



**PROVISION OF INFORMATION FOR APPROPRIATE ASSESSMENT SCREENING  
FOR THE GREEN, MALAHIDE, COUNTY DUBLIN**

**PREPARED FOR  
FINGAL COUNTY COUNCIL**

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## 1 INTRODUCTION

The information in this report forms part of, and should be read in conjunction with the documentation accompanying the proposal for The Green, Malahide, Co. Dublin. The proposal is for redesign and improvement works of the public open space at The Green, Malahide.

This report which contains information required for the competent authority to undertake a screening exercise for Appropriate Assessment (AA), was prepared by Scott Cawley Ltd. It provides information on and assesses the potential for the proposed development to significantly affect European sites (hereafter 'European sites'<sup>1</sup>).

It is necessary that the proposal has regard to Article 6 of the *Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora* (as amended) (hereafter "the Habitats Directive"). This is transposed in Ireland primarily by *the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)* (hereafter the Birds and Habitats Regulations) and the Planning and Development (Amendment) Act, 2010 as amended.

An AA is required if likely significant effects on European sites arising from a proposed project cannot be ruled out at the screening stage, either alone or in combination with other plans or projects.

It is the responsibility of the competent authority to make a decision as to whether or not the proposed project is likely to have significant effects on European sites, either individually or in combination with other plans or projects. In accordance with the legislation and national guidance, the competent authority issues an AA Screening Determination which will set out their decision and the reasons for it.

Following the preparation of this report it was objectively concluded that there was no possibility of any significant effects on any European sites arising from the proposed development, either alone or in combination with other plans or projects. Therefore, it is our view that an Appropriate Assessment is not required in this instance. The information in the tables below provide a summary of the information gathered for this report and the conclusions made.

## 2 METHODOLOGY

This report was prepared with regard to the following guidance documents, where relevant:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 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); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive;

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<sup>1</sup> Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special area of conservation composed of sites which host the natural habitat types listed in Annex I and habitats of the protected species listed in Annex II. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland these sites are designated as *European sites* – defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereafter referred to as MN2000 (European Commission, 2000a); and,
- *Communication from the Commission on the precautionary principle* (European Commission, 2000b).

The above referenced guidance sets out a staged process for carrying out Appropriate Assessment. To determine if Appropriate Assessment is required, documented screening is required. Screening identifies whether any significant effects on European sites are likely from a proposed plan or project, either alone or in combination with other plans and projects.

If the conclusions at the end of screening are that there is no possibility of significant effects occurring on any European sites, as a result of the proposed plan or project, either alone or in combination with other plans and projects, then there would be no requirement to undertake Appropriate Assessment (stage 2).

However, even if screening makes a finding of no significant effects, and therefore concludes that Appropriate Assessment is not required, these findings must be clearly documented in order to provide transparency of decision-making, and to ensure the application of the 'precautionary principle'<sup>2</sup>.

Screening for Appropriate Assessment involves the following:

- Determining whether a project or plan is directly connected with or necessary to the conservation management of any European sites<sup>3</sup>;
- Describing the details of the project/plan proposals and other plans or projects that may cumulatively affect any European sites (see Table 1);
- Describing the characteristics of relevant European sites (Table 2); and,
- Assessing the likelihood and significance of effects on relevant European sites (see Table 2).

The information that was collected to allow the competent authority to screen the proposal was based on a desk study carried out on 29<sup>th</sup> June 2017. Information relied upon included the following information sources, which included maps, ecological and water quality data:

- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie);
- Online data available on European sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie);
- 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>;
- Information on water quality in the area available from [www.epa.ie](http://www.epa.ie);
- Information on the Eastern River Basin District from [www.wfdireland.ie](http://www.wfdireland.ie);
- Information on soils, geology and hydrogeology in the area available from [www.gsi.ie](http://www.gsi.ie);
- Information on water catchments in Ireland from [www.catchments.ie](http://www.catchments.ie);
- Information on the location, nature and design of the proposed development supplied by the applicant's design team;

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<sup>2</sup> One of the primary foundations of the precautionary principle, and globally accepted definitions, results from the work of the Rio Declaration. Principle #15 declaration notes:

*"In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation."*

<sup>3</sup> In this instance the proposed development is not directly connected with or necessary to the conservation management of any European sites.

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- Information on the conservation status of birds in Ireland (Colhoun & Cummins, 2013); and,
  - Information on the Status of EU Protected Habitats in Ireland (National Parks & Wildlife Service, 2013a & 2013b).

The following planning and policy documents were relevant to the subject lands, in particular with regard to the assessment of other plans and projects with potential for cumulative effects:

- *National Biodiversity Plan 2011 – 2016* (Department of Arts, Heritage and the Gaeltacht, 2011);
- *Eastern River Basin District Management Plan 2009-2015* (ERBDMP, 2010);
- *Fingal Biodiversity Action Plan 2010-2015* (Fingal County Council, 2010); and,
- *Fingal County Development Plan 2017-2023* (Fingal County Council, 2017).

