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Ecological Research and Practice

Habitats Directive Screening for a Proposed Development at Stillorgan Library, St Laurence's Park, Stillorgan, Co. Dublin A94 XTO2

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To:

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1 Introduction

1.1 Background

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts on Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

An assessment of the ecological impacts of a proposed development at Stillorgan Library, St Laurence's Park, Stillorgan, Co. Dublin was carried out on September 16th 2018 by Dr Frances Giaquinto, a botanist, ecologist, and a full member of the Chartered Institute of Ecological and Environmental Management. The assessment allowed areas of potential ecological value and potential ecological constraints associated with this proposed development to be identified and it also enables potential ecological impacts associated with the proposed development to be assessed and mitigated for.

The location of the proposed development is within 10 km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.1 Regulatory context

1.1.1 Relevant legislation

The Birds Directive (Council Directive 79/409/EEC) implies that particular protection is given to sites (Special Protection Areas) which support certain bird species listed in Annex I of the Directive and that surveys of development sites should consider the status of such species.

The EU Habitats Directive (92/43/EEC) gives protection to sites (Special Areas of Conservation) which support particular habitats and species listed in annexes to this directive. Articles 6(3) and 6(4) of this Directive call for the undertaking of an Appropriate Assessment for plans and projects likely to have an effect on designated sites. This is explained in greater detail in the following section.

The Wildlife Act 1976 (and its amendment of 2000) provides protection to most wild birds and animals. Interference with such species can only occur under licence. Under the act it is an offence to *wilfully interfere with or destroy the breeding place or resting place of any protected wild animal*.

The basic designation for wildlife is the Natural Heritage Area (NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection. Under the Wildlife Amendment Act (2000) NHAs are legally protected from damage. NHAs are not part of the Natura 2000 network and so the Appropriate Assessment process does not apply to them.

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The

aim of the WFD is to ensure that waters achieve at least good status by 2015 and that status doesn't deteriorate in any waters.

1.1.2 Appropriate Assessment and the Habitats Directive

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3–9 provide the legislative means to protect habitats and species of community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. *Natura 2000* sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting *Natura 2000* sites. Article 6(3) establishes the requirement for Appropriate Assessment:

Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In 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.

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

*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 a social or economic nature, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of *Natura 2000* is protected. It shall inform the Commission of the compensatory measures adopted.*

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

1.1.3 The Appropriate Assessment Process

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a site's conservation objectives.

Appropriate Assessment is an assessment of the potential effects of a proposed plan - *in combination* with other plans and projects - on one or more European sites. The Appropriate Assessment, itself, is a statement which must be made by the competent authority which says whether the plan affects the integrity of a European site. The actual process of determining whether or not the plan will affect the site is also commonly referred to as 'Appropriate Assessment'.

If adverse impacts on the site cannot be avoided, then mitigation measures should be applied during the Appropriate Assessment process to the point where no adverse impacts on the site remain

(European Commission, 2000, 2001).

The conclusions of the appropriate assessment report should enable the competent authority to ascertain whether the proposal would adversely affect the integrity of the site (European Commission, 2000, 2001).

Under the terms of the directive (European Commission, 2000, 2001), consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of the site will not be adversely affected, or (b) where an adverse effect is anticipated, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

2 Methodology

2.1 Appropriate Assessment

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2000). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is *the precautionary principle* which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that *each stage determines whether a further stage in the process is required*".

Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Screening statement with conclusions.

2.2 Desk studies and consultation

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of all impacts:

National Parks and Wildlife Service – Aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species; conservation objectives, site synopses and standard data forms for relevant designated sites;

- Environmental Protection Agency (EPA)- Information pertaining to water quality, and geology;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Hayes Higgins Partnership – Plans and information pertaining to the development;
- Dublin City Development Plan (2016-2022) – Policies and objectives guiding how and where development will take place in the city.

