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HABITATS DIRECTIVE SCREENING OF A PROPOSED DEVELOPMENT (PART 8) AT SUSSEX STREET AND EBLANA AVENUE, DÚN LAGOHAIRE, CO. DUBLIN



*Dún Laoghaire–Rathdown County Council
c/o Traynor Environmental Ltd
Belturbet Business Park
Creeny
Belturbet
Co. Cavan*

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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 upon 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.

A comprehensive assessment of the potential significant effects of a proposed residential scheme at Sussex Street and Eblana Avenue in Dún Laoghaire, on certain designated European sites was carried out in November 2025 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. The location of the proposed development is within the Zone of Influence 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 report contains information required by the competent authority (in this instance Dún Laoghaire–Rathdown County Council) to undertake an Appropriate Assessment determination. It is the responsibility of the competent authority to make a decision as to whether or not the proposed development 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 should issue an AA Screening Determination, which should set out their decision regarding AA, including the main reasons and considerations on which the determination is based.

1.2 REGULATORY CONTEXT

RELEVANT LEGISLATION

The Birds Directive (Council Directive 2009/147/EC) recognises that certain species of birds should be subject to special conservation measures concerning their habitats. The Directive requires that Member States take measures to classify the most suitable areas as Special Protection Areas (SPAs) for the conservation of bird species listed in Annex 1 of the Directive. SPAs are selected for bird species (listed in Annex I of the Birds Directive), that are regularly occurring populations of migratory bird species and the SPA areas are of international importance for these migratory birds.

The EU Habitats Directive (92/43/EEC) requires that Member States designate and ensure that particular protection is given to sites (Special Areas of Conservation) which are made up of or support particular habitats and species listed in annexes to this Directive.

Articles 6(3) and 6(4) of this Directive also call for the undertaking of an Appropriate Assessment for plans and projects not directly connected with or necessary to the management of, but which are likely to have a significant effect on any European designated sites (i.e. SACs and SPAs).

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 2027 and that status does not deteriorate in any waters.

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.”

The Appropriate Assessment Process

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

The ‘Appropriate Assessment’ itself is an assessment which must be carried out by the competent authority which confirms whether the plan or project in combination with other plans and projects will have an adverse impact on the integrity of a European site.

Screening for Appropriate Assessment shall be carried out by the competent authority as set out in Section 177U(1) and (2) of the Planning and Development Act 2000 (as amended) as follows:

“(1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in

combination with another plan or project is likely to have a significant effect on the European site.

(2) A competent authority shall carry out a screening for appropriate assessment under subsection (1) before—

(a) a Land use plan is made including, where appropriate, before a decision on appeal in relation to a draft strategic development zone is made, or

(b) consent for a proposed development is given.’

The competent authority shall determine that an Appropriate Assessment is not required if it can be excluded, that the proposed development, individually or in combination with other plans or project will have a significant effect on a European site.

Where the competent authority cannot exclude the potential for a significant effect on a European site, an Appropriate Assessment shall be deemed required.

Where an Appropriate Assessment is required, the conclusions of the Appropriate Assessment Report (Natura Impact Statement (NIS)) should enable the competent authority to ascertain whether the plan or proposed development would adversely affect the integrity of the European site. If adverse impacts on the integrity of a European 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. Under the terms of the Habitats Directive 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 any European sites will not be adversely affected, or (b) after mitigation, where adverse impacts cannot be excluded, 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.

Section 177(V) of the Planning and Development Act 2000 (as amended) outlines that the competent authority shall carry out the Appropriate Assessment, taking into account the Natura Impact Statement (amongst any other additional or supplemental information). A determination shall then be made by the competent authority in line with the requirements of Article 6(3) of the Habitats Directive as to whether the plan or proposed development would adversely affect the integrity of a European site, prior to consent being given.

