

Proposed Housing Development at
Mourne View, Skerries, Co. Dublin

**APPROPRIATE ASSESSMENT
SCREENING REPORT**

Environmental
Assessment
**Built
Environment**

Client:

Fingal County Council

Date:

18 October 2023

DOCUMENT CONTROL SHEET

6970_RPAA01_Appropriate Assessment Screening Report

Project No. 6970
Client: Fingal County Council
Project Name: Proposed Housing Development at Mourne View, Skerries, Co. Dublin
Report Name: Appropriate Assessment Screening Report
Document No. RPAA01
Issue No. 02
Date: 18/10/2023

This document has been issued and amended as follows:

Issue	Status	Date	Prepared	Checked
01	Draft	02 Oct 2023	NK	MH
02	For issue	18 Oct 2023	NK	MH

Contents

1	Introduction	1
1.1	Background.....	1
1.2	Expertise and Qualifications	1
1.3	Legal Requirement for Appropriate Assessment	1
2	Methodology	2
2.1	Guidelines.....	2
2.2	Baseline Data Collection and Field Visits	3
3	Description of the Proposed Development	4
3.1	Site Location	4
3.2	Development Description.....	5
3.3	Water Infrastructure	7
3.3.1	Supply	7
3.3.2	Drainage.....	7
4	Screening for Appropriate Assessment	8
4.1	Background.....	8
4.2	Potential Zone of Influence	9
4.2.1	Natura 2000 Sites.....	10
4.2.2	Other Designated Areas (other than European sites).....	13
4.3	Study Area and Surrounding Environment	15
4.3.1	Site Location and European Sites	15
5	Potential impacts from the proposed development including in-combination effects ...	16
5.1	European sites and habitats with links to European sites.....	16
5.1.1	Potential impacts during construction.....	16
5.1.2	Potential impacts during operation	18
5.2	Summary of potential impacts of the proposed development.....	35
6	Mitigation Specific to European Sites	35
7	In-combination Effects	36
8	Screening Conclusion	37
9	References	38
	Appendix I: Background.....	40
	Appendix II: Conservation Objectives of European Sites	42

1 Introduction

1.1 Background

Fingal County Council (FCC) proposes to construct 14no. dwellings and associated infrastructure at Mourne View, Skerries, Co. Dublin. The proposed development will be carried out under Section 179A¹ of the Planning and Development Regulations 2001-2023.

Brady Shipman Martin was appointed to prepare a report to assist the Competent Authority, Fingal County Council, in undertaking a screening exercise for Appropriate Assessment (AA). The purpose of the screening exercise is to assess, in view of best scientific knowledge, if the proposed development, individually or in combination with other plans or projects, is likely to have a significant effect on European sites, taking into account their conservation objectives.

This document constitutes an Appropriate Assessment Screening Report ('AA Screening Report') prepared for this purpose.

A comprehensive desk study review and site visit were undertaken and the potential for significant effects on European sites, both as a result of the proposed development and in-combination with other plans and projects, are appraised in this report.

1.2 Expertise and Qualifications

This AA Screening Report has been prepared by Namrata Kaile, Ecologist and Environmental Consultant at Brady Shipman Martin. She holds a Bachelor's Degree (BSc) in Life Sciences from University of Delhi and a Master's Degree (MSc) with distinction in Environmental Sciences from Trinity College Dublin. She is an associate member of Chartered Institute of Ecology and Environmental Management (CIEEM) and has been working professionally in the field of environmental consultancy for the last four years. Namrata is experienced in drafting and reviewing AA Screening Reports, EIA Screening Reports as well as in coordination of EIARs. She is also experienced in undertaking baseline ecological surveys and preparing Ecological Impact Assessments Reports (EclA).

A technical review of this document has been completed by Senior Ecologist and Associate, Matthew Hague BSc MSc Adv. Dip. Plan. & Env. Law CEnv MCIEEM. Matthew is a highly experienced and qualified ecologist, with a master's degree in Ecosystem Conservation and Landscape Management. He has over 20 years of experience in ecological and environmental consultancy, across a wide range of sectors. Matthew is a Chartered Environmentalist (CEnv) and a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM). Matthew has also completed an Advanced Diploma in Planning and Environmental Law, at King's Inns and is a member of the Irish Environmental Law Association (IELA).

1.3 Legal Requirement for Appropriate Assessment

European sites make up a network of sites designated for nature conservation under Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the "Habitats Directive") and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the "Birds Directive"). The requirements for Appropriate Assessment are set out under Article 6 of the Habitats Directive, transposed into Irish law

¹ <https://www.irishstatutebook.ie/eli/2023/si/101/made/en/print>

by the European Union (Birds and Natural Habitats) Regulations 2011-2021² (the “Birds and Natural Habitats Regulations”) and the Planning and Development Act, 2000 - 2023 (the “Planning Acts”).

European sites are also known as ‘Natura 2000 Sites’ (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)). As defined in section 177R of the Planning Acts, “European site” means:

- (a) a candidate site of Community importance,
- (b) a site of Community importance,
- (ba) a candidate special area of conservation,
- (c) a special area of conservation,
- (d) a candidate special protection area and
- (e) a special protection area.

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

“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.”

The first test is to establish whether, in relation to a particular plan or project, Appropriate Assessment is required. Sections 177U of the Planning Acts require that the AA screening test must be applied to the proposed development, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

This AA Screening Report has been prepared in accordance with the requirements of the Birds Directive, the Habitats Directive, the Planning Acts, the Birds and Natural Habitats Regulations and all relevant legislations.

2 Methodology

2.1 Guidelines

This report takes the aforementioned legislation and the following guidance documents into account:

- Chartered Institute of Ecology and Environmental Management (CIEEM). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*, September 2018, updated in September 2019 (V1.1), further updated in April 2022 (V1.2);
- Department of Environment, Heritage and Local Government (DoEHLG) (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*;

² SI No. 477 of 2011

- DoEHLG (2010b). *Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*;
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*;
- European Commission (2018). *Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC*;
- Directorate – General for Environment (European Commission), (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*;
- National Roads Authority (NRA)³ (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*;
- Office of the Planning Regulator (OPR) (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*;
- National Parks and Wildlife Services (NPWS) (2021). *Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority*.

2.2 Baseline Data Collection and Field Visits

A desk-based assessment was undertaken in September 2023 of the proposed development site and its environs. The appraisal focussed on habitats and species that are listed as Qualifying Interests (QI) (in the case of SACs) and Special Conservation Interests (SCI) (in the case of SPAs) for European sites.

In order to provide comprehensive baseline on the local ecological environment, biodiversity surveys were undertaken at the proposed development site by BSM personnel on 18 October 2023. The surveys undertaken comprised habitat, invasive species, rare and/or protected species, mammals, birds and day-time bat survey.

An assessment of habitat suitability for species with links to European sites was undertaken, in order to appraise the potential for *ex-situ* effects on European sites.

An examination of available information from Bat Conservation Ireland (BCI), previous data from neighbouring sites was also undertaken to compile a list of most likely species in the overall area in addition to the evaluation of the habitat for bats. There are no bat species listed as Qualifying Interests in any European sites within the Zone of Influence. However, Article 12 of the Habitats Directive requires Member States to take *requisite measures to establish a system of strict protection of animal species listed in Annex IV(a) in their natural range*.

Information was collated from the organisations and websites listed below:

- Data on European sites and rare and protected plant and animal species contained in the following databases:
 - The National Parks and Wildlife Service (NPWS) of the Department of Housing, Local Government and Heritage (www.NPWS.ie);
 - The National Biodiversity Data Centre (NDBC) (www.biodiversityireland.ie);
 - BirdWatch Ireland (www.birdwatchireland.ie);
 - Bat Conservation Ireland (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 imagery, including www.geohive.ie;

³ Now Transport Infrastructure Ireland (TII).

- Photographs taken at the site;
- Information on local watercourses from www.catchments.ie;
- Information on water quality in the area (www.epa.ie);
- Information on soils, geology and hydrogeology in the area (www.gsi.ie);
- Information on the Status of EU Protected Habitats and Species in Ireland (Article 17 report) (NPWS, August 2019);
- Third National Biodiversity Plan 2017 – 2021 (Department of Culture, Heritage and the Gaeltacht, 2017);
- Fingal Development Plan 2023-2029 including the accompanying Appropriate Assessment documentation (Natura Impact Report).

This report takes full account of the design of the proposed development, and a detailed examination of all relevant elements of the proposal as it currently stands, was undertaken.