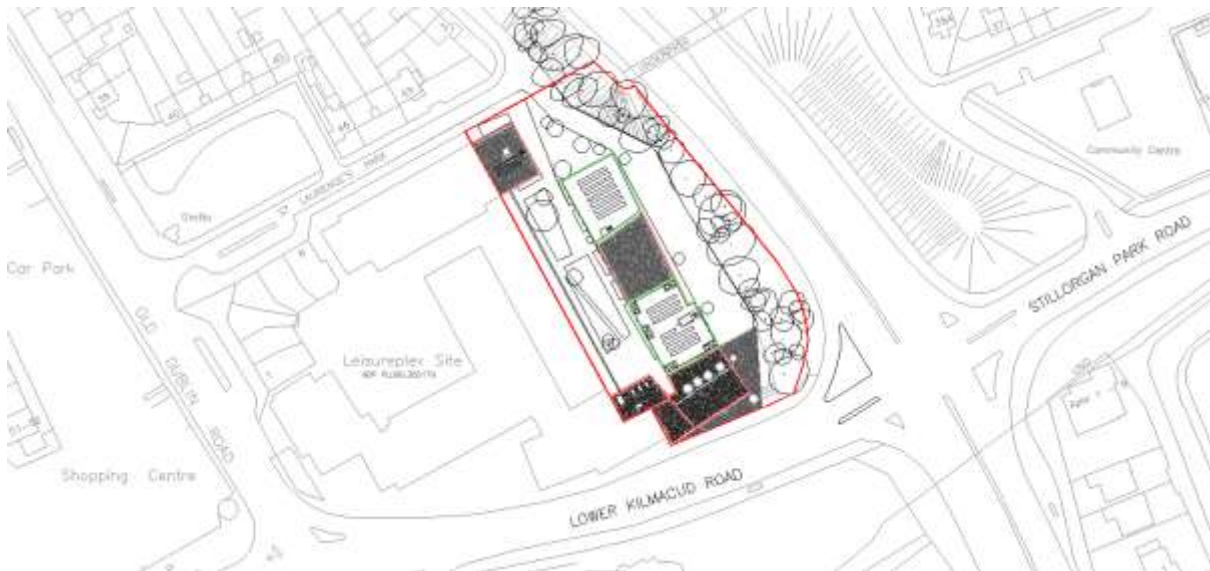
- Dublin City Development Plan, (2016 – 2022), Volume 6 Appropriate Assessment – 25 sites of European importance lie within 15 km of the Dublin City Council boundary. The Appropriate Assessment process identified the Development Plan could impact on the sites and mitigation was incorporated into the Plan to minimise the impacts.

3 Screening

3.1 Development description

The proposed development in St. Laurence’s Park will be 3 residential blocks ranging between 4 and 9 storeys each and an adjacent 2 storey public library. These will contain a total of 88 apartments, approximately 10 public parking spaces, and 30 residential parking spaces. The footprint of the building is shown in Figure 1.

Figure 1 Proposed development site layout plan
(provided by Hayes Higgins Partnership)



3.1 Site location and surrounding environment

The site is located parallel to the N11 in Stillorgan, County Dublin. A belt of mixed, mature conifer and deciduous trees separate the proposed site from the main road. Chain link fencing excludes public access to the wooded belt. Currently, the site consists of Stillorgan library which is housed in a prefabricated building, car parking areas, access road (St Laurence’s Park road) and a row of semi-detached, abandoned residential houses (Image 1).

The main habitats surrounding the site include buildings and artificial surfaces, and amenity grassland with planted maturing trees. Other habitats represented locally include a native hedgerow and treelines (Image 2).



Image 1. Stillorgan library in the left of the image and derelict residential housing within the proposed site boundary to the right.



Image 2. Poorly managed tree belt with mature conifers infested with ivy (*Hedera helix*).

3.2 Habitats and species

The site is almost entirely built up and laid to artificial surfaces. The tree belt running parallel to the site consists of mature conifers, sycamore (*Acer pseudoplatanus*), elder (*Sambucus nigra*) and a bird cherry (*Prunus padus*). The poorly-managed hedgerow bordering the site consists of hawthorn (*Crataegus monogyna*), blackberry (*Rubus fruticosus*) and elder. It is overrun with ivy (*Hedera helix*).

