

Blackrock Dart – Park Active Travel Scheme

AA Screening Report

Dún Laoghaire – Rathdown County Council

June 2024



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1. Introduction

Dún Laoghaire-Rathdown County Council intends to apply for Part 8 planning permission to carry out a proposed scheme comprising the construction of Sustainable Travel Facilities in Blackrock, Dún Laoghaire-Rathdown County.

The Active Travel Scheme will improve connectivity between Blackrock DART Station and Blackrock Park as well as providing a safe and attractive pedestrian and cycle link catering for all pedestrian and cycle users including, commuter, leisure and family cycling groups.

The proposed project is located immediately to the west of Blackrock DART Station between Bath Place and Blackrock Park.

WS Atkins Ireland Limited (Atkins) was commissioned by Dún Laoghaire-Rathdown County Council (DLRCC) to prepare an Appropriate Assessment (AA) Screening Report for the Blackrock Dart-Park Active Travel Scheme.

1.1. Project Details

The proposed development commences at Bath Place (in the location of Blackrock Dart Station) passing through the grounds of the existing Deepwell House (protected structure: RPS No. 110). It includes the provision of 130m of a two-way cycle track varying in width from 3m to 3.65m, a 2m wide footpath and associated 1m and 3m grass verges, linking into the existing pedestrian and cycle path facilities in Blackrock Park by means of a new prefabricated bridge over the Priory Stream which is proposed to replace the existing narrow pedestrian bridge. A new sustainable urban drainage system will collect surface water run-off from the proposed development and will regulate discharge into the Priory Stream. The proposed development includes for a new public lighting system and landscaping which will be located within the proposed grass verges. The proposed development includes the retention of the existing masonry wall along the northern boundary and its extension at both ends to close off access to the existing laneway, whilst removing two sections of the existing wall to form openings for the proposed route. Where required, the height of the existing masonry wall will be raised to maintain a minimum height of 2.0m in relation to the finished scheme levels. The southern boundary of the proposed development includes the construction of a new boundary wall which will replicate the style of the existing boundary wall to the north and will be constructed at a height of 3.0m above the proposed back of verge level or existing private garden level, whichever is higher. Landscaping will be included as part of the route which will be inclusive of 2No. pillars located at the Bath Place entrance of the scheme. Ancillary works include but are not limited to landscaping and removal for future relocation of the existing folly.

Figures 1-1 and 1-2 below illustrate the project location.

Figures 1-3 and 1-4 below show the general arrangement and structural details of the proposed pedestrian and cycle link.