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 (2018). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2021). 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 AA has also been undertaken in consideration of the European Union (CJEU) judgment on Case C323/17 (People over Wind, Peter Sweetman v Coillte Teoranta), which concluded that "it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects [mitigation] of the plan or project on that site.". Other caselaw relevant to Screening are Waddenzee (C127/02), Holohan and Others v An Bord Pleanála (C461/17) and Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061.
- Most recent and pertinent case law pertaining to AA screening comes from *Eco Advocacy v. An Bord Pleanála* Case C-721/21. This case recently determined that "standard design measures" can be included at design stage if they are an inherent part of the plan, namely a measure: *'incorporated into that plan or project as standard features, inherent in such a plan or project, irrespective of any effect on the site'*.

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.

2.2 STATEMENT OF COMPETENCY

This AA Screening report was carried out by Noreen McLoughlin, BA, MSc, MCIEEM. Noreen has an honours degree in Zoology and an MSc in Freshwater Ecology from Trinity College, Dublin and she has been a full member of the Chartered Institute of Ecology and Environmental Management for over 18 years. Noreen has over 20 years' experience as a professional ecologist in Ireland.

2.3 DESK STUDIES & 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 potential 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, geology and licensed facilities within the area;
- Myplan.ie – Mapped based information;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- Bing maps & Google Street View – High quality aerials and street images;
- Traynor Environmental Ltd – Plans and Information Pertaining to the Development
- Dún Laoghaire–Rathdown County Council – Plans of the Development and Further Information on planning history in the area for the assessment of cumulative impacts.

2.4 ASSESSMENT METHODOLOGY

The proposed development was assessed to identify its potential ecological impacts and from this, the Zone of Influence (Zol) of the proposed development was defined. Based on the potential impacts and their Zol, the Natura 2000 sites potentially at risk from direct, indirect or in-combination impacts were identified. The assessment considered all potential impact sources and pathways connecting the proposed development to Natura 2000 sites, in view of the conservation objectives supporting the favourable conservation condition of the site's Qualifying Interests (QIs) or Special Conservation Interests (SCIs).

The conservation objectives relating to each Natura 2000 site and its QIs/SCIs are cited generally for SACs as "to maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or Annex II species for which the SAC has been selected", and for SPAs "to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA".

As defined in the Habitat's Directive, the favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is 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;

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.

Where site-specific conservation objectives (SSCOs) have been prepared for a European site, these include a series of specific attributes and targets against which effects on conservation condition, or integrity, can be measured. Where potential significant effects are identified, then these SSCO should be considered in detail.

3 DETAILS OF THE PROPOSED DEVELOPMENT

3.1 DEVELOPMENT DESCRIPTION

Dún Laoghaire Rathdown County Council have indicated their intention to undertake the development of a new residential scheme on a site at the former Boylan Centre at Sussex Street and Eblana Ave, *Dún Laoghaire, Co. Dublin*.

The works will include:

"Proposed demolition of community building at 10 Eblana Avenue and demolition of community and commercial building and removal of on-street parking at 10 Sussex Street. Construction of a new community facility and housing development comprising of 39nr. 1-bed apartments, 16nr. 2-bed apartments and 4nr. 3-bedroom houses and provision of 1nr. accessible parking space, an accessible drop-off area, 66nr. cycle parking spaces and all associated site works.

An extract from the planning drawings as submitted is shown in Figures 1a and 1b.



Figure 1 – Extract from Planning Drawings

Foul Water Treatment

It is proposed to discharge the foul water from the proposed apartment block development into the existing public foul sewer network. There are existing 300mm diameter VC foul sewer lines along Sussex Street & Eblana Avenue. It is proposed that foul water from the apartment block will be discharged into the Sussex Street Sewer and the individual dwelling lines will discharge into the Eblana Avenue Line. A Pre-Connection Enquiry form was submitted to Uisce Éireann for 55 Apartments & 4 Houses units, which outlined the proposals for the drainage of wastewater from the development. Uisce Éireann responded with the Confirmation of Feasibility (COF) on 16th October 2025 with a CDS reference number of CDS25006806.