**Table 1 Overview of the Proposed Development and its Receiving Environment**

<p>Site Description</p>	<p>The subject lands cover an area of approximately 0.72ha, and are located in Malahide town, close to the Malahide Marina and off The Green Road and Marina Village Road, Co. Dublin (Irish Grid Reference: O 22717 46300). The lands are currently occupied by the public open space, The Green, in its current state. Based on a review of aerial photography and information provided by the applicant, the lands appear to be mostly occupied by amenity grassland, shrubs and trees. Surrounding lands to the north, west and south are occupied by residential and commercial buildings and hardstanding areas (roads, car parking and pedestrian footpaths) associated with Malahide town centre; to the east is the intertidal shoreline with the Malahide Estuary. The proposal has been developed within the framework of the Public Realm Strategy.</p>
<p>Features of the surrounding environment</p>	<p>The following species (for which European sites listed in Table 2 were designated) have been recorded within 2km of the proposed development site<sup>4</sup>:</p> <ul style="list-style-type: none"> <li>• Great Crested Grebe (<i>Podiceps cristatus</i>)</li> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</li> <li>• Shelduck (<i>Tadorna tadorna</i>)</li> <li>• Pintail (<i>Anas acuta</i>)</li> <li>• Goldeneye (<i>Bucephala clangula</i>)</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>)</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>)</li> <li>• Knot (<i>Calidris canutus</i>)</li> <li>• Dunlin (<i>Calidris alpina</i>)</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>)</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>)</li> </ul>

<sup>4</sup> According to NBDC online data [www.biodiversityireland.ie](http://www.biodiversityireland.ie) accessed 4<sup>th</sup> July 2017. This excludes NBDC records with a resolution greater than 1km<sup>2</sup>.

- Redshank (*Tringa totanus*)
- Ringed Plover (*Charadrius hiaticula*)
- Greylag Goose (*Anser anser*)
- Shoveler (*Anas clypeata*)
- Redshank (*Tringa totanus*)
- Teal (*Anas crecca*)
- Curlew (*Numenius arquata*)
- Cormorant (*Phalacrocorax carbo*)
- Herring Gull (*Larus argentatus*)
- Kittiwake (*Rissa tridactyla*)
- Guillemot (*Uria aalge*)
- Razorbill (*Alca torda*)
- Shag (*Phalacrocorax aristotelis*)
- Lesser Black-backed Gull (*Larus fuscus*)
- Puffin (*Fratercula arctica*)
- Harbour porpoise (*Phocoena phocoena*)

The subject lands do not represent habitats of importance to any of these species and Fingal County Council has confirmed that migratory birds associated with the estuary do not use this green in any significant way.

Malahide Estuary is divided into two sections by the Dublin-Belfast railway line, west of the railway are transitional estuarine waters, and east of the railway are the coastal waters of Malahide Bay. The nearest watercourse is the River Mayne which enters the transitional waters of the estuary 1.5km west of the subject lands. The subject lands are located adjacent to Malahide Bay coastal water and therefore surface waters drain directly into the bay via the local surface water drainage network. Malahide Bay meets the Northwestern Irish Sea at the narrow stretch of the estuary between Malahide Point and

	<p>Malahide town, and later the coastal waters of the Irish Sea. It should be noted that both the Malahide Estuary and Malahide Bay are designated as both Malahide Estuary SAC and Malahide Estuary SPA<sup>5</sup>. The estuary and bay are deemed to be of moderate status as per the Water Framework Directive's (WFD) Status 2010-2015. As per the EPA's online Map Viewer, surface water quality of the estuary is unassigned and of the bay is intermediate. Both the Malahide Estuary and Bay are also deemed to be "at risk of not achieving good status" under the WFD risk assessments. Groundwater conditions at the proposed development site is classified as poorly productive bedrock and is expected to achieve good status under the WFD assessment.</p>
<p>Description of the Proposed Development</p>	<p>The existing park consists of amenity grassland, shrubs and trees which is intercepted by two pedestrian pathways that run through the open space with a larger paved area in the middle of the park. Pedestrian access follows the perimeter of the park and street lighting is currently limited to the outer edges of the park. The proposed improvement works to The Green will include;</p> <ul style="list-style-type: none"> <li>• Widening of the pedestrian area to the northeast of the park to create a plaza area;</li> <li>• Landscaping of the amenity grassland in the north and east of the park to create undulating lawns with seating;</li> <li>• Removal of the central paved area within the park through re-planting;</li> <li>• Additional landscape planting within the park; and</li> <li>• Addition of lighting within the park and redesign of lighting around the perimeter of the park.</li> </ul>
<p>Potential pressures on European sites as a result of the proposed development</p>	<p><b>Existing Habitat Loss Pressures</b></p> <p>Habitat loss through erosion as a result of recreational activities has been cited as an existing pressure on the Malahide Estuary SAC coastal habitats (NPWS 2010c). Habitat loss through such means is also an existing pressure for Special Conservation Interest species of the Malahide Estuary SPA, through both habitat erosion and disturbance from recreational activities (NPWS 2010d). The subject lands do not physically overlap with any European sites (although there is a small overlap with a proposed National Heritage Area). The existing recreational park is dominated by amenity habitats, habitats which are not classified as any habitats listed on Annex I of the Habitats Directive. The site is adjacent to the Malahide Estuary SAC and Malahide Estuary SPA. No mobile fauna species for which European sites were designated are likely to use the habitats within the subject lands frequently or have a strong association with the subject lands. There is therefore no</p>