3 Description of the Proposed Development

3.1 Site Location

The proposed development site (refer to **Figure 3.1** below) is located at Mourne View in Skerries. It comprises two separate areas (sites A and B). Site A is bounded by open space to the east, south and west and by the existing residential development of Mourne View to the north. Site B is bound by open space to the south and the existing residential development of Mourne View to the north and west. *Realt na Mara* National School is just to the east and Skerries Community College is c. 360m to the south-east.

The topography of Site A is steep with levels rising from north-east to south-west c. 4.2m, rising at a gradient of c. 1:18. The topography of Site B is also steep with levels rising from north-west to south-east c. 4.2m, rising at a gradient of c. 1:19.

The site is greenfield and comprises an area of land currently used as public open space. As per the *Fingal Development Plan 2023-2029*, the proposed development site is zoned RS-Residential – ‘Provide for residential development and protect and improve residential amenity’.

The proposed development will consist of the construction of a total of 14no. dwellings. Site A measures 0.31 hectares, contains 5no. dwellings and represents a density of 16.1 dwellings/hectare. Site B measures 0.38 hectares, contains 9 no. dwellings and represents a density of 23.7 dwellings/hectare.

Figure 3.1 The location of the proposed development site at Mourne View, Skerries (red line is indicative, for full details refer to the accompanying documentation)



3.2 Development Description

The proposed development will consist of:

- 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). Refer to **Figure 3.2** for the site layout.

3.3 Water Infrastructure

3.3.1 Supply

The Engineering Report prepared for the proposed development (McMahon Associates, 2023) states that there is existing Irish Water watermain infrastructure at the entrance and exit to Site A from Mourne View. Further to the west of Site A, there is a 150mm watermain and to the east is a 100mm diameter watermain. For Site B as well there is existing Irish Water watermain infrastructure at the entrance to the site from Mourne View.

The proposed Site A development will be connected to the 100mm diameter watermain located at the exit to the proposed housing development to the north-east of the site. The proposed Site B development will be connected to the 100mm diameter watermain located at the entrance to the proposed housing development. Further, 1 no. fire hydrants will be located within the road verge for Site A and within proposed footpath for Site B, at a minimum 6m distance from all dwellings to ensure that each dwelling is within 46m of a fire hydrant as per Irish Water requirements.

3.3.2 Drainage

3.3.2.1 Surface Water

The Engineering Report (McMahon Associates, 2023) states that for Site A, there is an existing 225mm diameter storm sewer located at the proposed exit to the north-east and another existing 150mm diameter storm sewer located at the proposed entrance to the north-west, which discharges to a 300mm diameter storm sewer within Mourne View Skerries. For Site B, there is an existing 150mm diameter storm sewer which is located north of the proposed unit no.6 and discharges to a 300mm diameter storm sewer within Mourne View Skerries.

The Engineering Report notes that the proposed development site is not located close to any watercourses or ditches. Therefore, surface water discharge from the Site A will be to existing 225mm diameter storm sewer, located at the proposed exit to the north-east. The western portion of the site which drains a section of the road, footpath and landscape discharges to the existing 150mm diameter storm sewer located at the proposed entrance to the north-west. Site B will discharge to the existing storm manhole located north of proposed unit no. 6 which has an outgoing 150mm diameter storm pipe.

Currently, the site is greenfield and consisting of open space. Surface water attenuation storage will be provided for the 1 in 100 year event plus 20% climate change. Refer to the Engineering Report (McMahon Associates, 2023) for further details.

Sustainable urban Drainage Systems (SuDS) are a requirement of Fingal County Council. Surface water management for the proposed development will be designed to comply with the 'Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005' and the 2009 OPW Guidelines 'The Planning System and Flood Risk Management', however, the infiltration testing results suggest the site is not suitable for infiltration and therefore SuDS elements will be limited and the current design reflects that. As part of the surface water drainage strategy, it is proposed to provide the surface water attenuation via the drainage stone layer of the porous asphalt/landscaped area and in underground crates for both sites. The surface water will infiltrate through various additional SuDS components such as permeable paving, porous asphalt, drainage stone layer within landscape area, filter drains, rainwater downpipe planters and rainwater gardens acting as source control and surface water treatment before entering the main storm line. The topography of the site is too steep to consider any above ground storage features such as basins, swales or wetlands.

It is proposed to utilise porous asphalt on the carriageway and parking spaces to collect, treat and store surface water runoff. Filter drains will be used within the sub-base of the porous asphalt to collect and treat surface water runoff. Sump manholes will also be provided in manholes to ensure sediment is caught and collected prior to leaving the site.

3.3.2.2 Foul Water

The Engineering Report (McMahon Associates, 2023) states that for Site A there is an existing 150mm diameter foul sewer located c. 1.8m outside the site boundary to the north-east which runs north and discharges to a 150mm foul sewer within Mourne View. For Site B, there is an existing 225mm diameter foul sewer located across the proposed site entrance within the site boundary to the north which runs west and then north-east to a 225mm diameter foul sewer within Mourne View.

The foul water strategy for the development proposes that the foul water drainage network for the proposed apartment units will be separated from the surface water sewers, and will comply with the latest "*Technical Guidance Document H - Drainage and Waste Water Disposal*". For Site A, proposed uPVC 150mm diameter foul gravity sewer will collect the wastewater via soil vent pipes and inspection chambers from the proposed dwellings and discharge into the existing foul manhole with a 150mm PVC foul sewer outgoing pipe to the north-east of the site boundary. For Site B, proposed uPVC 150mm diameter foul gravity sewer will collect the wastewater via soil vent pipes and inspection chambers from the proposed dwellings and discharge into the existing 225mm PVC foul sewer to the north at the entrance of the site via cascade manhole. The pipes are designed with a roughness coefficient of 0.15mm and designed to achieve a minimum self-cleansing velocity of 0.75m/s.

Once operational, foul water flows from the proposed development will be directed to Barnageeragh Wastewater Treatment Plant (WwTP), operating under EPA Wastewater Discharge Licence D0023-01. The capacity available at Barnageeragh Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of the Irish Sea.

4 Screening for Appropriate Assessment

4.1 Background

The first part of the AA 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.

In accordance with sections 177U and 177V of the Planning Acts, the AA screening test must be applied to the proposed development, as follows:

- To assess, in view of best scientific knowledge, if the development, individually or in combination with another plan or project is likely to have a significant effect on the European site;
- An Appropriate Assessment is required if it cannot be excluded, on the basis of objective information, that the development, individually or in combination with other plans or projects, will have a significant effect on a European site.

Screening must be undertaken without the inclusion of mitigation and it is in this context that this AA Screening Report is prepared.

Following screening therefore, if there is a possibility of there being a significant effect on a European site, this will generate the need for an appropriate assessment under section 177V of the Planning Acts for the purposes of compliance with 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.

4.2 Potential Zone of Influence

This assessment is based on the source-pathway-receptor model, which dictates that, for an 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 two (such as a watercourse that links the construction site to the designated site). A construction site or completed development may also create a barrier to movement, for example, by preventing the migration of fauna along a river corridor, or by obstructing the migration of birds.

Identification of a potential effect 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 potential effect and the characteristics of the receptor. Although there may be a risk of an impact, it may not necessarily occur, and if it does occur, it may not be significant.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. In 2010, DoEHLG stated that (pp. 31 – 32):

“The approach to screening is likely to differ somewhat for plans and projects, depending on scale and on the likely effects, but the following should be included:

- 1. Any Natura 2000 sites within or adjacent to the plan or project area*
- 2. Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must 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*
- 3. Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the cases of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment.”*

The 2021 Office of the Planning Regulator (OPR) guidelines, *Practice Note PN01: Appropriate Assessment Screening for Development Management*, state that the Zone of Influence “*should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km)*” (p. 8).

Therefore, considering the nature, scale and location of the proposed development and in accordance with the source-pathway-receptor model, the potential Zone of Influence (Zoi) for the proposed development is:

- Any site to which there is a pathway from the proposed development site during either the construction or operational phase of the development as defined in the following sections.

4.2.1 Natura 2000 Sites

There are no European sites within the immediate vicinity of the proposed development site at Mourne View, Skerries, Co. Dublin.

The nearest Natura 2000 sites are as follows (as shown in **Figure 4.2**):

- Special Areas of Conservation (SAC):
 - Rockabill to Dalkey Island SAC (site code 003000), c. 3.6km to the east;
 - Rogerstown Estuary SAC (site code 000208), c. 7.4km to the south;
 - Lambay Island SAC (site code 000204), c. 11.2km to the south-east;
 - Malahide Estuary SAC (site code 000205), c. 11.4km to the south;
 - Boyne Coast and Estuary SAC (site code 001957), c. 15.5km to the north-west;
 - Baldoyle Bay SAC (site code 000199), c. 18.2km to the south;
 - Ireland's Eye SAC (site code 002193), c. 19.5km to the south-east;
 - Howth Head SAC (site code 000202), c. 22km to the south-east.