Surface water Treatment

Information on the surface water proposals for the site have been presented in the Drainage Report that has been prepared by Curtins. The surface water drainage design and SuDS Assessment carried out has been undertaken in compliance with the requirements of the DLR County Development Plan 2022- 2028 and CIRIA documents. Surface water will be attenuated as necessary and discharged to the existing public surface water network along Sussex street into the existing 300mm diameter VC combined sewer. In accordance with the GSDSDS it is proposed to limit the discharge from the development site to the equivalent of the pre-development Greenfield run-off for the site. The following methods will be employed:

Source Control - Source control is the treatment and management of surface water as close to where the water falls as possible. Green Roofs on each of the apartment buildings, bio retention tree pits, permeable paving and filter drains will be used to provide treatment to surface water at source and will also reduce surface water run-off in low storm events.

Attenuation Tank - An attenuation tank is proposed within the landscaping area of the subject site. The STORMTECH SC-740 attenuation tank consists of a below ground storage area with a top bank level of 18.00 m OD Malin. The bottom of the tank is set at 16.05 m OD Malin.

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The application site is 0.25ha and it encompasses the site of the former Boylan Centre. The site is located in Dun Laoghaire town centre, to the north of George's St Lower. The site is bounded to the east by Sussex St, by Eblana Avenue and neighbouring residential units to the north, by the grounds of St Michael's Hospital to the west and by a local access road to the south.

The site is located in an urban environment and the main habitats represented locally include buildings and artificial surfaces (mostly residential and commercial areas, along with roads and car parks), amenity gardens and grasslands, and scattered trees and parkland. The marine and coastal habitats of Dún Laoghaire harbour are within 300m north of the site.

Site location maps can be seen in Figures 2 and 3, whilst an aerial photograph of the lands surrounding the application site is presented in Figure 4.

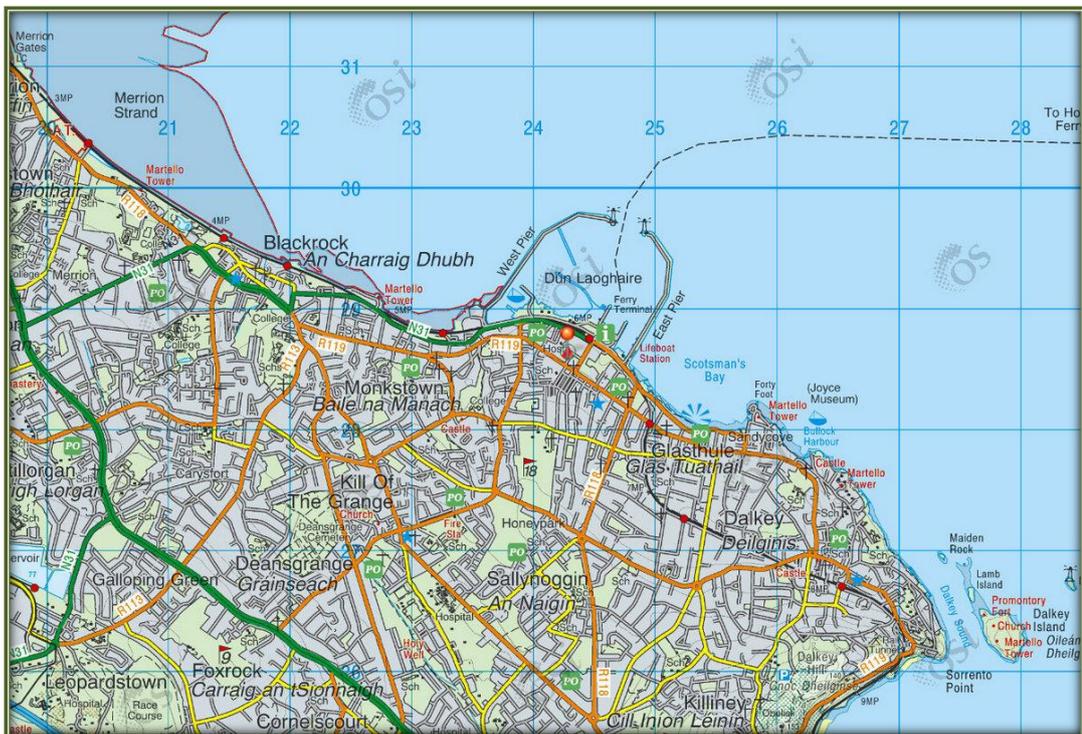


Figure 2 – Site Location Map (Site Pinned)