There is small area of amenity grassland immediately adjacent to the site interspersed with maturing deciduous trees (*Ulmus x hollandica*).

Although not designed for the protection of any Natura 2000 site and fully outside of the Appropriate Assessment process implementation of the measures listed in Appendix 1 are recommended in relation to hedge removal, non-native invasive species, and landscaping.

3.2.1 Birds and mammals

On the day of the site visit, no birds or small mammals were evident.

3.2.2 Non-native invasive species (NNIS)

No non-native plant species were present on the site or adjacent land.

3.2.3 Habitats and species: National Biodiversity Data Centre Cata

The relevant National Biodiversity Data Centre 1 km grid square is 02128 (Figure 2). The species list (Table 1) for this grid indicated there are no records of notable mammal or plant species within 1 km. Two non-native invasive species are listed: *Allium triquetrum* and *Buddleja davidii*, but specimens were not found within the proposed development site on the day of the site survey.

Figure 2 Proposed site in 1 km grid square 02128

Legend: small circle indicates the location of the site.



Table 1 NBDC species list for 1 km grid 02128

Grid square	Species group	Species name	Record count	Date of last record	Title of dataset	Designation
Custom	bird	Black-billed Magpie (<i>Pica pica</i>)	4	22/10/2016	Birds of Ireland	
Custom	bird	Black-headed Gull (<i>Larus ridibundus</i>)	2	22/10/2016	Birds of Ireland	Protected Species: Wildlife Acts Threatened Species: Birds of Conservation Concern Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Red List
Custom	bird	Blue Tit (<i>Cyanistes caeruleus</i>)	1	27/03/2016	Birds of Ireland	
Custom	bird	Chaffinch (<i>Fringilla coelebs</i>)	1	03/02/2011	Birds of Ireland	
Custom	bird	Common Blackbird (<i>Turdus merula</i>)	1	03/02/2011	Birds of Ireland	
Custom	bird	Common Kingfisher (<i>Alcedo atthis</i>)	1	03/02/2011	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex I Bird Species Threatened Species: Birds of Conservation Concern Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Amber List
Custom	bird	Common Moorhen (<i>Gallinula chloropus</i>)	5	22/10/2016	Birds of Ireland	

Custom	bird	Common Wood Pigeon (<i>Columba palumbus</i>)	3	22/10/2016	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex II, Section I Bird Species Protected Species: EU Birds Directive >> Annex III, Section I Bird Species
Custom	bird	Eurasian Teal (<i>Anas crecca</i>)	4	01/04/2013	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex II, Section I Bird Species Protected Species: EU Birds Directive >> Annex III, Section II Bird Species Threatened Species: Birds of Conservation Concern Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Amber List
Custom	bird	European Robin (<i>Erithacus rubecula</i>)	2	02/05/2016	Birds of Ireland	
Custom	bird	Great Egret (<i>Ardea alba</i>)	1	30/04/2005	Rare birds of Ireland	
Custom	bird	Great Spotted Woodpecker (<i>Dendrocopos major</i>)	1	03/04/1969	Rare birds of Ireland	
Custom	bird	Grey Heron (<i>Ardea cinerea</i>)	2	02/05/2016	Birds of Ireland	
Custom	bird	Grey Wagtail (<i>Motacilla cinerea</i>)	4	22/10/2016	Birds of Ireland	
Custom	bird	Hedge Accentor (<i>Prunella modularis</i>)	1	03/02/2011	Birds of Ireland	
Custom	bird	Hooded Crow (<i>Corvus cornix</i>)	1	02/05/2016	Birds of Ireland	