- Special Protected Areas (SPA):
 - North-West Irish Sea SPA (site code 004236), c. 175m to the north;
 - Skerries Island SPA (site code 004122), c. 1.8km to the east;
 - Rockabill SPA (site code 004014), c. 4.2km to the east;
 - Rogerstown Estuary SPA (site code 004015), c. 7.3km to the south;
 - River Nanny Estuary and Shore SPA (site code 004158), c. 10km to the north-west;
 - Lambay Island SPA (site code 004069), c. 10.7km to the south-east;
 - Malahide Estuary SPA (site code 004025), c. 11.8km to the south;
 - Baldoyle Bay SPA (site code 004016), c. 18.2km to the south;
 - Boyne Estuary SPA (site code 004080), c. 17.4km to the north-west;
 - Ireland's Eye SPA (site code 004117), c. 19km to the south-east;
 - Howth Head Coast SPA (site code 004113), c. 21.5km to the south-east.

Note that the above-listed distances are linear (i.e. 'as the crow flies').

The site of the proposed development is not under any designation for nature conservation. The nearest European site is the North-West Irish Sea SPA (site code 004236), c. 175m to the north.

A review of the Environmental Protection Agency (EPA) web-tool indicates that the Northwestern Irish Sea (IE_EA_020_0000) is c. 175m to the north of the proposed development. Further, Margaretstown River (IE_EA_08M030500) runs c. 320m to the south of the proposed development. The river flows south-east and merges with Mill stream (Skerries) before entering the Northwestern Irish Sea c. 2.2km downstream. There is therefore a potential (albeit unlikely) surface water link between the proposed development site and the Northwestern Irish Sea, should surface water arising at the site discharge to the rivers or directly to the coastal waters. Refer to **Figure 4.1**.

A second potential link to coastal European sites is via the emission point of the Barnageeragh Wastewater Treatment Plant (WwTP) which will receive foul water flows from the proposed development during its operation.

Proposed Housing Development at Mounse View, Skerries, Co. Dublin
Appropriate Assessment Screening Report

Figure 4.1 EPA waterbodies in the proximity of the proposed development (red lines are indicative – refer to the associated engineering drawings for full details)

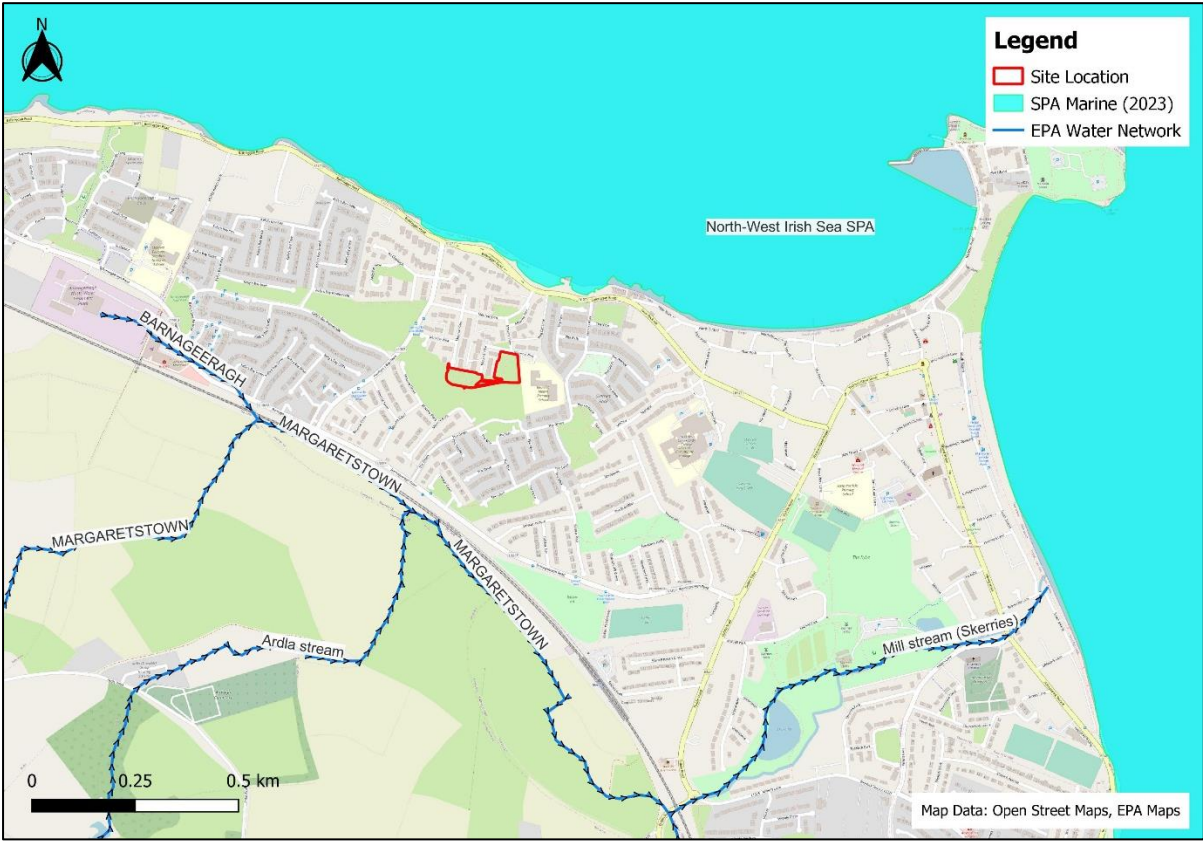
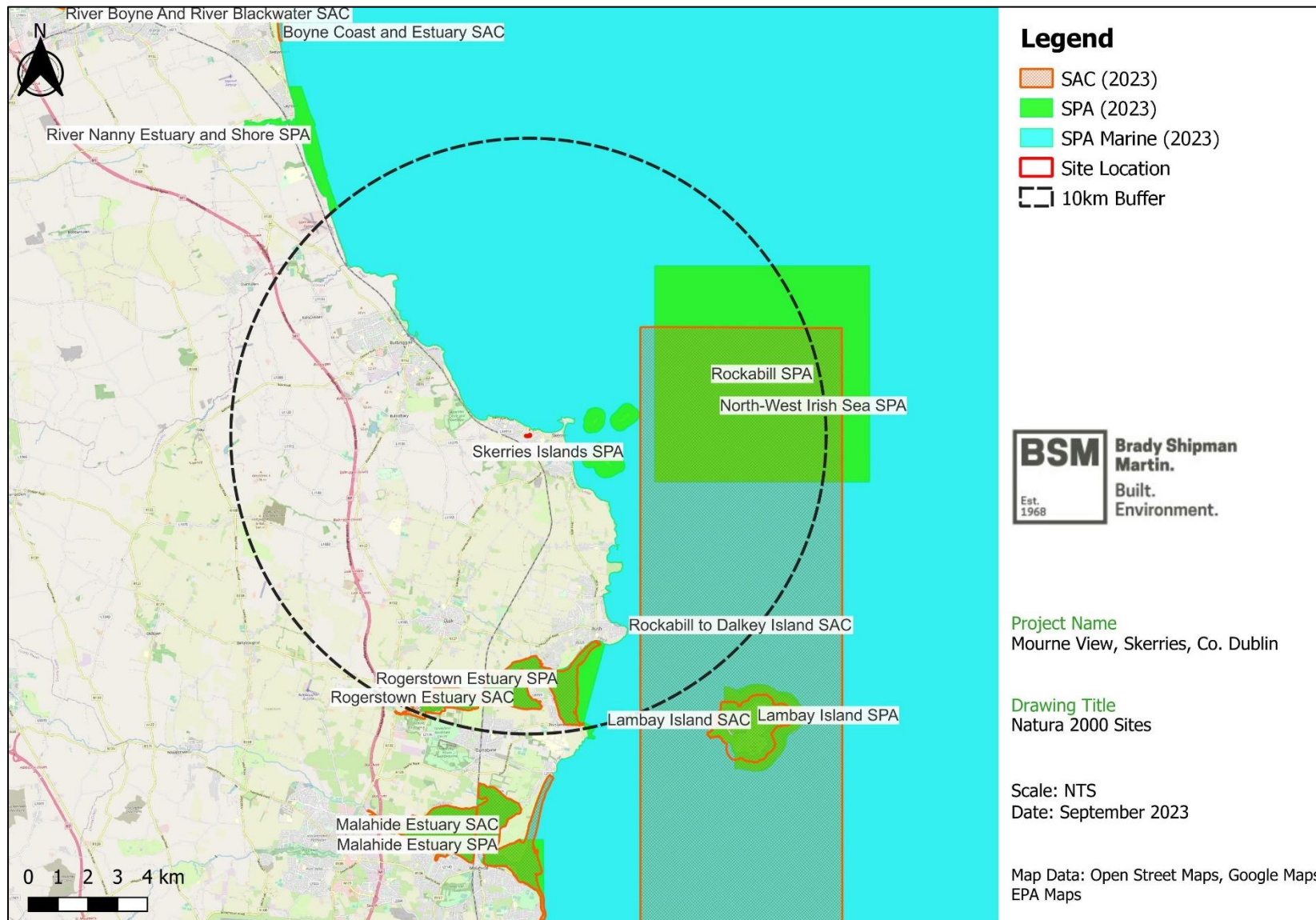


Figure 4.2 European sites within zone of influence of the proposed development. A 10km radius is shown for scale.