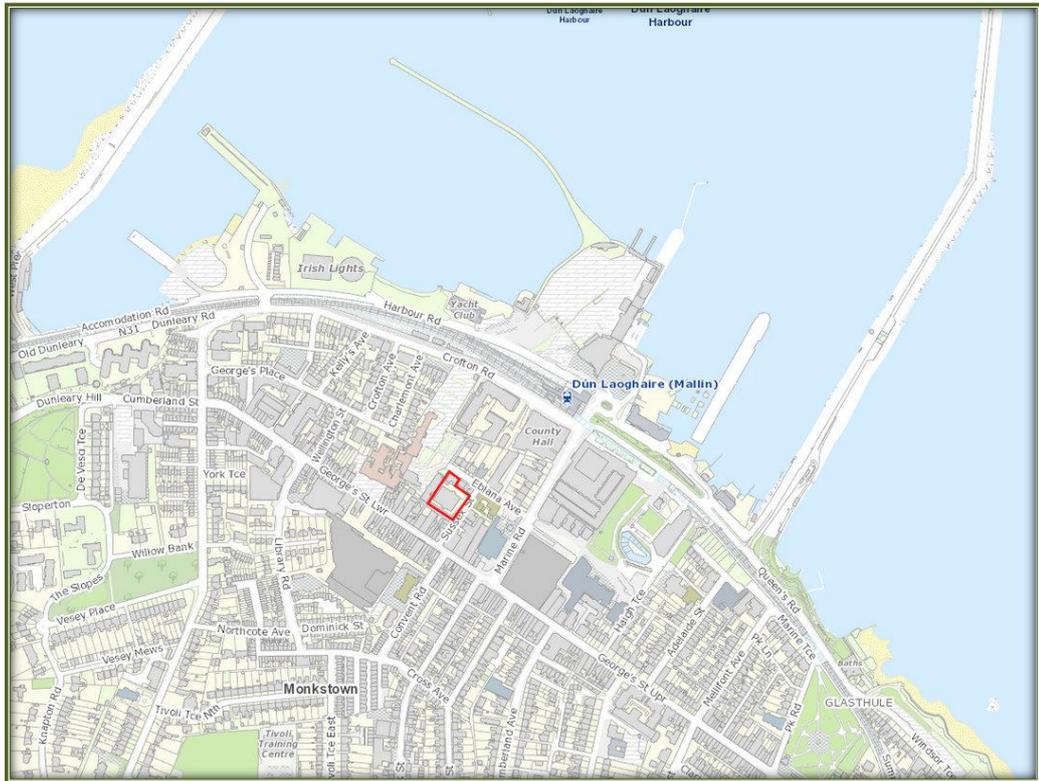


Figure 3 – Site Location Map. Application Site Outlined in Red.



Figure 4 – Aerial Photograph Showing Habitats Surrounding the Site (© Google)

HABITATS WITHIN THE SITE

No part of the site lies within any area that is designated for nature conservation purposes. All proposed development works within the application site will take place on areas of low biodiversity value.

The site encompasses an existing building (the Boylan Centre) and the paths and hard surfaces that immediately surround it. The dominant habitat within the site is Buildings and Artificial Surfaces (BL3). There is a small ornamental flower bed to the front of the site (Flower Beds and Borders BC₄), and ruderal species such as red Valarian and willowherbs are colonising areas of tarmac to the side and back of the building.

There are no habitats of biodiversity value within the site.

WATER FEATURES AND QUALITY

The application site lies within the Liffey and Dublin Bay Hydrometric Area (09) and Catchment (09), the Dodder Sub-Catchment (010) and the Brewery Stream Sub-Basin (010). There are no watercourses within or adjacent to the application site. The closest water feature to the site is Dún Laoghaire harbour itself and the open water habitats of the harbour are 280m north of the application site. There is no hydrological connectivity between the application site and Dún Laoghaire Harbour or any other water feature.

The EPA have classified the ecological status of the Dublin Bay at Dún Laoghaire as good. Under the requirements of the Water Framework Directive, this is satisfactory and this status must be maintained. All watercourses are obliged to meet good ecological status within the timeframe set out in this directive.