Custom	bird	Little Egret (<i>Egretta garzetta</i>)	2	27/03/2016	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex I Bird Species
Custom	bird	Mallard (<i>Anas platyrhynchos</i>)	5	22/10/2016	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex II, Section I Bird Species Protected Species: EU Birds Directive >> Annex III, Section I Bird Species
Custom	bird	Mandarin Duck (<i>Aix galericulata</i>)	7	02/05/2016	Birds of Ireland	
Custom	bird	Redwing (<i>Turdus iliacus</i>)	1	03/02/2011	Birds of Ireland	
Custom	bird	Song Thrush (<i>Turdus philomelos</i>)	1	02/05/2016	Birds of Ireland	
Custom	bird	Tufted Duck (<i>Aythya fuligula</i>)	2	22/10/2016	Birds of Ireland	Protected Species: Wildlife Acts Protected Species: EU Birds Directive Protected Species: EU Birds Directive >> Annex II, Section I Bird Species Protected Species: EU Birds Directive >> Annex III, Section II Bird Species Threatened Species: Birds of Conservation Concern Threatened Species: Birds of Conservation Concern >> Birds of Conservation Concern - Amber List

Custom	flowering plant	Butterfly-bush (<i>Buddleja davidii</i>)	1	22/05/2017	Online Atlas of Vascular Plants 2012-2020	Invasive Species: Invasive Species Invasive Species: Invasive Species >> Medium Impact Invasive Species
Custom	flowering plant	Cowslip (<i>Primula veris</i>)	1	19/03/2017	Online Atlas of Vascular Plants 2012-2020	
Custom	flowering plant	Red Valerian (<i>Centranthus ruber</i>)	2	22/05/2017	Online Atlas of Vascular Plants 2012-2020	
Custom	flowering plant	Three-cornered Garlic (<i>Allium triquetrum</i>)	1	04/04/2017	Online Atlas of Vascular Plants 2012-2020	Invasive Species: Invasive Species Invasive Species: Invasive Species >> Medium Impact Invasive Species Invasive Species: Invasive Species >> Regulation S.I. 477 (Ireland)
Custom	terrestrial mammal	Eastern Grey Squirrel (<i>Sciurus carolinensis</i>)	2	22/10/2016	Mammals of Ireland 2016-2025	Invasive Species: Invasive Species Invasive Species: Invasive Species >> High Impact Invasive Species Invasive Species: Invasive Species >> EU Regulation No. 1143/2014 Invasive Species: Invasive Species >> Regulation S.I. 477 (Ireland)
Custom	terrestrial mammal	Red Fox (<i>Vulpes vulpes</i>)	1	07/12/2012	Atlas of Mammals in Ireland 2010-2015	