4.2.2 Other Designated Areas (other than European sites)

Designated sites other than European sites (i.e. proposed Natural Heritage Areas (pNHA) and designated Natural Heritage Areas (NHA)) within the potential Zone of Influence have been included in this assessment in order to address their potential to act as supporting sites for European sites. The NHA and pNHAs within the ZoI are as follows:

- Natural Heritage Area (NHA):
 - Skerries Island NHA (site code 001218), c. 1.8km to the east;
- Proposed Natural Heritage Areas (pNHA):
 - Loughshinny Coast pNHA (site code 002000), c. 3.1km south-east;
 - Knock Lane pNHA (site code 001203), c. 5km west;
 - Bog of the Ring pNHA (site code 001204), c. 5.7km south-west;
 - Rogerstown Estuary pNHA (site code 000208), c. 7.3km to the south;
 - Rockabill Island pNHA (site code 000207), c. 7.8km north-east;
 - Portraine Shore pNHA (site code 001215), c. 9.8km south;
 - Lambay Island pNHA (site code 000204), c. 11km south-east;
 - Malahide Estuary pNHA (site code 000205), c. 11.4km south;
 - Laytown Dunes/Nanny Estuary pNHA (site code 000554) c. 11.8km north-west.

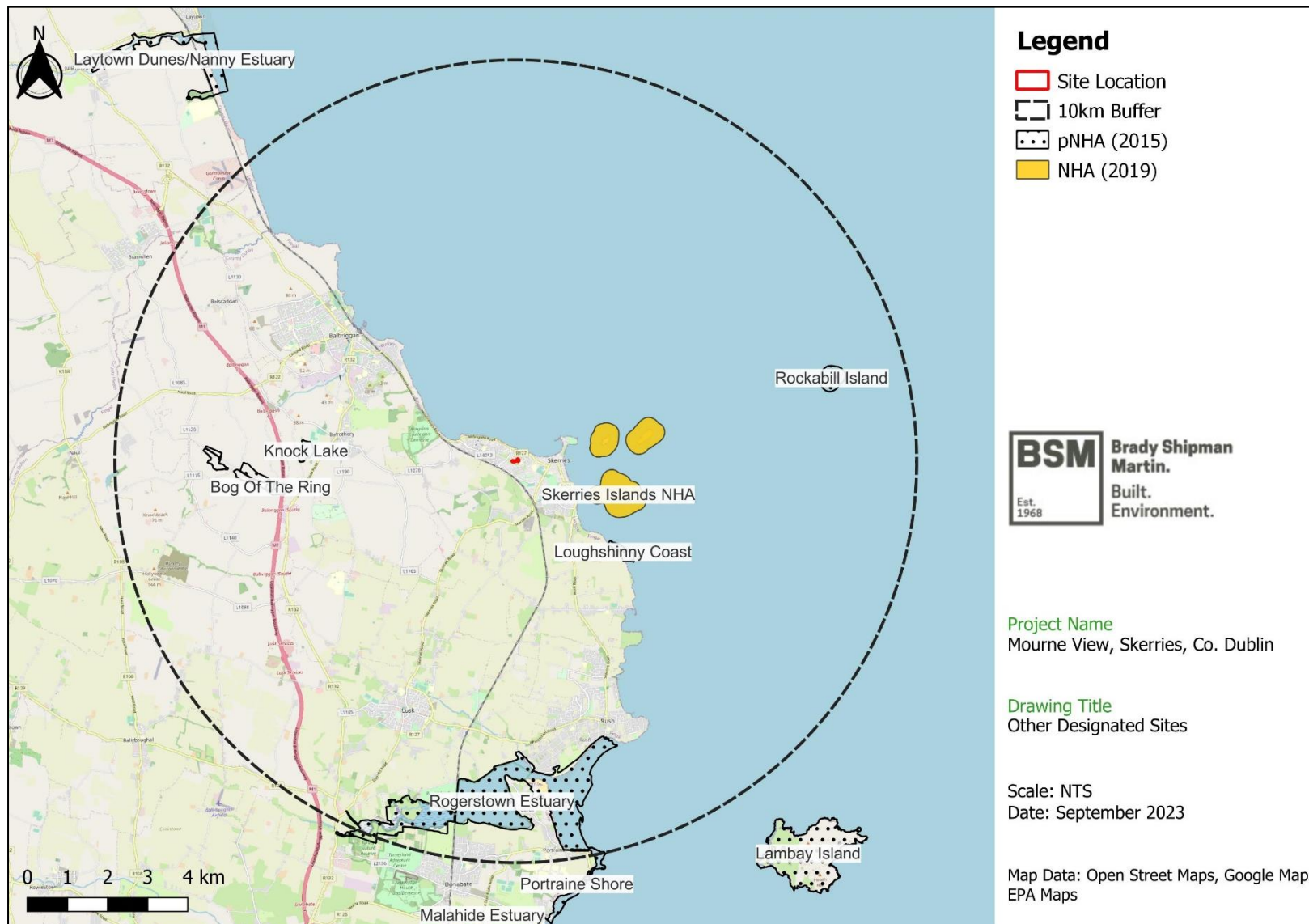
Note that above distances are as crow flies (i.e. linear distances). No impacts are expected on Skerries Island NHA, nor on any other pNHA in the zone of influence.

Rogerstown Estuary Ramsar site (412) is located c. 7.3km to the south of the site. The site includes a small tidal embayment sheltered from the sea by a broad sand and shingle spit. Extensive areas of mud, sand and gravel are exposed at low tide. The mudflats support beds of green algae (*Enteromorpha*) and *Spartina anglica* (common cordgrass). Numerous species of large numbers of wintering waterbirds use the tidal flats and the site is internationally important for Brent Geese. Rogerstown Estuary is also classified as a Nature Reserve and Wildfowl Sanctuary.

Balbriggan/Skerries Shellfish area is c. 800m to the north of the site and 'All Beds' are classified for bivalve mollusc and species of interest include razor clams. The site is classified as Class A. Further, Malahide Shellfish area is c. 10.2km to the south-east of the site and 'All Beds' are classified for bivalve mollusc and species of interest include razor clams. The site has seasonal classification and is classified as Class A (September to January) and then reverts to Class B at other times.

Figure 4.3 illustrates all of the NHA and pNHA within the potential Zone of Influence (including those which overlap with European sites).

Figure 4.3 pNHA sites within zone of influence of the proposed development. A 10km radius is shown for scale.



4.3 Study Area and Surrounding Environment

4.3.1 Site Location and European Sites

No ecologically significant habitats are present on the proposed development site, which comprises of grassland used as public open space (Fossitt code **GA2** amenity grassland (improved)). The overall site is bounded by open space to the south and west and by existing residential development of Mourne View to the north and *Realt na Mara* National School to the east. Two existing public footpaths (Fossitt code **BL3** building and artificial surfaces) traverse the site. On the eastern side of the proposed subject site there are 3no. small trees planted adjacent to the footpaths.

The site is entirely unsuitable for use by badgers or otters (protected under Article 12 of the Habitats Directive) and no evidence of such species has been recorded in the immediate vicinity.

There are no features on or in the immediate vicinity of the site suitable for use by roosting, foraging or commuting bats, or by breeding birds. The site, given the slope and location adjacent to the existing housing is also entirely unsuitable for use by SCI bird species associated with the coastal SPAs, such as light-bellied Brent goose.

No species listed on the Third Schedule of the Habitats Regulations, such as giant hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Reynoutria japonica*), Himalayan balsam (*Impatiens glandulifera*) or three-cornered leek (*Allium triquetrum*) were recorded at the proposed development site.

The proposed development site is not under any wildlife or conservation designation. The National Biodiversity Data Centre (NBDC) database was consulted with regard to rare species (Curtis & McGough, 1988) and species protected under the *Flora Protection Order* (2022). There are no records of any protected plant species within the 2km grid square (O26K) that covers the proposed development area.

