

**Appropriate Assessment Screening Determination under the
European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended)
(For Proposed Local Authority Development)**

Project Title: Blackrock DART to Park Active Travel Scheme

Description of the Proposed Development:

Dún Laoghaire-Rathdown County Council, in conjunction with the National Transport Authority, is proposing to develop the pedestrian and cycle link between the Blackrock DART Station and Blackrock Park, Blackrock. Co. Dublin.

The proposed scheme extends for approximately 130m between Blackrock Dart Station (Bath Place) and Blackrock Park. The proposal involves the construction of a footpath and two-way cycle track to tie into the existing pedestrian and cycle facilities within Blackrock Park to the west of the scheme and Bath Place to the east of the Scheme. The project includes for a bridge over the Priory Stream to replace the existing narrow pedestrian/cyclist bridge. The proposal would replace the existing narrow laneway connecting Bath Place to Blackrock Park.

The scheme proposals consist of the following:

- Provision of 130m of a two-way cycle track varying in width from 3m to 3.65m
- Provision of a 2m wide footpath and associated 1m and 3m grass verges
- Provision of a new prefabricated bridge over the Priory Stream which is proposed to replace the existing narrow pedestrian bridge
- Provision of a sustainable urban drainage system will collect surface water run-off from the proposed development and will regulate discharge into the Priory Stream
- Provision of a public lighting system and landscaping
- Retention of the existing masonry wall along the northern boundary and its extension at both ends to close off access to the existing laneway
- Construction of a new boundary wall which will replicate the style of the existing boundary wall
- Accommodation works within private lands to facilitate the proposed development including but not limited to landscaping and the relocation of the existing folly

Legislative Context:

This determination has considered the relevant legislative context as set out at section 2.1 of the AA screening report entitled 'AA Screening Report June 2024' including, but not limited to:

- o The European Habitats Directive (Council Directive 92/43/EEC of 21 May 1992)
- o The European Birds Directive (Council Directive 79/409/EEC)

AA Screening Report:

The Capital Projects Office, Infrastructure and Climate Change Department of Dún Laoghaire-Rathdown County Council (DLRCC) commissioned Arkins Ireland Ltd. (Atkins) to prepare an AA Screening Report entitled 'AA Screening Report June 2024'.

The AASR has been examined and evaluated by Miguel Sarabia, Planning Department and is satisfied that the AA Screening Report gives full consideration to the relevant Directives and legislation and agrees with the contents and conclusion set out in the AASR and the reasons therein.

This Appropriate Assessment Screening Report has considered potential effects which may arise during the construction and operational phases as a result of the implementation of the proposed Blackrock DART to Park Active Travel Scheme through an assessment of the potential sources and potential pathways for

significant effects; an evaluation of the project characteristics; taking account of the processes involved and the distance of separation from European sites.

Given the nature and scale of the proposed works the zone of influence (ZOI) was taken as the Priory Stream at the works location and for 200m downstream and the immediate environs of the outfall of the stream to Dublin Bay.

The Appropriate Assessment screening report concluded that:

"Works are proposed within 20m of South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA. There is indirect connectivity from the scheme Site to the SAC and SPA via the Priory Stream. Given the location, duration and scale of the works and the nature and scale any construction related impacts that the proposed scheme could potentially generate, it is concluded that the proposed scheme will not result in negative effects to the water quality of the Priory Stream. As the Priory Stream provides the only pathway to South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA and given negative effects to the water quality of the Priory Stream are not anticipated, there will be no likely significant effects to the qualifying interest habitats and species of the SAC/SPA in view of their conservation objectives.

The proposed scheme will be screened from the SPA shoreline and also the greenfield areas of Blackrock Park during the construction phase by means of hoarding. Given that the construction activities are of relatively short duration and as there will be hoarding around the scheme site there will be no likely significant disturbance or displacement effects to SPA birds accommodated within South Dublin Bay and River Tolka Estuary SPA or ex-situ SPA birds that may be in Blackrock Park. Similarly during the operational phase, the scheme is screened from the SPA by walls and the Dart Station and is screened from Blackrock Park by walls and vegetation. As such the usage of the scheme by cyclists and pedestrians will not result in likely significant disturbance or displacement effects to SPA birds.

On the basis of objective information and in view of best scientific knowledge and applying a precautionary principle, it is concluded by the authors of this report that with the absence of any mitigation measures the proposed Blackrock Dart-Park Active Travel Scheme, either alone or in-combination with other plans or projects, will not result in likely significant effects on South Dublin Bay SAC or South Dublin Bay and River Tolka Estuary SPA or any other European site. Thus, it is recommended that it is not necessary for the scheme to proceed to Appropriate Assessment.

Should the scope, nature or extent of the proposed scheme change, a new assessment (AA Screening Report or AA Screening Addendum Report) would be required."


Determination:


Having regard to the foregoing, on the basis of objective information and in view of best scientific knowledge and applying the precautionary principle, for the reasons set out above and in the AA Screening Report, it has been concluded that the proposed development (Blackrock DART to Park Active Travel Scheme), individually or in combination with other plans or projects¹, without relying on any mitigation measures, will not have a significant effect on any European Sites, in view of the sites' conservation objectives, and that there is no reasonable scientific doubt in relation to this conclusion.

Consequently, a Stage Two AA and a Natura Impact Statement (NIS) is not required.

¹ Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be:

- a) No alternative solution available,
- b) Imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.

Signature:  MIGUEL SARABIA PLANNING + ECONOMIC DEVELOPMENT
Name Position / Department

Signatory (Approved Officer):  AIDAN BLIGHE DIRECTOR OF SERVICE PLANNING + ECONOMIC DEVELOPMENT
Name Position / Department

Delegation No. 2515

Date: 20/06/24

The proposed Blackrock DART to Park Active Travel Scheme is being promoted by Capital Projects Office, Infrastructure and Climate Change Department. This Appropriate Assessment Screening Determination in respect of the proposed Blackrock DART to Park Active Travel Scheme has been made by Aidan Blighe, Director of Services of the Planning and Economic Department to apply appropriate functional separation in the carrying out of a Screening Determination for Appropriate Assessment.