<sup>5</sup> Malahide Estuary also referred to as Broadmeadow/Swords Estuary SPA



	<p>potential for significant effects on European sites resulting from loss of habitats or direct loss of QI species during the proposed development.</p> <p><b>Existing Pressures on Water Quality within European sites in proximity to the site</b></p> <p>Water quality has been cited as an existing pressure on the European sites within the Malahide Estuary. Hazardous or chemical run-off from industrial processes and nutrient run-off from agricultural practices have been cited as the main pressures (ERBD 2010).</p> <p>Several intertidal habitats for which European sites in Malahide Estuary and Bay were designated were failing to meet favourable conservation status at the time of writing. For some of these, water pollution is considered a threat ranked as being of “high importance”<sup>6</sup> (NPWS, 2013).</p> <p><i>Pressures from surface waters</i></p> <p>The existing surface water drainage network will not be altered by the proposed development and it is not expected that the proposed development will result in additional surface waters entering the receiving environment. In wet weather conditions construction and landscaping works could potentially result in run-off of sediments or pollutants into the receiving environment; Malahide Estuary SAC and Malahide Estuary SPA. However this is not considered likely to result in significant impacts on designated sites within Malahide Estuary for the following reasons:</p> <ul style="list-style-type: none"> <li>• Any pollution event is likely to be short in duration (storm event) and confined to within the construction/landscaping period;</li> <li>• Pollution prevention measures, including silt and pollutant control measures, will be employed during the construction period so as not to present a risk; and,</li> <li>• Any unlikely sediment escape to Malahide Estuary would rapidly mix and become diluted such that the plume is indistinguishable from the rest of estuarine waters.</li> </ul> <p><i>Pressures from foul waters</i></p> <p>The proposed development will not result in the discharge of any foul waters.</p>
<p>Other existing or proposed plans or projects nearby which may lead to</p>	<p><b>Cumulative Water Quality Pressures</b></p> <p><i>Cumulative surface water pressures</i></p>

<sup>6</sup> For example, “tidal mudflats and sandflats” was of “Inadequate” conservation status. This habitat was threatened by water pollution and was a reason for designation of North Dublin Bay SAC, and South Dublin Bay SAC. Under ‘wetlands’, the habitat was also a Special Conservation Interest of the South Dublin Bay and River Tolka Estuary SPA, and North Dublin Bay SPA.

<p>cumulative effects on European sites</p>	<p>The baseline environment of receiving surface waters for the proposed development (Malahide Estuary, coastal waters) has been described under the heading “Features of the Surrounding Environment” this screening report.</p> <p>Malahide Estuary’s transitional waters are of unassigned status and coastal waters are of “<i>Intermediate</i>” status. The Northeastern Irish Sea and Irish Sea are of “<i>Unpolluted</i>” status. The pollutant content of future surface water discharges to the estuary is considered likely to be decreased in the long-term. This is because sustainable development including <i>Sustainable Urban Drainage Systems</i> for all new development is inherent in the current objectives of all development plans within the <i>Greater Dublin Strategic Drainage Study</i>. Together these objectives are considered likely to improve water quality in Malahide Estuary in the future, and reduce pressures on the aquatic species and habitats within the estuary.</p> <p><i>Cumulative foul water pressures</i></p> <p>The proposed development will not result in the discharge of any foul waters.</p>
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European sites within 15km of the proposed development site are shown in Figure 1.

<b>Table 2 Analysis of European sites within 15km.</b>			
<b>Site name and code</b>	<b>Distance from Proposed Development (approximate)</b>	<b>Reasons for designation<sup>7</sup> (*= Priority Habitat) (Sourced from NPWS online Conservation Objectives Generic Version 4.0 for SACs and 4.0 for SPAs, unless otherwise stated).</b>	<b>Relevant source-pathway-receptor links between proposed development and European site?</b>
<b>Special Areas of Conservation</b>			
Malahide Estuary SAC [000205]	Located c.100m east of the subject lands	<p><b>Conservation Objectives Version 1.0 (27/05/2013)</b></p> <ul style="list-style-type: none"> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Salicornia and other annuals colonising mud and sand [1310]</li> <li>• Spartina swards (<i>Spartinion maritimae</i>) [1320]</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia etanus</i>) [1410]</li> </ul>	<p>Linkage between the subject lands and Malahide Estuary SAC has been identified. At the closest point the subject lands are approx. 100m from the SAC boundary, and are separated by a paved pedestrian footpath, Malahide Marina and a stretch of intertidal estuarine habitat (Figure 2).</p> <p>Surface waters generated during construction and landscaping could carry sediments and pollutants into to Malahide Estuary. Whilst there is linkage between the proposed development and European site, it is considered that there will be no likely significant effects for the following reasons:</p> <ul style="list-style-type: none"> <li>• The temporary nature of any discharges related to the short duration of the construction phase of the project;</li> </ul>

<sup>7</sup> “Qualifying Interests” for SACs and “Special Conservation Interests” for SPAs based on relevant Statutory Instruments for each SPA, and NPWS Conservation Objectives for SACs downloaded from www.npws.ie in January 2015.