As noted in Section 4.2, the Northwestern Irish Sea (IE_EA_020_0000) is c. 175m to the north of the proposed development. Further, Margaretstown River (IE_EA_08M030500) runs c. 320m to the south of the proposed development. The river flows south-east and merges with Mill stream (Skerries) before entering the Northwestern Irish Sea c. 2.2km downstream. The proposed development site is located within the Nanny-Delvin catchment (08), Palmerstown_SC_010 sub-catchment (08_2) and Mill stream (Skerries)010 river sub-basin.

As per the WFD 2016-2021 status, the Margaretstown River and Mill stream (IE_EA_08M030500) (WFD name: Mill stream (Skerries)_010) are of 'Poor' status and are 'At risk' for river waterbodies risk. As per the WFD 2016-2021 status, the Northwestern Irish Sea (IE_EA_020_0000) is 'Good', however, it is 'At risk' of failing to achieve its WFD objective / good status by 2027.

There are 17no. European sites located within the potential Zone of Influence (**Figure 4.2**):

- North-West Irish Sea SPA (site code 004236), c. 175m to the north;
- Skerries Island SPA (site code 004122), c. 1.8km to the east;
- Rockabill to Dalkey Island SAC (site code 003000), c. 3.6km to the east;
- Rockabill SPA (site code 004014), c. 4.2km to the east;
- Rogerstown Estuary SPA (site code 004015), c. 7.3km to the south;
- Rogerstown Estuary SAC (site code 000208), c. 7.4km to the south;
- River Nanny Estuary and Shore SPA (site code 004158), c. 10km to the north-west;
- Lambay Island SPA (site code 004069), c. 10.7km to the south-east;
- Lambay Island SAC (site code 000204), c. 11.2km to the south-east;

- Malahide Estuary SAC (site code 000205), c. 11.4km to the south;
- Malahide Estuary SPA (site code 004025), c. 11.8km to the south;
- Boyne Coast and Estuary SAC (site code 001957), c. 15.5km to the north-west;
- Boyne Estuary SPA (site code 004080) , c. 17.4km to the north-west;
- Baldoyle Bay SAC (site code 000199), c. 18.2km to the south;
- Baldoyle Bay SPA (site code 004016), c. 18.2km to the south;
- Ireland's Eye SPA (site code 004117), c. 19km to the south-east;
- Ireland's Eye SAC (site code 002193), c. 19.5km to the south-east;
- Howth Head Coast SPA (site code 004113), c. 21.5km to the south-east;
- Howth Head SAC (site code 000202), c. 22km to the south-east.

The Conservation Objectives of these Sites are to maintain the favourable conservation condition of the QIs / SCIs in question. Where specific conservation objectives have been set out by the NPWS, 'favourable conservation condition' is defined in respect of specific attributes and targets for the habitat or species in question. For further information, refer to Appendix II.

5 Potential impacts from the proposed development including in-combination effects

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, 2022* or the EU Habitats Directive, are known to occur within the site and none were recorded.

No rare habitats or habitats of particularly high ecological value (i.e. International, National, County or Local Importance) are present at the site. No rare plants have been recorded on the site.

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 (habitats which have the potential to support Qualifying Interest / Special Conservation Interest species in any European site) are present.

No evidence of badgers, otters (protected under Article 12 of the Habitats Directive), amphibians or reptiles has been recorded within the proposed development area, and no bat roosts have been recorded.

On the eastern side of the proposed site there are 3no. small trees planted adjacent to the footpaths. The loss of these trees will not constitute a significant ecological impact. In any case, these trees will be replaced with 4no. street trees.

Overall the development site has **no ecological value** as defined by the ecological resource valuations presented in the National Roads Authority / Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

5.1.1 Potential impacts during construction

At any development site, site clearance and construction activities pose a potential risk to water as surface / ground 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 local surface water network during construction.

No watercourses are present within or connected to the proposed development site at Mourne View, Skerries. The nearest watercourse to the site, the Northwestern Irish Sea (IE_EA_020_0000) is c. 175m to the north of the proposed development. Further, Margaretstown River (IE_EA_08M030500) runs c. 320m to the south of the proposed development. The river flows south-east and merges with Mill stream (Skerries) before entering the Northwestern Irish Sea c. 2.2km downstream.

Given the location of the site in relation to the Northwestern Irish Sea and Margaretstown River there is a theoretical surface water pathway between the proposed development site and the European sites associated with Northwestern Irish Sea (i.e. North-West Irish Sea SPA, Skerries Island SPA, Rockabill to Dalkey Island SAC, Rockabill SPA).

Considering the distance to the Northwestern Irish Sea and Margaretstown River, there is no possibility that polluted surface water could be emitted directly to it. There is a possibility that contaminated surface water from the site could enter the municipal surface water drainage network adjacent to the site and be indirectly discharged to surface waters via the drainage network (e.g. during extreme rainfall events and / or high tides), thereby creating an indirect hydrological pathway linking the proposed development site with European Sites downstream. There is also a potential groundwater pathway between the proposed development site and these European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

However, despite the presence of these indirect pathways, the risk of contamination of any watercourses or groundwater is extremely low, and even in the event of a pollution incident significant enough to impact upon surface water quality locally, it is reasonable to assume that **this would not be perceptible in the offshore European sites**, for the following reasons:

- There is a significant distance between the site of the proposed development and the nearest European sites. The nearest such site is the Northwestern Irish Sea SPA, c.175m north (straight-line distance) and there is no direct pathway between the proposed development site and the European site, other than potentially via the surface water drainage network;
- Any pollution from the site clearance and construction works 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 sea. A significant level of dilution and mixing of surface and sea water would occur in any event. Upon reaching the estuary any pollutants would be even further diluted and dissipated by the receiving waters;
- In addition, the construction of the proposed development will take place over a comparatively short period. There is no possibility of long-term impacts arising as a result of the construction elements of the proposed development, given the nature and scale of the proposed development and its location in the centre of a busy town away from the European sites.

During the construction phase, typical environmental effects associated with construction works of this nature and scale are predicted, including potential elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, etc. These effects will be short-term in duration and at most, temporary and reversible. There will also be environmental risks associated with the presence of potential pollutants typically stored and used on-site (e.g. hydrocarbons, solvents, cementitious materials).

There is no possibility of any other potential direct, indirect or secondary impacts on any European site during the construction phase. For example there will be no land-take from any European site and there will be no resource requirements such as water abstraction. Similarly there will be no emissions to air from construction vehicles that could remotely impact any European site. Dust, noise and vibration arising during construction will similarly be entirely remote from any European site.

There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the construction of the proposed development, and no interference with the key relationships that define the structure or function of any European site.

Significant effects arising as a result of the construction of the proposed development, on European sites (or on proposed Natural Heritage Areas), can therefore be excluded.

5.1.2 Potential impacts during operation

During the operational phase, typical environmental effects associated with the presence and operation of a residential apartment development are also predicted, including water consumption, surface and foul water loading to the municipal network, additional traffic volumes and direct and indirect greenhouse gas emissions. Operational phase effects are expected to be permanent in duration. However, it is noted that the site is located in an existing urban setting in Skerries and all existing services are readily available. The type of development proposed is appropriate to the site.

As set out in the Engineering Report prepared by McMahon Associates and discussed in Section 3.3.2, it is proposed to use a sustainable urban drainage system (SuDS) approach to storm water management throughout the site, in accordance with local and national guidance. The surface water arising at the proposed development site will be attenuated and the runoff leaving the site will be reduced. It is proposed to discharge attenuated surface water from the site. The attenuation systems are designed to accommodate the 1 in 100 year storm event plus 20% climate change. In the case of the proposed development, the infiltration testing results suggest the site is not suitable for infiltration and therefore SuDS elements will be limited and the current design reflects that. As part of the surface water drainage strategy, it is proposed to provide the surface water attenuation via the drainage stone layer of the porous asphalt/landscaped area and in underground crates for both sites (Site A & B). The surface water will infiltrate through various additional SuDS components such as permeable paving, porous asphalt, drainage stone layer within landscape area, filter drains, rainwater downpipe planters and rainwater gardens acting as source control and surface water treatment before entering the main storm line. The topography of the sites is too steep to consider any above ground storage features such as basins, swales or wetlands.

It is proposed to utilise porous asphalt on the carriageway and parking spaces to collect, treat and store surface water runoff. Filter drains will be used within the sub-base of the porous asphalt to collect and treat surface water runoff. Sump manholes will also be provided in manholes to ensure sediment is caught and collected prior to leaving the site.