The site is within the Kilcullen Groundwater Body and the current status of this is noted to be good. Groundwater vulnerability throughout the site is noted to be moderate.

3.3 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 within 15km of the proposed development have been identified and described according to their site synopsis, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest were also considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

For significant effects to arise, there must be a potential impact facilitated by having a *source*, i.e., the proposed development and activities arising out of its construction or operation, a *receptor*, i.e., the European site and its qualifying interests and a subsequent *pathway* or *connectivity* between the source and receptor, e.g., a water course. The likelihood for significant effects on the European site will largely depend on the characteristics of the source (e.g., nature and scale of the construction works), the characteristics of the existing pathway and the characteristics of the receptor, e.g., the sensitivities of the Qualifying Interests (habitats or species) to changes in water quality.

A total of nineteen Natura 2000 designated sites lie within the potential Zone of Influence (Zoi) of the application site. In line with the Habitats Directive and the precautionary principle, the Zoi for this assessment was extended to include all designated sites within 15 km of the proposed development, as well as sites beyond 15 km where a potential hydrological connection exists. This approach ensures that any possible pathways—however indirect or remote—are fully considered.

All Natura 2000 sites within 15 km, together with those beyond 15 km with a potential hydrological link, are listed in Table 1. Their qualifying interests, and the potential for the proposed development to affect these interests, have been screened in or out based on the presence or absence of a source–pathway–receptor relationship. The locations of these sites in relation to the application site are illustrated in Figures 6 and 7. Further details on each site can be accessed via the National Parks and Wildlife Service website (www.npws.ie)

Site Name & Code	Distance from Site	Qualifying Interests	Screened In / Out
South Dublin Bay and River Tolka Estuary SPA 004024	714m north-west	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Oystercatcher (<i>Haematopus ostralegus</i>) • Ringed Plover (<i>Charadrius hiaticula</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Knot (<i>Calidris canutus</i>) • Sanderling (<i>Calidris alba</i>) • Dunlin (<i>Calidris alpina</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Redshank (<i>Tringa totanus</i>) • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) • Roseate Tern (<i>Sterna dougallii</i>) • Common Tern (<i>Sterna hirundo</i>) • Arctic Tern (<i>Sterna paradisaea</i>) • Wetland and Waterbirds 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
South Dublin Bay SAC 000210	1.1km north-west	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Embryonic shifting dunes 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Rockabill to Dalkey Island SAC 003000	3.1km east	<ul style="list-style-type: none"> • Reefs • <i>Phocoena phocoena</i> (Harbour Porpoise) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p>

			<i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i>
Dalkey Island SPA 004172	3.2km south-east	<ul style="list-style-type: none"> • Roseate Tern (<i>Sterna dougallii</i>) • Common Tern (<i>Sterna hirundo</i>) • Arctic Tern (<i>Sterna paradisaea</i>) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
North-West Irish Sea SPA 004236	5.6km north	<ul style="list-style-type: none"> • Red-throated Diver(<i>Gavia stellata</i>) • Great Northern Diver(<i>Gavia immer</i>) • Fulmar(<i>Fulmarus glacialis</i>) • Manx Shearwater(<i>Puffinus puffinus</i>) • Cormorant(<i>Phalacrocorax carbo</i>) • Shag(<i>Phalacrocorax aristotelis</i>) • Common Scoter(<i>Melanitta nigra</i>) • Little Gull(<i>Larus minutus</i>) • Black-headed Gull(<i>Chroicocephalus ridibundus</i>) • Common Gull(<i>Larus canus</i>) • Lesser Black-backed Gull(<i>Larus fuscus</i>) • Herring Gull(<i>Larus argentatus</i>) • Great Black-backed Gull(<i>Larus marinus</i>) • Kittiwake(<i>Rissa tridactyla</i>) • Roseate Tern(<i>Sterna dougallii</i>) • Common Tern(<i>Sterna hirundo</i>) • Arctic Tern(<i>Sterna paradisaea</i>) • Little Tern(<i>Sterna albifrons</i>) • Guillemot(<i>Uria aalge</i>) • Razorbill(<i>Alca torda</i>) • Puffin(<i>Fratercula arctica</i>) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>