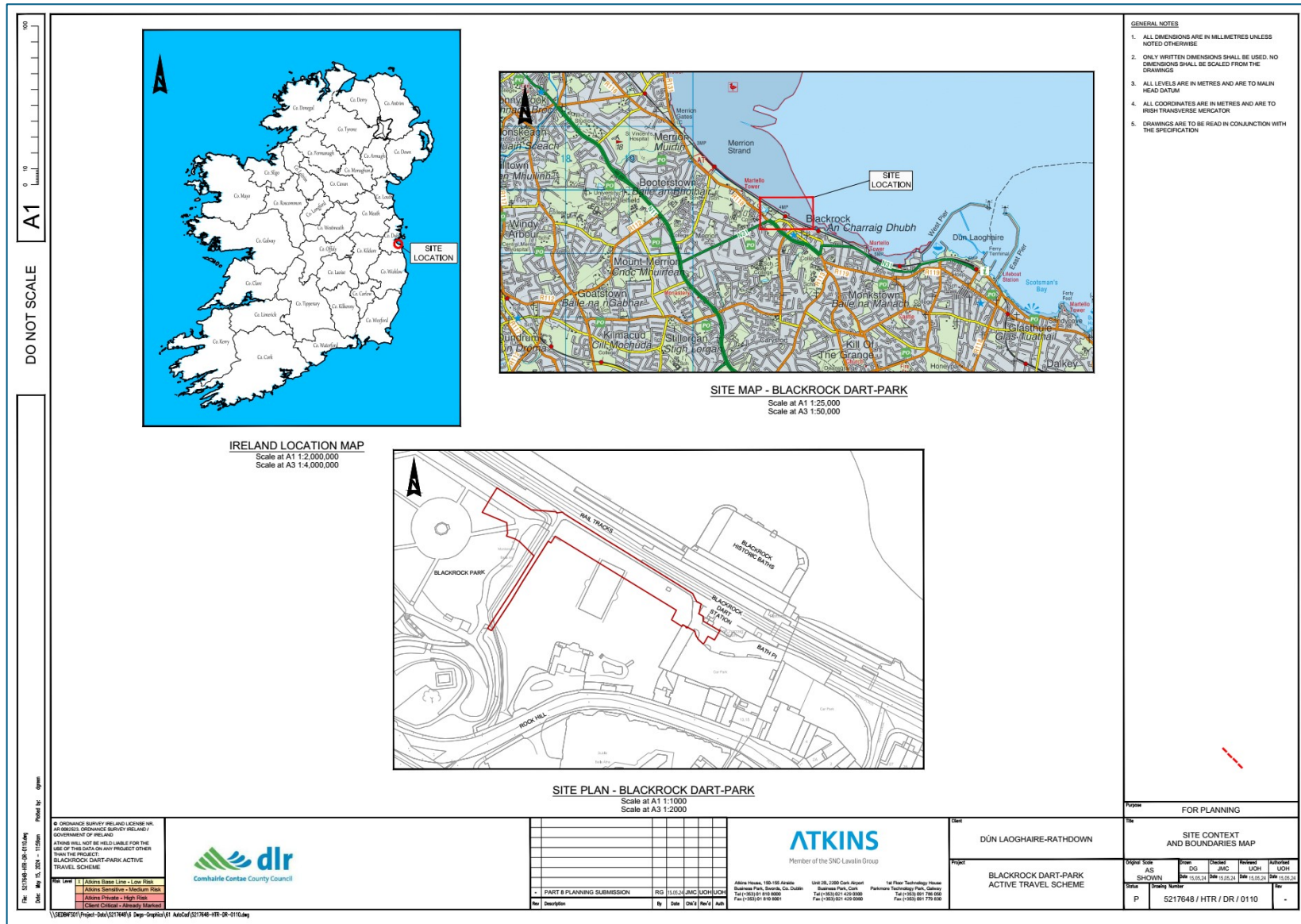


Figure 1-1 - Project location (1 of 2).



Figure 1-2 - Project location (2 of 2).