<sup>8</sup> For significant effects to arise, there must be a risk enabled by having a 'source' (e.g. construction works at a proposed development site), a 'receptor' (e.g. a SAC), and a pathway between the source and the receptor (e.g. a watercourse connecting a proposed development site to a SAC). The identification of a pathway does not automatically mean significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. duration of construction works), the characteristics of the pathway (e.g. water quality status of watercourse receiving run-off from construction) and the characteristics of the receptor (e.g. the ecology including conservation status of the SAC reason for designation). When expert judgment determines, that significant effects are likely to arise, both the pathway, and the European site are considered “Relevant”, and an Appropriate Assessment is triggered.

**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</li> <li>• Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</li> </ul>	<ul style="list-style-type: none"> <li>• Pollution prevention measures, including silt and pollutant control measures, will be employed during the construction period so as not to present a risk;</li> <li>• The potential for sediment enriched waters in Malahide Estuary to rapidly mix and dilute such surface water run-off; and</li> <li>• The proposed development will not result in the discharge of any foul waters.</li> </ul>
Baldoyle Bay SAC [000199]	Located c.3.8km south of the subject lands	<p><b>Conservation Objectives Version 1.0 (19/11/12)</b></p> <ul style="list-style-type: none"> <li>• [1140] Mudflats and sandflats not covered by seawater at low tide</li> <li>• [1310] <i>Salicornia</i> and other annuals colonizing mud and sand</li> <li>• [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</li> <li>• [1410] Mediterranean salt meadows (<i>Juncetalia etanus</i>)</li> </ul>	No, whilst the subject lands are connected to the European site by the Irish Sea, there is a significant open marine water buffer between the proposed development and European site over which any potential sediment/pollutants would become diluted.
Rogerstown Estuary SAC [000208]	Located c.5.1km north of the subject lands	<p><b>Conservation Objectives Version 1.0 (14/08/2013)</b></p> <ul style="list-style-type: none"> <li>• Estuaries [1130]</li> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• <i>Salicornia</i> and other annuals colonising mud and sand [1310]</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia etanus</i>) [1410]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SAC.

**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</li> <li>• Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</li> </ul>	
Rockabill to Dalkey Island SAC [003000]	Located c.5.4km east of the subject lands	<b>Conservation Objectives Version 1.0 (07/05/2013)</b> <ul style="list-style-type: none"> <li>• Reefs [1170]</li> <li>• Harbour porpoise <i>Phocoena phocoena</i> [1351]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SAC.
Ireland's Eye SAC [002193]	Located c.7.3km southeast of the subject lands	<b>Conservation Objectives Version 1.0 (21/01/2017)</b> <ul style="list-style-type: none"> <li>• Perennial vegetation of stony banks [1220]</li> <li>• Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</li> </ul>	No, there were no linkages between the proposed development and the European site, as none of the QI species or habitats for which the European Site has been designated occur within the subject lands. The subject lands are not connected to the European Site by semi-natural habitats or by surface or ground water features.
North Dublin Bay SAC [000206]	Located c.7.4km south of the subject lands	<b>Conservation Objectives Version 1.0 (06/11/13)</b> <ul style="list-style-type: none"> <li>• Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>• Annual vegetation of drift lines [1210]</li> <li>• <i>Salicornia</i> and other annuals colonizing mud and sand [1310]</li> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330]</li> <li>• Mediterranean salt meadows (<i>Juncetalia etanus</i>) [1410]</li> <li>• Embryonic shifting dunes [2110]</li> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") [2120]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SAC.

**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>* Fixed coastal dunes with herbaceous vegetation (“grey dunes”) [2130]</li> <li>Humid dune slacks [2190]</li> <li><i>Petalophyllum ralfsii</i> (Petalwort) [1395]</li> </ul>	
Lambay Island SAC [000204]	Located c.8.7km northeast of the subject lands	<b>Conservation Objectives Version 1.0 (22/07/2013)</b> <ul style="list-style-type: none"> <li>Reefs [1170]</li> <li>Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]</li> <li><i>Halichoerus grypus</i> (Grey Seal) [1364]</li> <li><i>Phoca vitulina</i> (Harbour Seal) [1365]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SAC.
Howth Head SAC [000202]	Located c.9.2km southeast of the subject lands	<b>Conservation Objectives Generic Version 4.0 (13/02/15)</b> <ul style="list-style-type: none"> <li>[4030] European dry heaths</li> <li>[1230] Vegetated sea cliffs of the Atlantic and Baltic coasts</li> </ul>	No, there were no linkages between the proposed development and the European site, as none of the QI species or habitats for which the European Site has been designated occur within the subject lands. The subject lands are not connected to the European Site by semi-natural habitats or by surface or ground water features.
South Dublin Bay SAC [000210]	Located c.12.5km south of the subject lands	<b>Conservation Objectives Version 1.0 (22/08/13)</b> <ul style="list-style-type: none"> <li>Mudflats and sandflats not covered by seawater at low tide [1140]</li> <li>Annual vegetation of drift lines [1210]</li> <li>Salicornia and other annuals colonising mud and sand [1310]</li> <li>Embryonic shifting dunes [2110]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SAC.