North Bull Island SPA 004006	5.7km north	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Shelduck (<i>Tadorna tadorna</i>) • Teal (<i>Anas crecca</i>) • Pintail (<i>Anas acuta</i>) • Shoveler (<i>Anas clypeata</i>) • Oystercatcher (<i>Haematopus ostralegus</i>) • Golden Plover (<i>Pluvialis apricaria</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Knot (<i>Calidris canutus</i>) • Sanderling (<i>Calidris alba</i>) • Dunlin (<i>Calidris alpina</i>) • Black-tailed Godwit (<i>Limosa limosa</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Curlew (<i>Numenius arquata</i>) • Redshank (<i>Tringa totanus</i>) • Turnstone (<i>Arenaria interpres</i>) • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) • Wetland and Waterbirds 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
North Dublin Bay SAC 000206	5.7km north	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) • Mediterranean salt meadows (<i>Juncetalia arenaria</i>) • Embryonic shifting dunes • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • <i>Petalophyllum ralfsii</i> (Petalwort) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Howth Head SAC 000202	8.3km north	<ul style="list-style-type: none"> • Vegetated sea cliffs off the Atlantic and Baltic Coasts • European dry heaths 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor</i></p>

			<p>linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</p> <p>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</p>
Howth Head Coast SPA 004113	9.3km north	<ul style="list-style-type: none"> • Kittiwake <i>Rissa tridactyla</i> 	<p>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</p> <p>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</p> <p>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</p>
Ballyman Glen SAC 000713	9.7km south	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (Cratoneurion) • Alkaline fens 	<p>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</p> <p>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</p> <p>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</p>
Knocksink Wood SAC 000725	10.1km south	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (Cratoneurion) • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) 	<p>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</p> <p>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</p>

			<p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Baldoyle Bay SAC 000199	11km north	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Baldoyle Bay SPA 004016	11km north	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) • Shelduck (<i>Tadorna tadorna</i>) • Ringed Plover (<i>Charadrius hiaticula</i>) • Golden Plover (<i>Pluvialis apricaria</i>) • Grey Plover (<i>Pluvialis squatarola</i>) • Bar-tailed Godwit (<i>Limosa lapponica</i>) • Wetland and Waterbirds 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
Bray Head SAC 000714	11.2km south	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts • European dry heaths 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>

Wicklow Mountains SAC 002122	11.3km south-west	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) • Natural dystrophic lakes and ponds • Northern Atlantic wet heaths with <i>Erica tetralix</i> • European dry heaths • Alpine and Boreal heaths • Calaminarian grasslands of the <i>Violetalia calaminariae</i> • Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) • Blanket bogs (* if active bog) • Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) • Calcareous rocky slopes with chasmophytic vegetation • Siliceous rocky slopes with chasmophytic vegetation • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles • <i>Lutra lutra</i> (Otter) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>
Wicklow Mountains SPA 004040	11.6km south-west	<ul style="list-style-type: none"> • Merlin (<i>Falco columbarius</i>) • Peregrine (<i>Falco peregrinus</i>) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
Ireland's Eye SPA 004117	12.3km north	<ul style="list-style-type: none"> • Cormorant (<i>Phalacrocorax carbo</i>) • Herring Gull (<i>Larus argentatus</i>) • Kittiwake (<i>Rissa tridactyla</i>) • Guillemot (<i>Uria aalge</i>) • Razorbill (<i>Alca torda</i>) 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SPA.</i></p> <p><i>There are no watercourses on the site, therefore there are no</i></p>

			<p><i>source-pathway-receptor linkages between the application site and this SPA and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>The site does not support any habitat that could be used by the QIs of this SPA and significant effects upon these species will not arise.</i></p>
Ireland's Eye SAC 002193	12.7km north	<ul style="list-style-type: none"> • Perennial vegetation of stony banks • Vegetated sea cliffs off the Atlantic and Baltic Coasts 	<p><i>Screened Out - There is no potential for direct effects as the proposed works area is located entirely outside the boundary of this SAC.</i></p> <p><i>There are no watercourses on the site, therefore there are no source-pathway-receptor linkages between the application site and this SAC and significant effects arising from pollution during the proposed development can be ruled out.</i></p> <p><i>There will be no direct or indirect impacts or significant effects upon the QIs of this SAC.</i></p>