Even in the total absence of any SuDS measures there would be no impacts on any European sites. The significant distances to European sites and the natural characteristics of the receiving waters ensure rapid mixing of water such that there is no possibility of any appreciable effect on water quality in European sites in any event.

As set out in the Engineering Report, the Office of Public Works (OPW) CFRAM flood studies maps show the site is within Flood Zone C i.e. outside of the 1 in 1000 year flood event from either fluvial or tidal flooding.

Significant effects related to surface water management or flooding, arising as a result of the operation of the proposed development, on European sites or otherwise, can therefore be excluded.

As per the Engineering Report prepared by McMahon Associates, for Site A, proposed uPVC 150mm diameter foul gravity sewer will collect the wastewater via soil vent pipes and inspection chambers from the proposed dwellings and discharge into the existing foul manhole with a 150mm PVC foul sewer outgoing pipe to the north-east of the site boundary. For Site B, proposed uPVC 150mm diameter foul

gravity sewer will collect the wastewater via soil vent pipes and inspection chambers from the proposed dwellings and discharge into the existing 225mm PVC foul sewer to the north at the entrance of the site via cascade manhole.

As noted in Section 3.3.2.2, once operational foul water flows from the proposed development will be directed to Barnageeragh Wastewater Treatment Plant (WwTP). The capacity available at Barnageeragh Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of the Irish Sea.

Significant effects related to foul water management, arising as a result of the operation of the proposed development, on European sites or otherwise, can therefore be excluded.

There is no possibility of any other potential direct, indirect or secondary impacts on any European site once the proposed development is operational. There will be no loss, fragmentation, disruption, disturbance or other change to any element of any European site as a result of the operation of the proposed development, and no interference with the key relationships that define the structure or function of any European site.

Operation-related impacts as a result of the proposed development, on European sites or otherwise, can therefore be excluded.

A detailed discussion of the potential impacts of the proposed development on individual European sites within the potential Zone of Influence is presented in **Table 5.1**, below.

Table 5.1 Potential impacts on designated sites in the potential Zone of Influence

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
North-West Irish Sea SPA (site code 004236), c. 175m to the north	<ul style="list-style-type: none"> ■ A065 Common Scoter (<i>Melanitta nigra</i>) ■ A001 Red-throated Diver (<i>Gavia stellata</i>) ■ A003 Great Northern Diver (<i>Gavia immer</i>) ■ A009 Fulmar (<i>Fulmarus glacialis</i>) ■ A013 Manx Shearwater (<i>Puffinus puffinus</i>) ■ A018 Shag (<i>Phalacrocorax aristotelis</i>) ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) ■ A177 Little Gull (<i>Larus minutus</i>) ■ A188 Kittiwake (<i>Rissa tridactyla</i>) ■ A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) ■ A182 Common Gull (<i>Larus canus</i>) ■ A183 Lesser Black-backed Gull (<i>Larus fuscus</i>) ■ A184 Herring Gull (<i>Larus argentatus</i>) ■ A187 Great Black-backed Gull (<i>Larus marinus</i>) ■ A195 Little Tern (<i>Sterna albifrons</i>) ■ A192 Roseate Tern (<i>Sterna dougallii</i>) ■ A193 Common Tern (<i>Sterna hirundo</i>) ■ A194 Arctic Tern (<i>Sterna paradisaea</i>) ■ A204 Puffin (<i>Fratercula arctica</i>) ■ A200 Razorbill (<i>Alca torda</i>) ■ A199 Guillemot (<i>Uria aalge</i>) 	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during the site clearance, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Northwestern Irish Sea and Margaretstown River and from there, eventually, to North-West Irish Sea SPA. There would be no significant effects on the SPA should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough 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 sea and would not be perceptible in North-West Irish Sea SPA, due to the very small volumes.</p> <p>This is due to the separation between the proposed development site and the European site – the proposed development site is c. 175m (straight line distance) from the SPA and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the</p>	No

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>According to this SPA’s site Conservation Objectives document (Version 1 - dated 19 September 2023), for each of the listed SCIs, the Conservation Objective maintain or restore the favourable conservation condition of the species for which the SPA has been selected.</p>	<p>proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site will occur as a result of the proposed development.</p>	
<p>Skerries Island SPA (site code 004122), c. 1.8km to the east</p>	<ul style="list-style-type: none"> ■ 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>According to this SPA’s First Order Site Specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>No significant effects on water quality, and therefore on the site’s SCIs, are predicted.</p> <p>Surface/ground water arising during the site clearance, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Northwestern Irish Sea and Margaretstown River and from there, eventually, to Skerries Island SPA. There would be no significant effects on the SPA should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough 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 sea and would not be perceptible in Skerries Island SPA, due to the very small volumes.</p> <p>This is due to the separation between the proposed development site and the European site – the proposed development site is c. 1.8km (straight line distance) from the SPA and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		<p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site will occur as a result of the proposed development.</p>	
<p>Rockabill to Dalkey Island SAC (site code 003000) c. 3.6km to the east</p>	<ul style="list-style-type: none"> ■ 1170 Reefs ■ 1351 Harbour Porpoise (<i>Phocoena phocoena</i>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 07 May 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's QIs, are predicted.</p> <p>Surface/ground water arising during the site clearance, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Northwestern Irish Sea and Margaretstown River and from there, eventually, to Rockabill to Dalkey Island SAC. There would be no significant effects on the SAC should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough 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 sea and would not be perceptible in Rockabill to Dalkey Island SAC, due to the very small volumes.</p> <p>This is due to the separation between the proposed development site and the European site – the proposed development site is c. 3.6km (straight line distance) from the SAC and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		<p>pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the qualifying interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site will occur as a result of the proposed development.</p>	
<p>Rockabill SPA (site code 004014), c. 4.2km to the east</p>	<ul style="list-style-type: none"> ■ 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>According to this SPA's site Conservation Objectives document (Version 1 - dated 08 May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>No significant effects on water quality, and therefore on the site's SCIs, are predicted.</p> <p>Surface/ground water arising during the site clearance, construction and operation of the proposed residential development could contain pollutants (foul water, silt, hydrocarbons and other chemicals). Such contaminated water could potentially discharge to the ground or the local surface water drainage network or the Northwestern Irish Sea and Margaretstown River and from there, eventually, to Rockabill SPA. There would be no significant effects on the SPA should this occur, given the nature, size and location of the proposed development, as described in Section 5.1.1 and 5.1.2. Even in the event of a pollution incident (such as a fuel or cement spill) significant enough 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 sea and would not be perceptible in Rockabill SPA, due to the very small volumes.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
		<p>This is due to the separation between the proposed development site and the European site – the proposed development site is c. 4.2km (straight line distance) from the SPA and any pollution arising during construction would be so diluted as to be undetectable by the time the water enters the sea. In addition, significant dilution and mixing of surface and sea water would occur. Upon reaching the sea any pollutants would be even further diluted and dissipated by the receiving waters. Furthermore, the construction of the proposed development will take place over a comparatively short period and there is no possibility of long-term impacts arising as a result of the construction elements of the proposed development given the nature and scale of the proposed development, on an already developed site and its location in the centre of a busy town at a remove from the European sites.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. There will be no loss of habitat or species, fragmentation or disturbance to the special conservation interests of this site as a result of the proposed development.</p> <p>No operational impacts on this European site will occur as a result of the proposed development.</p>	
<p>Rogerstown Estuary SPA (site code 004015) c. 7.3km to the south</p>	<ul style="list-style-type: none"> ■ 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>) 	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 7.3km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ 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 tetanus</i>) ■ A999 Wetlands <p>According to this SPA’s site Conservation Objectives document (Version 1 - dated 20 May 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>	<p>dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI’s of this SPA as a result of the proposed development.</p>	
<p>Rogerstown Estuary SAC (site code 000208) c. 7.4km to the south</p>	<ul style="list-style-type: none"> ■ 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>Glaucopuccinellietalia maritimae</i>) ■ 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) ■ 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 7.4km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI’s of this SAC as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* <p>*indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC’s site Conservation Objectives document (Version 1, dated 14 August 2013), for each of the listed QIs, the Conservation Objective is 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.</p>		
<p>River Nanny Estuary and Shore SPA (site code 004158), c. 10km to the north-west</p>	<ul style="list-style-type: none"> ■ A130 Oystercatcher (<i>Haematopus ostralegus</i>) (wintering) ■ A137 Ringed Plover (<i>Charadrius hiaticula</i>) (wintering) ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) (wintering) ■ A143 Knot (<i>Calidris canutus</i>) (wintering) ■ A144 Sanderling (<i>Calidris alba</i>) (wintering) ■ A184 Herring Gull (<i>Larus argentatus</i>) (wintering) ■ A999 Wetlands] <p>According to this SPA’s site Conservation Objectives document (Version 1, dated 21 September 2012), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 10km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI’s of this SPA as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>habitat for which the SPA has been selected.</p>		
<p>Lambay Island SPA (site code 004069) c. 10.7km to the south-east</p>	<ul style="list-style-type: none"> ■ A043 Greylag Goose (<i>Anser anser</i>) ■ A200 Razorbill (<i>Alca torda</i>) ■ A184 Herring Gull (<i>Larus argentatus</i>) ■ A009 Fulmar (<i>Fulmarus glacialis</i>) ■ A204 Puffin (<i>Fratercula arctica</i>) ■ A183 Lesser Black-backed Gull (<i>Larus fuscus</i>) ■ A188 Kittiwake (<i>Rissa tridactyla</i>) ■ A199 Guillemot (<i>Uria aalge</i>) ■ A018 Shag (<i>Phalacrocorax aristotelis</i>) ■ A017 Cormorant (<i>Phalacrocorax carbo</i>) <p>According to this SPA's First Order Site Specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for each of the listed SCIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 10.7km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	<p>No</p>
<p>Lambay Island SAC (site code 000204) c. 11.2km to the south-east</p>	<ul style="list-style-type: none"> ■ 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>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 11.2km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>According to this SAC’s site Conservation Objectives document (Version 1, dated 22 July 2013), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI’s of this SAC as a result of the proposed development.</p>	
<p>Malahide Estuary SAC (000205) c. 11.4km to the south</p>	<ul style="list-style-type: none"> ■ 1140 Mudflats and sandflats not covered by seawater at low tide ■ 1310 Salicornia and other annuals colonising mud and sand ■ 1320 Spartina swards (Spartinion maritimae) ■ 1330 Atlantic salt meadows (Glaucopuccinellietalia maritimae) ■ 1410 Mediterranean salt meadows (Juncetalia maritimi) ■ 2120 Shifting dunnes along the shoreline with <i>Ammophila arenaria</i> (white dunes) ■ 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* <p>*indicates a priority habitat under the Habitats Directive</p> <p>According to this SAC’s site Conservation Objectives document (Version 1, dated 27 May 2013), for each of the listed QIs, the Conservation Objective is to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 11.4km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the QI’s of this SAC as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	Annex II species for which the SAC has been selected.		
Malahide Estuary SPA (site code 004025) c. 11.8km to the south	<ul style="list-style-type: none"> ■ A005 Great Crested Grebe (<i>Podiceps cristatus</i>) ■ A046 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 (<i>Merganser 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 alpina</i>) ■ A156 Black-tailed Godwit (<i>Limosa limosa</i>) ■ A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ A162 Redshank (<i>Tringa tetanus</i>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 16 August 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 11.8km distant and is unconnected via surface water pathway.</p> <p>There is a potential indirect hydrological pathway between the proposed development and European Sites in Irish Sea via the municipal wastewater drainage network (which contains overflow arrangements) and the Barnageeragh WWTP. However, as detailed above, considering the capacity available at Barnageeragh WWTP, and the substantial dilution factor in the sea, there is no possibility of significant impacts on this or any other European site arising as a result of the proposed development via this pathway. Furthermore there will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	No

