeneye (<i>Bucephala clangula</i>) [A067]            Red-breasted Merganser (<i>Mergus serrator</i>) [A069]            Oystercatcher (<i>Haematopus ostralegus</i>) [A130]            Golden Plover (<i>Pluvialis apricaria</i>) [A140]            Grey Plover (<i>Pluvialis squatarola</i>) [A141]            Knot (<i>Calidris canutus</i>) [A143]            Dunlin (<i>Calidris alpina</i>) [A149]            Black-tailed Godwit (<i>Limosa limosa</i>) [A156]            Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]            Redshank (<i>Tringa totanus</i>) [A162]            Wetland and Waterbirds [A999]</p> <p>According to this SPA's site Conservation Objectives document (dated 16<sup>th</sup> August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable condition of the species and habitat for which the SPA has been selected.</p> <p>According to the SPA's Natura 2000 information the SPA is situated in north Co. Dublin, between the towns of Malahide and Swords. It comprises the estuary of the River Broadmeadow. A railway viaduct, built in the 1800s, crosses the site and has led to the inner estuary becoming lagoonal in character and only partly tidal. Much of the outer part of the estuary is well-sheltered from the sea by a large sand spit, known as "the island". This spit is now mostly converted to golf-course. The outer part empties almost completely at low tide and there are extensive intertidal flats. Salt marshes occur in parts of the outer estuary and in the extreme inner part of the inner estuary.</p> <p>The site is of high importance for wintering waterfowl and supports a particularly good diversity of species. It has an internationally important population of light-bellied Brent geese (<i>Branta bernicla hrota</i>) (4.8% of</p>	



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European Site	Reasons for designation (information correct as of 23 <sup>rd</sup> March 2018) (*denotes a priority habitat)	Source – Pathway – Receptor link
	<p>national total), and nationally important populations of a further 12 species. Of particular note are the populations of shelduck (<i>Tadorna tadorna</i>) (3.0% of national total), pintail (<i>Anas acuta</i>) (2.9% of national total), red-breasted merganser (<i>Mergus serrator</i>) (2.8% of national total), grey plover (<i>Pluvialis squatarola</i>) (2.7% of national total) and knot (<i>Calidris canutus</i>) (3.7% of national total). The site is one of the few in eastern Ireland where substantial numbers of goldeneye (<i>Bucephala clangula</i>) occur. It has a regionally important population of black-tailed godwit (<i>Limosa lapponica</i>). The site is an important and regular site for a range of autumn passage migrants, especially dunlin (<i>Calidris ferruginea</i>) and ruff (<i>Philomachus pugnax</i>). It supports a regular flock of non-breeding mute swan (<i>Cygnus olor</i>).</p>	



### 3.5.2 Other European sites

No other European sites, including those listed in Section 3.3.1, are considered to be relevant to this assessment of the proposed development at Coolquay. It is not necessary to consider any sites further in this report.

### 3.5.3 Other designated conservation areas (other than European sites)

The nearest sites designated for nature conservation are Santry Demesne proposed Natural Heritage Area (pNHA site code 000178) and the Royal Canal pNHA (site code 002103). These sites are 8.8km to the south east and south respectively. Given the scale and nature of the proposed development, as well as the reasons that these sites have been designated, no impacts are expected to arise at these or any other non-European designated site.

## 3.6 Potential impacts during construction

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

There is therefore a minor risk of contamination. However there would be no significant impacts on the conservation objectives of the European Sites due to the temporary nature of any such discharges (the construction phase only), the comparatively small volumes of potential discharges and the significant separation between the proposed development site and the European site (in excess of 10km taking into account the watercourse geography).

Nevertheless, in the event that contaminated water should enter any drainage ditch or watercourse during the construction or operation of the proposed development, there is the potential for negative impacts on the integrity of designated sites. It is considered that this possibility is remote, provided that – as recommended – standard best-practice water protection measures are adhered to during the construction phase of the project.

In order to ensure there are no impacts, either on the European sites, pNHAs or on water quality in general during construction, all hazardous substances, such as fuels, oils, cement and concrete products, will be stored on-site in secure areas remote from drainage connections to the existing surface water drainage network.

The contractor will take adequate precautions as part of the construction methodology to avoid any pollution from construction activities via run-off to the surface water drainage network. Such precautions may include temporary cut-off trenches, settlement ponds and petrol interceptors.

The implementation and effectiveness of these standard best-practice mitigation measures will be inspected and recorded regularly during the entire construction period and where deficiencies or faults are identified they will be remedied immediately by the contractor.



- If there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a European site alone, then these effects must be considered ‘in-combination’ with the effects arising from other plans and projects.

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

## 7 Screening conclusion

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

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



## Appendix I: Background

The European<sup>1</sup> network is a Europe-wide network of ecologically important sites (SPAs and cSACs – also known as ‘European Sites’ or ‘Natura 2000 sites’) that have been designated for protection under either the EU Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds) or the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna).

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

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

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

(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

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

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

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

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

<sup>2</sup> SI No. 477 of 2011

## Stages in the assessment

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

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

**Stage 2: Appropriate Assessment** is the detailed consideration of the impact on the integrity of the European site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's conservation objectives and its structure and function. This is to determine with scientific certainty whether or not there will be adverse effects on the integrity of the site in light of its conservation objectives. This stage also includes the development of mitigation measures to avoid or reduce any possible impacts.

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

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

## Conservation Objectives of European sites

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

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

- Its natural range and the area it covers within that range are stable or increasing;

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



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