Table 2 – Natura 2000 Sites Within 25km of the Proposed Site

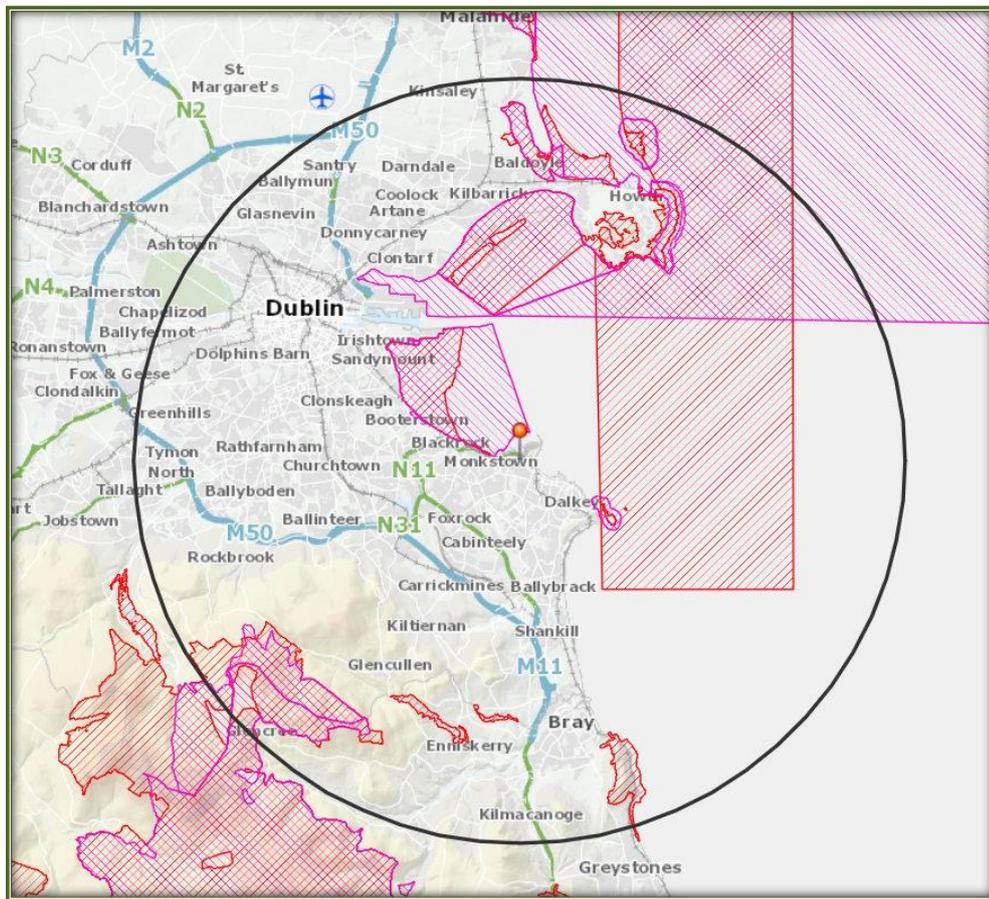


Figure 5 – The Application Site (Pinned) in relation to the Natura 2000 Sites (SACs – Red Hatching; SPAs – Pink Hatching). 15km Boundary Shown.

3.4 IMPACT ASSESSMENT

The potential significant effects of the application on Natura 2000 sites identified are described below.

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:

The proposed works will include: *"Proposed demolition of community building at 10 Eblana Avenue and demolition of community and commercial building and removal of on-street parking at 10 Sussex Street. Construction of a new community facility and housing development comprising of 39nr. 1-bed apartments, 16nr. 2-bed apartments and 4nr. 3-bedroom houses and provision of 1nr. accessible parking space, an accessible drop-off area, 66nr. cycle parking spaces and all associated site works."*

These works will have no significant effect upon the Natura 2000 sites identified. There are no individual elements of the proposed project that are likely to give rise to negative effects on these sites. There is a sufficient distance between the application site and all Natura 2000 sites to ensure that potential direct and indirect impacts will be avoided. There will be no significant effects upon the Qualifying Interests of any designated site.