3.3 Water features and quality

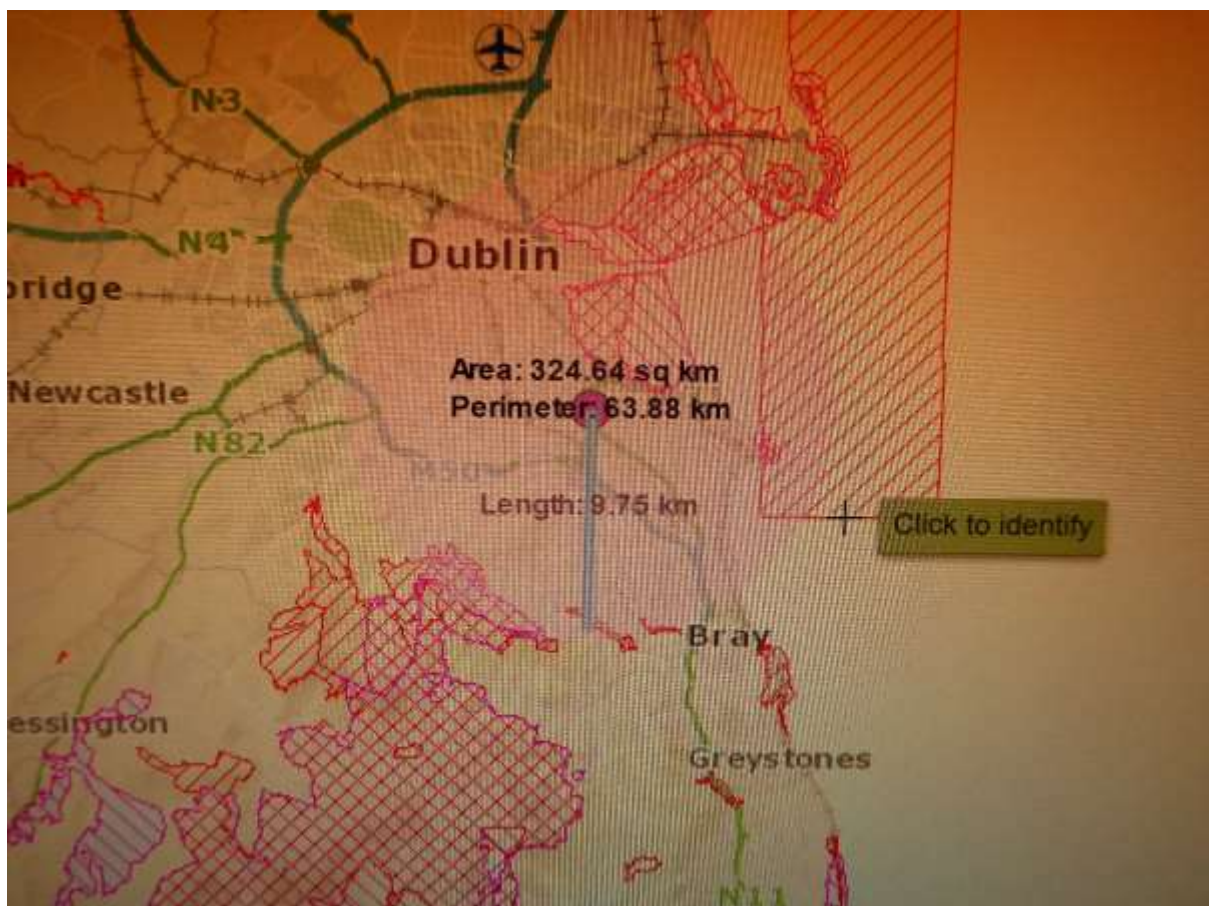
There are no natural water features on or near the site. Development includes some modifications to the existing drainage system (Appendix 2). New storm water and foul sewer drainage systems will drain into the existing networks.

4 Identified Natura 2000 sites identified

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites (Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) within and surrounding the proposed development site are shown in Figure 3 and listed in Table 2.

Figure 3 SACs and SPAs within 10 km of the proposed development

Legend: the 10 km radius is indicated by the pink circle. SACs and SPAs are indicated by red hatching and cross hatching.



The following SACs lie within a 10 km radius:

Knocksink Wood SAC

Ballyman Glen SAC

North Dublin Bay SAC

S Dublin Bay SAC

Wicklow Mountains SAC

The following SPAs lie within a 10 km radius:

River Tolka Estuary SPA

Dalkey Islands SPA

North Bull Island SPA

Wicklow Mountains SPA

Table 1 SACs and SPAs selected for habitats and species listed on Annex 1/11 of the EU Habitats Directive

Site code	Site name	Qualifying interests	Distance from development site boundary (km)	Potential impacts
000210	South Dublin SAC	Habitats listed on Annex 1: Mudflats and sandflats not covered by seawater at low tide	1.89	No potential impact predicted
	North Dublin Bay	Habitats listed on Annex 1: Mudflats and sandflats not covered by seawater at low tide. <i>Salicornia</i> and other annuals colonising mud and sand. Atlantic salt meadows. Fixed coastal dunes with herbaceous vegetation (grey dunes). Humid dune slacks. Mediterranean salt meadows. Annual vegetation of drift lines. Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes). <i>Petalowrt (Petalophyllum ralfsii)</i> .	6.52	No potential impact predicted
000725	Knocksink wood SAC	Habitats listed on Annex 1: Petrifying springs with tufa formation (Cratoneurion). Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> .	8.76	No potential impact predicted
000713	Ballyman glen SAC	Habitats listed on Annex 1: Alkaline fens and petrifying springs with tufa formation (Cratoneurion).	8.9	No potential impact predicted
002121	Wicklow mountains SAC	Habitats listed on Annex 1: Blanket bog. Species -rush <i>Nardus</i> grasslands on siliceous substrates in mountain areas (and submountain areas in continental Europe. Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles. Northern Atlantic wet heaths with <i>Erica tetralix</i> . European Dry Heaths. Alpine and boreal heaths. Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsetalia ladani</i>). Siliceous rocky slopes with chasmophytic vegetation. Calcareous rocky slopes with chasmophytic vegetation. Oligotrophic to mesotrophic standing waters with the vegetation of the <i>Littorelletalia uniflorarum</i> and/or <i>Isoete_Nanojuncetea status</i> . Dystrophic lakes.	9.25	No potential impact predicted