**Table 2 Analysis of European sites within 15km.**

Special Protection Areas			
		<b>Conservation Objectives</b>	<b>Version 1.0</b>
<p>Malahide Estuary SPA (also referred to as Broadmeadow/Swords Estuary SPA) [004025]</p>	<p>Located c.10m east of the subject lands</p>	<p><b>(16/08/2013)</b></p> <ul style="list-style-type: none"> <li>• Great Crested Grebe (<i>Podiceps cristatus</i>) [A005]</li> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</li> <li>• Shelduck (<i>Tadorna tadorna</i>) [A048]</li> <li>• Pintail (<i>Anas acuta</i>) [A054]</li> <li>• Goldeneye (<i>Bucephala clangula</i>) [A067]</li> <li>• Red-breasted Merganser (<i>Mergus serrator</i>) [A069]</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>) [A140]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> <li>• Knot (<i>Calidris canutus</i>) [A143]</li> <li>• Dunlin (<i>Calidris alpina</i>) [A149]</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>	<p>Linkage between the subject lands and Malahide Estuary SPA has been identified. At the closest point the subject lands are approx. 10m from the SPA boundary, and are separated by a paved pedestrian footpath (Figure 2).</p> <p>The subject lands do not represent habitats of importance to any of the Special Conservation Interest species and Fingal County Council has confirmed that migratory birds associated with the estuary do not use this green in any significant way.</p> <p>The proposed development has the potential to cause short-term disturbance to QI species during the construction phase if works are carried out between September to March.</p> <p>Numbers of roosting QI species were recorded within close proximity east of the site (approx. 80m at closest point) in numbers ranging between 1-50 in 2011 and 50-99 in 2012, these numbers mostly relate to light-bellied Brent geese and represent &lt;1% of the SPA population. Other species recorded foraging within the SPA directly east of the subject lands included redshank, oystercatcher and light-bellied Brent geese (NPWS 2013c). All three species have been listed as being in favourable conservation condition (NPWS 2013c).</p> <p>Longer term disturbance is not predicted as increased recreational use of the area as a result of the redevelopment is expected to occur during the summer period when the Special Conservation Interest species are not present.</p> <p>For the following reasons it is considered that the proposed development will not have any likely significant effects on the European site;</p>

**Table 2 Analysis of European sites within 15km.**

			<ul style="list-style-type: none"> <li>• Increased recreational use of the area as a result of the redevelopment is likely to occur during the summer period when the Special Conservation Interest species are not present;</li> <li>• The proposed development consists of redevelopment of an existing recreational park therefore land use will not be changed and the new design will contain similar amenity habitats, not important or known to support Special Conservation Interest species;</li> <li>• Construction and landscaping works associated with the proposed development are not intrusive and will result in minimal temporary disturbance only;</li> <li>• Furthermore, construction and landscaping works, and activities within the recreational park will be visually screened from the nearest adjacent estuarine habitats where Special Conservation Interest species could occur. The park is located on lands approx. 3m higher than adjacent estuary habitats and is out of direct line of sight to birds using this habitat nearby; and</li> <li>• The proposed development will not affect the water quality of the SPA for the same reasons outlined with Malahide Estuary SAC.</li> </ul>
Baldoyle Bay SPA [004016]	Located c.3.9km east of the subject lands	<p><b>Conservation Objectives Version 1 (27/02/13)</b></p> <ul style="list-style-type: none"> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</li> <li>• Shelduck (<i>Tadorna tadorna</i>) [A048]</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>) [A140]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> </ul>	No linkage between the subject lands and the Special Conservation Interest species have been identified due to the absence of habitats within the subject lands that are known to be important or to support any of the Special Conservation Interest species associated with the European site. Whilst the subject lands are connected to the European site by the Irish Sea, there is a significant open marine water buffer between the proposed development and European site over which any potential pollutants/inputs would become diluted.



**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</li> <li>• Wetlands &amp; Waterbirds [A999]</li> </ul>	
Rogerstown Estuary SPA [004015]	Located c.5.1km north of the subject lands	<p><b>Conservation Objectives Version 1.0 (20/05/2013)</b></p> <ul style="list-style-type: none"> <li>• Greylag Goose (<i>Anser anser</i>) [A043]</li> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</li> <li>• Shelduck (<i>Tadorna tadorna</i>) [A048]</li> <li>• Shoveler (<i>Anas clypeata</i>) [A056]</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> <li>• Knot (<i>Calidris canutus</i>) [A143]</li> <li>• Dunlin (<i>Calidris alpina</i>) [A149]</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162]</li> <li>• Wetland and Waterbirds [A999]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.
North Bull Island SPA [004006]	Located c.7.4km south of the subject lands	<p><b>Conservation Objectives Version 1.0 (09/03/15)</b></p> <ul style="list-style-type: none"> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</li> <li>• Shelduck (<i>Tadorna tadorna</i>) [A048]</li> <li>• Teal (<i>Anas crecca</i>) [A052]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.