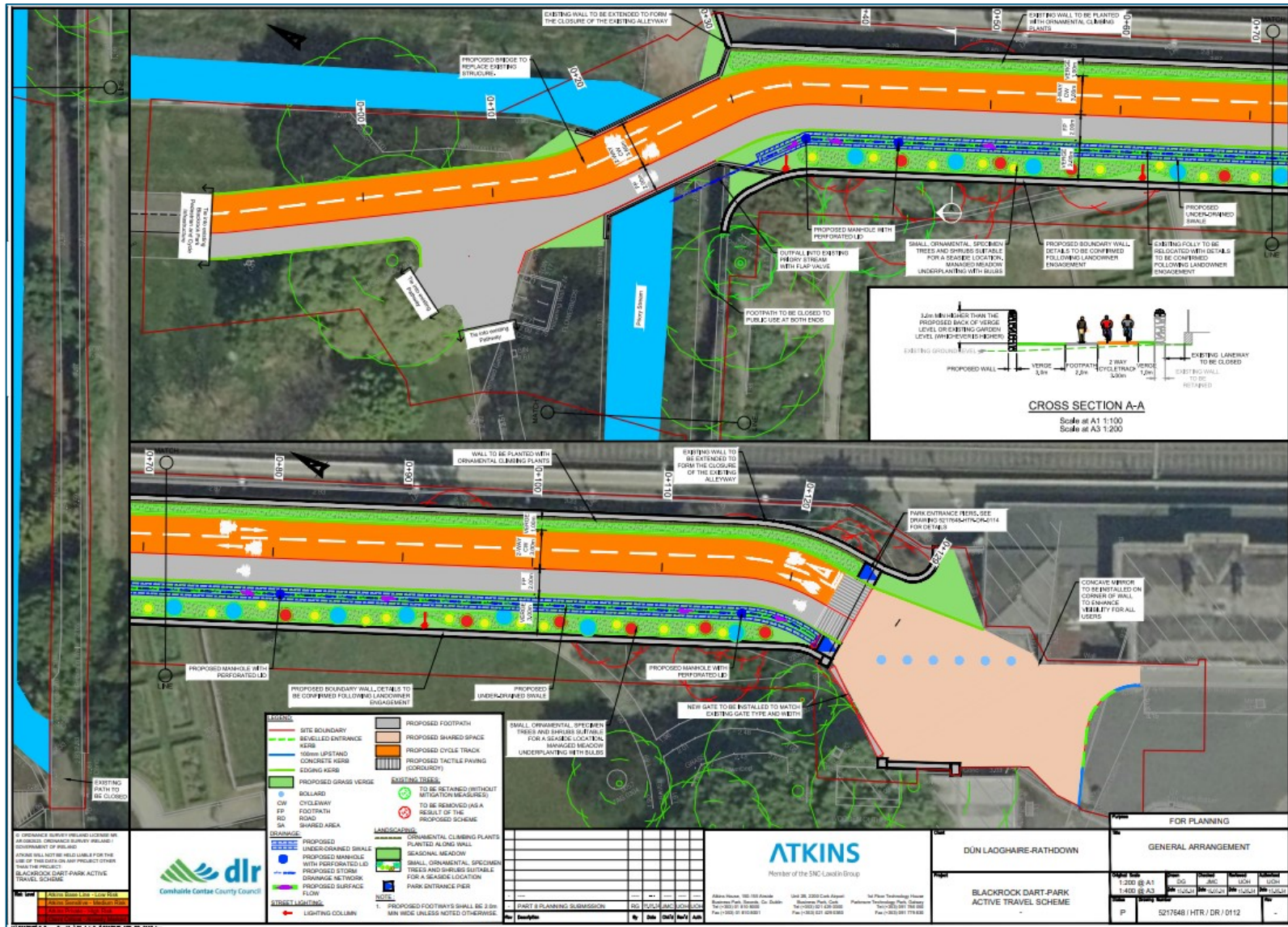


Figure 1-3 – General Arrangement.



Figure 1-4 – Structural Details.

1.2. Construction Methodology

The construction period for the proposed scheme is anticipated to be 10-12 months and can be summarised as follows.

1.2.1. Cycle path and Footpath Construction

The scheme consists of the construction of; a 3.0m - 3.65m wide two-way cycle track catering for cyclists and a 2m wide footway catering for pedestrians bordered by grass verges (1m and 3m wide respectively).

To give the highest quality of service for cyclists, it is envisaged that a smooth asphalt surface course will be used with 10mm aggregate as recommended by the National Cycle Manual with sufficient base and foundation layers to prevent failure. Footpaths are intended to be a concrete surface, to provide colour-contrast when compared to cycle surfaces, to aid people with visual impairments. The maximum depth for the footpath is estimated to be 250mm-500mm below ground level.

1.2.2. Bridge Construction

The proposed scheme passes over the Priory Stream. There is currently an existing bridge that is insubstantial in width to accommodate the new scheme. The existing bridge will be replaced with a prefabricated bridge, which will accommodate the additional width required, and will be installed on piled foundations set back from the edge of the watercourse / masonry wall banks to remove the need for instream works (see Figure 1-5 for an example of a prefabricated bridge unit). The bridge is at a skewed angle relative to the watercourse (refer to Figure 1-4) and the closest pile foundation is 1.3m from the watercourse / masonry walls. Prior to bridge construction the existing bridge will be removed from site by cutting the existing steel and concrete bridge deck following which the existing deck will be removed (in one piece) by use of a crane. The cast and wrought iron features (railings) of the existing bridge will be salvaged for future use by DLRCC.

The construction methodology for the proposed bridge is as follows;

The steel bridge and steel parapets will be prefabricated off site in factory conditions. Required machinery (Pile Rig, Excavator, Crane, etc..) will be mobilised and pile locations will be set out as per the layout plan which has been designed to be at a setback distance from the existing masonry walls to negate the necessity for instream works. Works will only be undertaken during a period of dry weather. The cast in-situ bored reinforced concrete piles will be constructed at the two abutment locations with the use of temporary steel guide casings. Preparation of the ground for the construction of pile caps and abutment will take place before the reinforced pile caps and abutments are constructed at both ends. Ahead of delivery to site of the prefabricated steel bridge superstructure, the existing bridge deck will be dismantled without removal or damage to the existing masonry walls or abutments. The bridge will then be placed in situ following which the aluminium bridge deck will be delivered to site and installed. Once the deck has been installed, the steel bridge super structure will be lifted into place using a crane. Following installation of the main bridge structure, parapets (bridge railings) will be delivered and installed ahead of the installation of the necessary final bridge finishes. The steel bridge superstructure will be lifted into place using a crane following which the aluminium bridge deck will be delivered to site and installed. Following installation of the main bridge structure the parapets (bridge railings) will be delivered and installed ahead of the installation of the final bridge finishes.



Figure 1-5 - Example of prefabricated bridge unit.

1.2.3. Wall Construction

A new boundary wall is required between the proposed scheme and Deepwell House (private residence). The existing Deepwell House boundary wall is to be retained, raised in height where required and extended to form the closure of the existing laneway. The proposed boundary wall is to be constructed to match the existing boundary wall, with final details to be agreed subsequent to landowner engagement.