		Otter		
004040	Wicklow Mountains SPA	Species: Merlin and Peregrine	8.38	No potential impact predicted
004024	South Dublin Bay and River Tolka estuary SPA	Species: Light-bellied Brent Goose, Knot, Sanderling, Bar-tailed Godwit, Redshank, Roseate Tern, Common Tern and Gull, Kittiwake and Guillemot, Additional Special Conservation Interests include: Razorbill, Fulmar, Greylag Goose and Puffin.	1.89	No potential impact predicted
004040	Dalkey Islands SPA	Species: Merlin and Peregrine	7.32	No potential impact predicted
004006	North Bull Island SPA	Species: Light-bellied Brent Goose, Shelduck, Pintail, Shoveler, Oystercatcher, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Redshank, Turnstone and 20,000 wintering waterbirds. Additional Special Conservation Interests include: Teal, Ringed Plover, Golden Plover, Sanderling, Curlew, Black-headed Gull and wetland and waterbirds.	8.1	No potential impact predicted

The generic conservation objective of all these sites 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/SPA has been selected.

The favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing and 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;
- The conservation status of its typical species is favourable. The favourable conservation status of a species is achieved when:
- The 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.

4.1 Assessment criteria

The impacts (if any) of the proposed development on the Natura 2000 sites listed in Table 1 are described in Table 2.

Table 2 Assessment criteria describing impacts (if any) of site development on Natura sites (Table 1)

<p>Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:</p> <p>The construction and operation of the proposed development will have no impacts upon the integrity or the site structure of the designated sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these aforementioned sites.</p>
<p>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:</p> <p>Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the construction and operation of the proposed development are low.</p> <p>Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site.</p> <p>Distance from Natura 2000 site or key features of the site: At its closest point, the proposed development is situated 1.89 km from the South Dublin Bay SAC. The distance from these Natura 2000 sites is adequate to predict that there will be no impacts upon these designated areas, their habitats or their protected species.</p> <p>Resource requirements (water abstraction etc.): No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site.</p> <p>Emissions: Neither the construction nor the operation of the proposed development will result in any emissions to the identified SAC or SPA. There will be no run-off from the site directly to any SAC or SPA.</p> <p>Excavation requirements: Excavated material from the construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.</p> <p>Transportation requirements: There will be no additional transportation requirements resulting from the proposed development and associated works that will have any impact upon the Natura 2000 sites identified.</p> <p>In-Combination / Cumulative Impacts: The site development was considered in combination with other developments or proposed developments in the Stillorgan area and potential cumulative impacts were considered. Any application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. Overall, housing density in the Stillorgan area and the surrounding townlands is at a moderate level. All houses in the area are serviced by the public system.</p> <p>Duration of construction, operation, decommissioning etc: Once construction begins, it should be complete within one year.</p>
<p>Describe any likely changes to the nearby Natura 2000 sites arising as a result of:</p> <p>Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Table 1. There will be no reduction of designated habitat area. There will be no interference with the boundaries of any designated site.</p> <p>Disturbance to key species: There will be no direct disturbance to any species listed in Annex I of the Birds Directive or Annex II of the Habitats Directive. There will be no reduction in water quality in any designated site arising from the construction or operation of this development, therefore any indirect impacts upon listed species will be avoided.</p> <p>Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the proposed site and any designated site will be damaged or destroyed.</p> <p>Reduction in species density: There will be no reduction in species density within the SAC and SPA.</p> <p>Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any SAC or SPA. There will be no negative impacts upon the water quality in any designated site listed in Table 1.</p>
<p>Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:</p> <p>Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.</p>
<p>Provide indicators of significance as a result of the identification of effects set out above in terms of:</p> <p>Loss - Estimated percentage of lost area of habitat: None</p> <p>Fragmentation: None</p> <p>Disruption & disturbance: None</p> <p>Change to key elements of the site (e.g. water quality etc.): None</p>