**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>• Pintail (<i>Anas acuta</i>) [A054]</li> <li>• Shoveler (<i>Anas clypeata</i>) [A056]</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>) [A140]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A141]</li> <li>• Knot (<i>Calidris canutus</i>) [A143]</li> <li>• Sanderling (<i>Calidris alba</i>) [A144]</li> <li>• Dunlin (<i>Calidris alpina</i>) [A149]</li> <li>• Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</li> <li>• Curlew (<i>Numenius arquata</i>) [A160]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162]</li> <li>• Turnstone (<i>Arenaria interpres</i>) [A169]</li> <li>• Black-headed Gull (<i>Croicocephalus ridibundus</i>) [A179]</li> <li>• Wetlands &amp; Waterbirds [A999]</li> </ul>	
Ireland's Eye SPA [004117]	Located c.7km southeast of the subject lands	<p><b>Conservation Objectives Generic Version 5.0 (15/08/2016)</b></p> <ul style="list-style-type: none"> <li>• Cormorant (<i>Phalacrocorax carbo</i>) [A017]</li> <li>• Herring Gull (<i>Larus argentatus</i>) [A184]</li> <li>• Kittiwake (<i>Rissa tridactyla</i>) [A188]</li> <li>• Guillemot (<i>Uria aalge</i>) [A199]</li> <li>• Razorbill (<i>Alca torda</i>) [A200]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.
Lambay Island SPA	Located c.8.7km	<p><b>Conservation Objectives Generic Version 5.0</b></p>	No, for the same reasons outlined within Baldoyle Bay SPA.

**Table 2 Analysis of European sites within 15km.**

[004069]	northeast of the subject lands	<p><b>(15/08/2016)</b></p> <ul style="list-style-type: none"> <li>• Fulmar (<i>Fulmarus glacialis</i>) [A009]</li> <li>• Cormorant (<i>Phalacrocorax carbo</i>) [A017]</li> <li>• Shag (<i>Phalacrocorax aristotelis</i>) [A018]</li> <li>• Greylag Goose (<i>Anser anser</i>) [A043]</li> <li>• Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183]</li> <li>• Herring Gull (<i>Larus argentatus</i>) [A184]</li> <li>• Kittiwake (<i>Rissa tridactyla</i>) [A188]</li> <li>• Guillemot (<i>Uria aalge</i>) [A199]</li> <li>• Razorbill (<i>Alca torda</i>) [A200]</li> <li>• Puffin (<i>Fratercula arctica</i>) [A204]</li> </ul>	
Howth Head Coast SPA [004113]	Located c.9.5km southeast of the subject lands	<p><b>Conservation Objectives Generic Version 5.0 (15/08/2016)</b></p> <ul style="list-style-type: none"> <li>• Kittiwake (<i>Rissa tridactyla</i>) [A188]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.
South Dublin Bay and River Tolka Estuary SPA [004024]	Located c.12.3km southeast of the subject lands	<p><b>Conservation Objectives Version 1.0 (09/03/15)</b></p> <ul style="list-style-type: none"> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] [wintering]</li> <li>• Oystercatcher (<i>Haematopus ostralegus</i>) [A130] [wintering]</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>) [A137] [wintering]</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>) [A140] [wintering]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.

**Table 2 Analysis of European sites within 15km.**

		<ul style="list-style-type: none"> <li>• Knot (<i>Calidris canutus</i>) [A143] [wintering]</li> <li>• Sanderling (<i>Calidris alba</i>) [A144] [wintering]</li> <li>• Dunlin (<i>Calidris alpina</i>) [A149] [wintering]</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] [wintering]</li> <li>• Redshank (<i>Tringa totanus</i>) [A162] [wintering]</li> <li>• Black-headed Gull (<i>Croicocephalus ridibundus</i>) [A179] [wintering]</li> <li>• Roseate Tern (<i>Sterna dougallii</i>) [A192] [passage]</li> <li>• Common Tern (<i>Sterna hirundo</i>) [A193] [breeding]</li> <li>• Arctic Tern (<i>Sterna paradisaea</i>) [A194] [passage]</li> <li>• Wetlands &amp; Waterbirds [A999]</li> </ul>	
Skerries Islands SPA	Located c.13.5km northeast of the subject lands	<ul style="list-style-type: none"> <li>• Cormorant (<i>Phalacrocorax carbo</i>) [A017]</li> <li>• Shag (<i>Phalacrocorax aristotelis</i>) [A018]</li> <li>• Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</li> <li>• Purple Sandpiper (<i>Calidris maritima</i>) [A148]</li> <li>• Turnstone (<i>Arenaria interpres</i>) [A169]</li> <li>• Herring Gull (<i>Larus argentatus</i>) [A184]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.
Rockabill Island SPA [004172]	Located c.14km northeast of the subject	<p><b>Conservation Objectives Generic Version 5.0 (15/08/2016)</b></p> <ul style="list-style-type: none"> <li>• Roseate Tern <i>Sterna dougallii</i> [A192] [passage]</li> </ul>	No, for the same reasons outlined within Baldoyle Bay SPA.