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	species and wetland habitat for which the SPA has been selected.		
Boyne Coast and Estuary SAC (site code 001957), c. 15.5km to the north-west	<ul style="list-style-type: none"> ■ 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>Glaucopuccinellietalia 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>According to this SAC's site Conservation Objectives document (Version 1, dated 31 October 2012), for each of the listed QIs, the Conservation Objective is 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.</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 15.5km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.</p>	
Boyne Estuary SPA (site code 004080), c. 17.4km to the north-west	<ul style="list-style-type: none"> ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A130 Oystercatcher (<i>Haematopus ostralegus</i>) ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) 	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 17.4km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<ul style="list-style-type: none"> ■ 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 tetanus</i>) ■ A169 Turnstone (<i>Arenaria interpres</i>) ■ A195 Little Tern (<i>Sterna albifrons</i>) ■ A999 Wetlands <p>According to this SPA's site Conservation Objectives document (Version 1, dated 26 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>		
<p>Baldoyle Bay SPA (site code 004016) c. 18.2km to the south</p>	<ul style="list-style-type: none"> ■ A046 Brent Goose (<i>Branta bernicla hrota</i>) ■ A048 Shelduck (<i>Tadorna tadorna</i>) ■ A137 Ringed Plover (<i>Charadrius hiaticula</i>) ■ A140 Golden Plover (<i>Pluvialis apricaria</i>) ■ A141 Grey Plover (<i>Pluvialis squatarola</i>) ■ A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) ■ A999 Wetlands 	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 18.2km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>According to this SPA's site Conservation Objectives document (Version 1 - dated 27 February 2013), for each of the listed SCIs, the Conservation Objective is to maintain the favourable conservation condition of the species and wetland habitat for which the SPA has been selected.</p>		
<p>Baldoyle Bay SAC (site code 000199) c. 18.2km to the south</p>	<ul style="list-style-type: none"> ■ 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>) <p>According to this SAC's site Conservation Objectives document (Version 1, dated 19 November 2012), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 18.2km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.</p>	<p>No</p>
<p>Ireland's Eye SPA (site code 004117) c. 19km to the south-east</p>	<ul style="list-style-type: none"> ■ A017 Cormorant (<i>Phalacrocorax carbo</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>) <p>According to this SPA's First Order Site Specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for each of the listed SCIs, the Conservation</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 19km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>		
<p>Ireland's Eye SAC (site code 002193) c. 19.5km to the south-east</p>	<ul style="list-style-type: none"> ■ 1220 Perennial vegetation of stony banks ■ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts <p>According to this SAC's site Conservation Objectives document (Version 1, dated 27 January 2017), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitat(s) for which the SAC has been selected.</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 19.5km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.</p>	<p>No</p>
<p>Howth Head Coast SPA (site code 004113) c. 21.5km to the south-east</p>	<ul style="list-style-type: none"> ■ A188 Kittiwake (<i>Rissa tridactyla</i>) <p>According to this SPA's First Order Site Specific Conservation Objectives document (Version 1.0, dated 12 October 2022), for the listed SCI, the Conservation Objective is to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SPA. It is approximately 21.5km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the SCI's of this SPA as a result of the proposed development.</p>	<p>No</p>
<p>Howth Head SAC (site code 000202) c. 22km to the south-east</p>	<ul style="list-style-type: none"> ■ 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts ■ 4030 European dry heaths <p>According to this SAC's site Conservation Objectives document (Version 1, dated</p>	<p>There is no direct hydrological link or any other pathway between the proposed residential development and this SAC. It is approximately 22km distant and is unconnected via surface water pathway.</p> <p>There will be no loss of species, fragmentation or disturbance to the QI's of this SAC as a result of the proposed development.</p>	<p>No</p>

Site	Reasons for designation (information correct as of September 2023) (*denotes a priority habitat)	Discussion of Source-Pathway-Receptor Link	Likely Significant Effect?
	<p>06 December 2016), for each of the listed QIs, the Conservation Objective is to maintain the favourable conservation condition of the Annex I habitats for which the SAC has been selected.</p>		

5.2 Summary of potential impacts of the proposed development

There will be no loss of any habitat or species listed as a QI or SCI of any designated site as a consequence of the proposed development. There is, therefore, no potential for the effects of habitat loss or fragmentation to occur.

There will also be no significant effects on any European sites as a result of:

- Habitat loss and/or fragmentation;
- Land-take;
- Resource requirements such as water abstraction;
- Impacts to habitat structure;
- Mortality to species (such as roadkill);
- Noise pollution / vibration impacts;
- Light pollution;
- Emissions to air (including dust);
- Emissions to water.

No invasive plant species (*i.e.* those species listed on Schedule 3 of the *Birds and Habitats Regulations, 2011* (as amended), such as Japanese knotweed or giant hogweed) were identified on site.

Additionally, for the reasons outlined in this report for the European sites, no impacts on any other designated sites including proposed Natural Heritage Areas, will occur.

6 Mitigation Specific to European Sites

This screening assessment is consistent with the judgment of the European Court in Case C-323/17, *People Over Wind & Sweetman v Coillte* (Judgment of the Court (Seventh Chamber) of 12 April 2018) and the recent case-law of the High Court, including *Heather Hill Management Company CLG v An Bord Pleanála* [2019] IEHC 450 and *Sweetman v An Bord Pleanála* [2020] IEHC 39.

It is also consistent with the judgment in *Eco Advocacy CLG v An Bord Pleanála* [2021] IEHC 265. In that case, Humphreys J confirmed the core legal principle, being that regard should not be had to mitigation measures at AA screening stage. Humphreys J decided in that case that clarification was required from the CJEU on the matter (as it related to the consideration of SUDs and whether these represented mitigation measures).