1.2.4. Drainage Alterations

Sustainable Urban Drainage Systems will be implemented as part of the detailed design to alleviate the displacement of surface water by the scheme. The rainwater runoff will drain towards an adjacent grass verge. The verges will be in the form of a drainage swale (shallow grassed channel) allowing drainage to ground. The swale also includes an outfall point to the Priory Stream for high rainfall events.

1.2.5. Lighting

All footpaths and cycle tracks will be lit, in line with current best practice and design guidance in relation to public lighting with consultation from the DLRCC Public Lighting Department.

1.2.6. Land Take

Acquisition of land is required to facilitate the proposed scheme.

1.2.7. Tree Removal and Proposed Landscaping

To accommodate the provision of the necessary pedestrian and cycle infrastructure, there is the requirement for the removal of several trees. A targeted tree survey has been undertaken based on the preliminary design and the expert advice of an arboriculturist has been used to determine the value, age and condition of all trees along the proposed route and any actions required where affected.

Landscaping, in the form of replacement trees, new trees, new hedging and street furniture is intended along the length of the route, the details of which will be developed further as part of the detailed design phase and in conjunction with the DLRCC Parks Department.

1.2.8. Site Compound

It will be the responsibility of the Contractor to determine a suitable location for the site compound within the proposed project site, but away from any identified environmental sensitive receptors (watercourses, designated sites etc.) so as to avoid potential impacts to the environment and the general public. The proposed project is remote from any designated conservation site. It is planned that existing Local Authority (Dún Laoghaire–Rathdown County Council) controlled material storage yards in the locality, currently used for the storage of inert materials, will be utilised during the construction phase to store similarly inert materials for incorporation in the proposed scheme. Materials will be brought to site on a periodic basis as required directly

from suppliers. Parking for operatives will be at the main compound only. Operatives will be transported from the compound to the works area. No parking will be allowed within the temporary works area.

1.3. Blackrock Park Masterplan

Dún Laoghaire-Rathdown County Council have developed a Masterplan¹ for the enhancement of Blackrock Park. The Masterplan includes amongst the objectives; *'creating a naturalised bank along the Priors Stream, upgrade the bridge for access for cyclists and pedestrians, expand the sub-standard laneway to improve pedestrian/cycle permeability and connectivity'*. As such, the proposed scheme can be considered to facilitate certain elements of the Blackrock Park Masterplan. The following are amongst the aims of the Masterplan;

- Maximise tree canopy cover in the park and where appropriate implement nature-based solutions in line with Councils Climate Change Action Plan 2019-2024.
- Protect and enhance the natural heritage, flora & fauna and marine heritage of the park in the context of the Dublin Bay UNESCO Biosphere

The Masterplan also includes for biodiversity enhancement measures within the park including.

- Increase tree canopy along coastal edge using evergreen species to enhance year round greening.
- Introduce groves of small trees and meadow planting or consider alternative method of maintaining the grass

Introduce a large scale high quality herbaceous display suitable for coastal conditions.

¹ https://www.dlrco.ie/sites/default/files/atoms/files/blackrock_park_masterplan_2020_final.pdf

2. Scope of Study

The aim of this report is to provide supporting information to assist the competent authority to carry out an AA Screening determination with respect to the proposed scheme.

2.1. Legislative Context

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora, known as 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 conservations of an EU-wide network of sites known as European sites. European 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 set out the decision-making tests for plans or projects that could potentially affect European 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.”

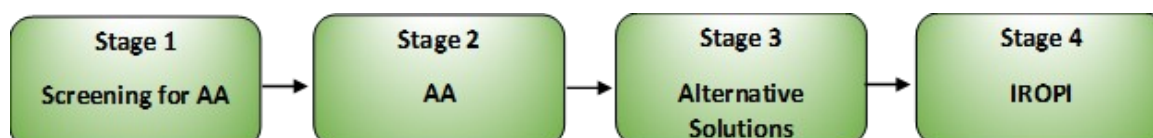
Article 6 (4) deals with the steps that should be taken when it is determined, as a result of Appropriate Assessment, that a plan or project will adversely affect a European site. Alternative solutions, imperative reasons of overriding public interest (IROPI) and compensatory measures need to be addressed 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 State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

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

2.2. Appropriate Assessment Process

Guidance on the AA process was produced by the European Commission which was used to develop guidance for Ireland by the Department of Environment, Heritage and Local Government in 2009 (DEHLG, 2009), National Parks and Wildlife Service in 2023² (NPWS, 2018) and the Office of the Planning Regulator (2021). EC guidance documents have been updated in 2018 and 2021. These guidance documents set out a staged approach to complete the AA process and outline the issues and tests at each stage. The stages outlined below are taken from the guidance document *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (DEHLG, 2009) and Office of the Planning Regulator; *Appropriate Assessment Screening for Development Management* (OPR, 2021).