**Table 2 Analysis of European sites within 15km.**

	lands	<ul style="list-style-type: none"> <li>• Common Tern <i>Sterna hirundo</i> [A193] [passage]</li> <li>• Arctic Tern <i>Sterna paradisaea</i> [A194] [passage]</li> </ul>	
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Figure 1: All European sites within 15km of the subject lands

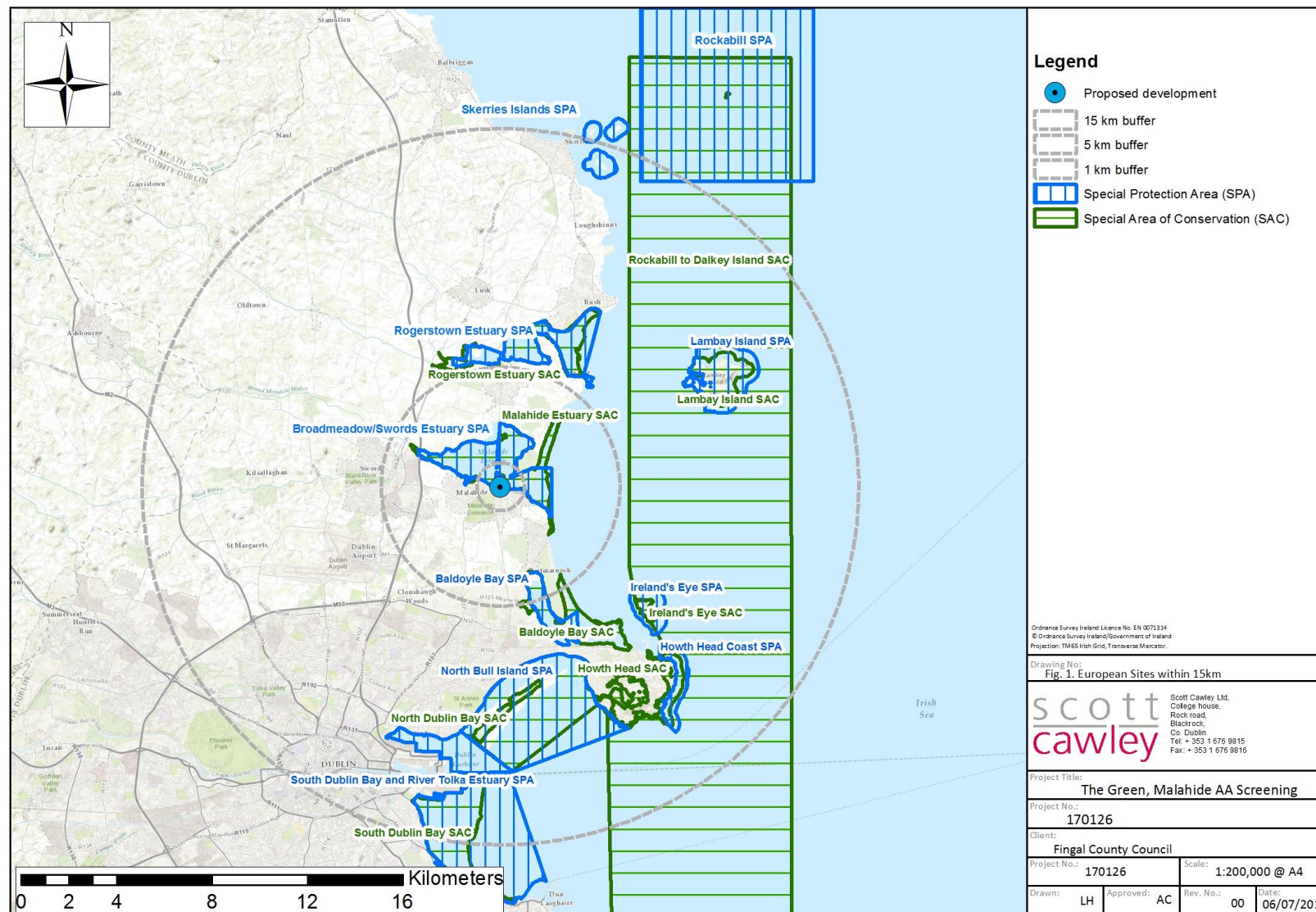
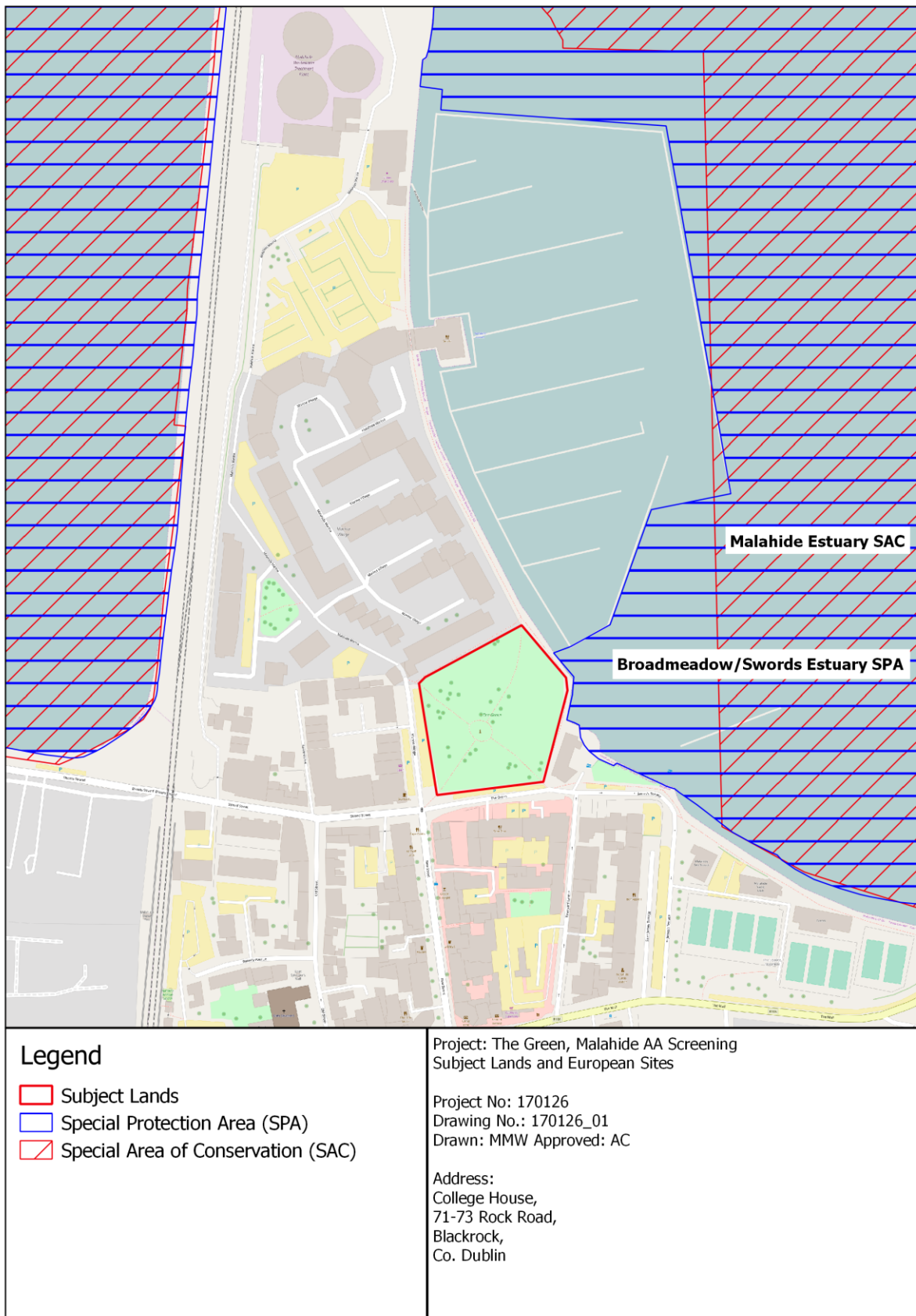