The CJEU, in its ruling on this case dated 15 June 2023 clarified issues defining mitigation in the context of European sites⁴. It confirmed that Article 6(3) of Directive 92/43 *must be interpreted as meaning that, in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or project for a site, account may be taken of the features of that plan or project which involve the removal of contaminants and which therefore may have the effect of reducing the harmful effects of the plan or project on that site, where those features have been incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site.*

In relation to European sites, there will be no impacts capable of giving rise to any likely significant effects as a result of the proposed development. SuDS measures will be incorporated into the design of the proposed development as standard features. SuDS features are highly effective and are required to be included in developments where appropriate (as noted in Section 5.3 SuDS are a requirement of

⁴<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62021CC0721>

Fingal County Council under the GSDS and the Greater Dublin Regional Code of Practice for Drainage Works). These standard measures are considered best practice in construction and, therefore reasonable scientific doubt concerning their effectiveness can be ruled out.

As set out in this report, it is certain that likely significant effects on European sites as a result of both the construction and operation of the proposed development can be excluded. Even if no SuDS measures were to be incorporated into the design there could be no impacts on European sites.

No mitigation is necessary or proposed for the protection of European sites.

7 In-combination Effects

It is a requirement of Section 177U of the Planning Acts that, when considering whether a plan or project will have a significant effect on a European site, the assessment must take into account in-combination effects with other plans and projects. The assessment should consider plans and projects that are completed, approved but uncompleted, or proposed (but not yet approved)⁵. 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.

The following sources were consulted to identify relevant other plans or projects:

- Fingal Development Plan 2023-2029 (FCC, 2022);
- The National Planning Application database (www.myplan.ie - accessed September 2023);
- An Board Pleanála database (www.pleanala.ie – accessed September 2023); and
- EIA Portal (www.housinggovie.maps.arcgis.com – accessed September 2023).

No developments are proposed within the immediate vicinity of the site that would, in combination with the development under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision.

The Fingal County Development Plan 2023-2029 has a series of objectives intended to protect and enhance the natural environment. For example the plan includes policies for the protection of the county's flood plains, to prevent development in flood plains without satisfying the appropriate justification test and to require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving in order to reduce the potential impact of existing and predicted flooding risks.

The proposed development will not impact on the flow of water through the area, nor increase potential flood impacts. It is in compliance with all of the relevant Plan objectives.

A number of other plans were considered when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

- National Planning Framework;
- Regional Spatial and Economic Strategy;
- Greater Dublin Strategic Drainage Study;
- Greater Dublin Transport Strategy 2022-2042;
- Climate Action and Mitigation Plan;
- National Biodiversity Plan; and

⁵ 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 (European Commission Environment Directorate-General, 2001)

- River Basin Management Plan.

It is considered that significant in-combination effects on European sites are not likely to occur as a result of the proposed development in combination with other plans or projects.

8 Screening Conclusion

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.

9 References

- Chartered Institute of Ecology and Environmental Management (CIEEM) (2022). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine (Version 1.2)*.
- DoEHLG (2010a). *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*.
- DoEHLG (2010b). Circular NPW 1/10 & PSSP 2/10: Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.
- DoHLGH (2023). EIA Portal.
- European Commission (2021). *Assessment of plans and projects in relation to Natura 2000 sites- Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC*.
- European Commission (2018). *Managing Natura 2000 sites: The provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*.
- European Commission Environment Directorate-General (2021). *Guidance document on the strict protection of animal species of Community Interest under the Habitats Directive*.
- Fingal Development Plan 2023-2029.
- NBDC (2023). Biodiversity Maps.
- NPWS (2021). Guidance for Public authorities on the Application of Articles 12 and 16 of the EU Habitats Directive to development/works undertaken by or on behalf of a Public authority.
- NPWS (2023). *Boundary data – Special Area of Conservation (SAC)*. [Update date 02/10/2023].
- NPWS (2023). *Boundary data – Special Protection Area (SPA)*. [Update date 17/07/2023].
- NPWS (2015). *Boundary data – proposed Natural Heritage Area (pNHA)*. [Update date 01/11/2015].
- NPWS (2019). *Boundary data –Natural Heritage Area (pNHA)*. [Update date 28/06/2019].
- NPWS (2023). *Conservation objectives for North-west Irish Sea SPA [004236]*.
- NPWS (2022). *First Order Site Specific Conservation Objective for Skerries Island SPA [004122] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rockabill to Dalkey Island SAC [003000] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rockabill SPA [004014] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rogerstown Estuary SAC [000208] (Version 1)*.
- NPWS (2013). *Conservation objectives for Rogerstown Estuary SPA [004015] (Version 1)*.
- NPWS (2013). *Conservation objectives for Malahide Estuary SAC [000205] (Version 1)*.
- NPWS (2013). *Conservation objectives for Malahide Estuary SPA [004025] (Version 1)*.
- NPWS (2013). *Conservation objectives for Baldoyle Bay SPA [004016] (Version 1)*.
- NPWS (2012). *Conservation objectives for Baldoyle Bay SAC [000199] (Version 1)*.
- NPWS (2022). *First Order Site Specific Conservation Objective for Ireland’s Eye SPA [004117] (Version 1)*.
- NPWS (2017). *Conservation objectives for Ireland’s Eye SAC [002193] (Version 1)*.
- NPWS (2022). *Conservation Objective for Lambay Island SAC [000204] (Version 1)*.
- NPWS (2022). *First Order Site Specific Conservation objectives for Lambay Island SPA [004069] (Version 1)*.
- NPWS (2016). *Conservation objectives for Howth Head SAC [000202] (Version 1)*.
- NPWS (2012). *Conservation objectives for River Nanny Estuary and Shore SPA [004158] (Version 1)*.
- NPWS (2012). *Conservation objectives for Boyne Coast and Estuary SAC [001957] (Version 1)*.
- NPWS (2013). *Conservation objectives for Boyne Estuary SPA [004080] (Version 1)*.
- NPWS (2022). *First Order Site Specific Conservation Objective for Howth Head Coast SPA [004113] (Version 1)*.

Proposed Housing Development at Mourne View, Skerries, Co. Dublin

Appropriate Assessment Screening Report

- NRA⁶ (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*.
- OPR (2021). *Practice Note PN01 Appropriate Assessment Screening for Development Management*.
- Wyse Jackson, M., FitzPatrick, Ú., Cole, E., Jebb, M., McFerran, D., Sheehy Skeffington, M. & Wright, M. (2016). *Ireland Red List No. 10: Vascular Plants*. Dublin Ireland: NPWS, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

⁶ Now Transport Infrastructure Ireland (TII).

Appendix I: Background

The European⁷ 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 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 requirements of the Habitats Directive are transposed into Irish law by means of the *European Union (Birds and Natural Habitats) Regulations 2011 (as amended)* (hereafter referred to as the *Birds and Habitats Regulations*)⁸ and by the *Planning and Development Act 2000*, as amended.

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

⁷ 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”

⁸ SI No. 477 of 2011 and subsequent amendments

Stages in the Assessment

European Commission guidance (2021)⁹ 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.

⁹ European Commission (2021) *Assessment of Plans and Projects in relation to Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*

Appendix II: 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;
- The specific structure and functions which are necessary for its long term maintenance exist and are likely to continue to exist for the foreseeable future;
- Conservation status of typical species is favourable as defined in Article 1(i).

The conservation status of a species will be taken as favourable when:

- Population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats;
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;
- There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Guidance from the European Commission¹⁰ indicates that the Habitats Directive intends FCS to be applied at the level of an individual site, as well as to habitats and species across their European range. Therefore, in order to properly express the aims of the Habitats Directive for an individual site, the conservation objectives for a site are essentially to maintain (or restore) the habitats and species of the site at (or to) FCS.

The European Commission guidance recommends that screening should fulfil the following steps:

1. Determine whether the plan (or policy) is directly connected with or necessary for the management of European sites;
2. Describe the plan and describe and characterise any other plans or projects which, in combination, have the potential for having significant effects on European sites;
3. Identify the potential effects on European sites;

Assess the likely significance of any effects on European sites.

¹⁰ Managing Natura 2000 sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC. (European Commission November 2018)

Brady Shipman Martin

DUBLIN

Mountpleasant Business Centre
Mountpleasant Avenue
Dublin 6

CORK

Penrose Wharf Business Centre
Penrose Wharf
Cork

LIMERICK

11 The Crescent
Limerick

+353 1 208 1900

mail@bradyshipmanmartin.com

www.bradyshipmanmartin.com