4.2 Finding of no significant effect


Table 3 Finding of no significant effect

Finding of No Significant Effects Report Matrix	
Name of project	Residential development and library, St Laurence's Park, Stillorgan, County Dublin
Name and location of Natura 2000 sites	Table 1 (within 10 km radius): Knocksink wood SAC, Ballyman Glen SAC, North Dublin Bay SAC, South Dublin Bay SAC, Wicklow mountains SAC and SPA, River Tolka estuary SPA, Dalkey Islands SPA, North Bull Island SPA.
Description of project	The proposed development in St. Laurence's Park will be 3 residential blocks ranging between 4 and 9 storeys each and an adjacent 2 storey public library. These will contain a total of 89 apartments, approximately 19 public parking spaces, and 23 residential parking spaces.
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Frances Giaquinto BSc PhD MCIEEM
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Dublin City Development Plan (2016-2022), particularly Appropriate Assessment, Vol 6.
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

5 Appropriate Assessment Conclusion

It can be concluded that there will be no impacts upon the integrity of the conservation objectives of the Natura 2000 sites identified. The habitats and species associated with this site will not be adversely affected. There is no need for a further Appropriate Assessment process.

Frances Giaquinto BSc PhD MCIEEM



A handwritten signature in black ink, appearing to read 'Frances Giaquinto', is written over a faint, light-colored grid or stamp. The signature is stylized and cursive.

18th September 2018

Appendix 1 Ecological recommendations

Whilst the proposed development will have no impacts upon the integrity of any area that has been designated as a Natura 2000 site, it is usually best practice to undertake certain measures during the construction and operation of any development. These recommendations will help to protect the local biodiversity of the surrounding area and ensure the protection of local wildlife and water quality. Therefore it is recommended that the following measures are implemented: *(It should be noted that they are not designed for the protection of any Natura 2000 site and that they are fully outside of the Appropriate Assessment process).*

1 Removal of hedgerows

Section 40 of the Wildlife Acts, 1976 to 2012 sets out the current legal position with regard to the destruction of hedgerows, as follows:

The Closed Period

40 (1) (a) It shall be an offence for a person to cut, grub, burn or otherwise destroy during the period beginning on the 1st day of march and ending on the 31st day of August in any year,, any vegetation growing on any land not then cultivated.

(b) It shall be an offence for a person to cut, grub, burn or otherwise destroy any vegetation growing in any hedge or ditch during the period mentioned in paragraph (a) of this subsection.

However, there are a number of exemptions to the Closed Period, including

(2) Subsection (1) of this section shall not apply in relation to:

Clause (e) the clearance of vegetation in the course of road or other construction works or in the development of sites on which any building or other structure is intended to be provided.

Clause (e) stated above confirms that it is legally acceptable to remove hedgerows during the Closed Period for the purposes of construction works.

However, hedgerows represent a critical biodiversity habitat in Ireland because of the low density of tree cover, and re-planting of hedgerows across the site according to the landscaping plan should, as far as possible, include a high density of hedgerow species native to the County Dublin area and not other hedging plants.

2 Non-native invasive species

Although no non-native invasive species were recorded on the proposed development site, *Allium triquetrum* and *Buddleja davidii* have been recorded in Grid 02128. A non-native invasive species survey prior to construction will ensure there has been no colonisation on the site and there is no risk of dispersal during construction works.

3 Landscaping

Mitigation for loss of habitat can be achieved by ensuring that re-planting schemes post-construction use native species and it is recommended that the landscaping plan is designed to reflect this.

Appendix 2 Proposed modifications to drainage system

Drawing provided by Hayes Higgins Partnership