Figure 2: Subject Lands and neighbouring European site boundaries



### 3 CONCLUSIONS OF THE SCREENING ASSESSMENT

Following an examination, analysis and evaluation of the relevant information, including in particular, the nature of the proposed works and their potential relationship with European sites, as well as considering other plans and projects, and applying the precautionary principle, it is the professional opinion of the authors of this report that **it is possible to rule out likely significant effects on all European sites**. The judgement has been reached for the reasons outlined below:

No European sites are deemed to be at risk of likely significant effects from construction or operation of the proposed development. No significant impacts are predicted due to the following:

- The temporary nature of any discharges related to the short duration of the construction and landscaping phase of the project;
- The potential for sediment enriched waters in Malahide Estuary to rapidly mix and dilute such surface water run-off;
- The proposed development will not result in the discharge of any foul waters;
- Construction and landscaping works associated with the proposed development are not intrusive and will result in minimal temporary disturbance only;
- Increased recreational use of the area as a result of the redevelopment is expected to occur during the summer period when the SPA Special Conservation Interest species are not present; and
- The proposed development consists of redevelopment of an existing recreational park therefore land use will not be changed and the new design will contain similar amenity habitats, not important or known to support SPA Special Conservation Interest species; and
- Furthermore, construction and landscaping works, and activities within the recreational park will be visually screened from the nearest adjacent estuarine habitats where Special Conservation Interest species could occur. The park is located on lands approx. 3m higher than adjacent estuary habitats and is out of direct line of sight to birds using this habitat nearby.

For these reasons, it is the professional opinion of the authors of this report that the proposed works does not require an Appropriate Assessment.

However, the authors of this report acknowledge that it is for Fingal County Council, as the competent authority, to carry out a screening for AA and to reach one of the following determinations:

- a) AA of the proposed development is required if it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on any European sites; and,
- b) AA of the proposed development is not required if it can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on any European sites.



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