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:

Size and scale: Having regards to 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.

Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There will be no loss of undesignated habitats of biodiversity value.

Distance from Natura 2000 site or key features of the site: There are eighteen Natura 2000 sites within 15km of this proposed development. The closest of these are the South Dublin Bay and River Tolka Estuary SPA and the South Dublin Bay SAC and these are 714m north-east and 1.1km north-east of the application site respectively. There is no hydrological connectivity between the application site and this SPA/SAC, or any other SPA/SPA within 15km of the site.

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.

Emissions: There will be no emissions from the application site to any designated site during the construction or operation of the proposed development. There are no surface water features

within the application site and there is no hydrological connectivity between the application site and any designated area.

The proposed works will not give rise to any emissions that could lead to significant effects upon the designated sites within the Zone of Influence. The separation distance between the application site and all Natura 2000 sites is considered sufficient to ensure that emissions such as noise, dust, airborne pollutants and vibrations generated during the works will not have significant effects on these designated sites.

Excavation requirements: Construction, demolition waste, asbestos and excavated material from the site will be removed to a registered site by a registered contractor. There will be no disposal of any material within any Natura 2000 site. There will be excavation works within any Natura 2000 site.

Transportation requirements: No access to any areas of any designated site will be required during any phase of project.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the greater Dún Laoghaire-Rathdown area and potential cumulative impacts were considered. Any individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Article 6(3) of the Habitats Directive. The proposed works will have no impacts when considered in combination with other plans and projects that have been screened for Appropriate Assessment or where mitigation measures have been included as part of Appropriate Assessment (Natura Impact Statement).

Duration of construction, operation, decommissioning etc: The construction of the new scheme will take one-two years. Operation will be long-term.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area or interference with any protected habitat within any SAC or SPA. There will be no interference with the boundaries of any designated site. There will be no loss or fragmentation or disturbance to any of the riparian habitats along any watercourse. There will be no loss of habitats defined as Qualifying Interests for any designated site.

Disturbance to key species: The bird species identified as using the SPAs within 15km of the site are mostly wading species that use the estuarine and coastal habitats of the estuaries of Co. Dublin and the surrounding areas. They will not be impacted upon by the construction or operation of the proposed development. The site does not support sufficient or suitable habitat that could be used by the QIs of any SPA (especially brent geese) and significant effects upon these species will not arise. There will be no disturbance to or displacement of any QI bird species. There will be no

deterioration in water quality within any SPA that may lead to indirect impacts upon these bird species.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the site and any Natura 2000 site will be damaged or destroyed. There will be no loss of any habitat of biodiversity value.

Reduction in species density: There will be no reduction in species density within any SAC and SPA. There will be no reduction of bird density in any SPA arising from the application. There will be no loss of any non-designated feeding areas used by birds that are listed in Annex I of the Birds Directive.

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. There will be no deterioration in water quality in any watercourse.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

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.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Construction of New Residential Development at Sussex St and Eblana Ave, Dun Laoghaire.
Name and location of Natura 2000 site	There are eighteen Natura 2000 sites within 15km of this proposed development. The closest of these are the South Dublin Bay and River Tolka Estuary SPA and the South Dublin Bay SAC and these are 714m north-east and 1.1km north-east of the application site respectively. There is no hydrological connectivity between the application site and this SPA/SAC, or any other SPA/SPA within 15km of the site.
Description of project	Part 8 Residential Scheme
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	No significant effects are likely
Explain why these effects are not considered significant	Not applicable as there is no potential for negative significant effects
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No significant effects likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Dún Laoghaire–Rathdown County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

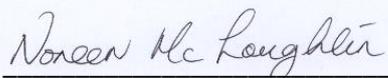
4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 15km of the application site.

At this stage of the AA process, it is for the competent authority, i.e., Dún Laoghaire-Rathdown County Council, to carry out the 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 not have a significant effect on any European sites;
- 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 not have a significant effect on any European sites.

It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).



Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)