² <https://www.npws.ie/development-consultations>

Figure 2-1 - Appropriate Assessment Process (Source: DEHLG, 2009).

2.2.1. Screening for Appropriate Assessment

Screening for Appropriate Assessment is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3): -

- i. Whether a plan or project is directly connected to or necessary for the management of the site, and
- ii. Whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, then the process must proceed to Appropriate Assessment.

2.2.2. Appropriate Assessment

Appropriate Assessment considers whether the plan or project, alone or in combination with other projects or plans, will have adverse effects on the integrity of a European site, and includes any necessary mitigation measures.

The competent authority can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site(s) concerned. If this cannot be determined, and where sufficient mitigation cannot be achieved, the alternative solutions need to be considered and the process proceeds to the consideration of alternative solutions.

2.2.3. Alternative Solutions

This examines any alternative solutions or options that could enable the plan or project to proceed without adverse effects on the integrity of a European site. The process must return to AA as alternatives will require assessment in order to proceed. Demonstrating that all reasonable alternatives have been considered and assessed, and that the least damaging option has been selected, it is necessary to examine whether there are imperative reasons of overriding interest (IROPI).

2.2.4. IROPI

This examines whether there are imperative reasons of overriding public interest for allowing a plan or project that will have adverse effects on the integrity of a European site to proceed in cases where it has been established that no less damaging alternative solution exists. Compensatory measures must be proposed and assessed, of which the Commission must be informed.

The AA process only progresses through the full process for certain plans and projects. For example, for a project not connected with the management of a European site and where no likely significant effects on a European site in view of its conservation objectives are identified, the process stops at Screening for AA. Throughout the process the precautionary principle must be applied, which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty (EC 2018, 2021).

3. Methods

3.1. Guidance documents

This report was prepared with reference and due consideration to the following documents and due regard for relevant case law, including but not limited to: -

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna (Habitats Directive);
- Statutory Instrument No. 477/2011 — European Communities (Birds and Natural Habitats) Regulations 2011;
- National Parks and Wildlife Service - Development Consultations³ (NPWS 2018)
- 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 in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC;
- Office of the Planning Regulator (2021). Appropriate Assessment Screening for Development Management. OPR Practice Note PN01;
- European Commission (2001). Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC;
- DEHLG (2010a). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Revised 11/02/2010*. Department of the Environment, Heritage and Local Government, Dublin.
- DEHLG (2010b). *Circular NPW 1/10 & PSSP 2/10. Dated 11/03/2010*. Department of the Environment, Heritage and Local Government, Dublin.
- National Transport Authority (2023). Guidance for EIA and AA Screening of Active Travel Projects funded by The NTA.
- Case law, including *Waddenzee* (C-127/02), *Sweetman v. An Bord Pleanála* (C-258/11), *Kelly v. An Bord Pleanála* (IEHC 400), *Commission v. Germany* (C-142/16), *People Over Wind* (C-323/17), *Holohan v. An Bord Pleanála* (C-461/17), *Eoin Kelly v. An Bord Pleanála* (IEHC 84) and *Heather Hill* (IEHC 450).

3.2. Desk Study

A desk study was carried out to collate information available on European sites in the vicinity of the proposed scheme. These areas were viewed using Google Earth, Google maps⁴ and Bing maps⁵ (last accessed on 22/05/2023).

The National Parks and Wildlife Service (NPWS) and National Biodiversity Data Centre (NBDC) online databases were reviewed concerning European sites and their features of interest in the vicinity of the proposed scheme.

The Environmental Protection Agency (EPA) mapping⁶ system was used to identify any hydrological connection between the proposed project and European sites.

Locations and boundaries of all European sites within the zone of influence of the proposed scheme were identified and reviewed using the NPWS online map viewer⁷. Boundary shapefiles were also downloaded from this site to facilitate the preparation of project graphics.

Desktop information on relevant European sites were reviewed on the NPWS website, including the site synopsis for each SAC/SPA, the conservation objectives, the site boundaries as shown on the NPWS online

³ <https://www.npws.ie/development-consultations>

⁴ <https://www.google.ie/maps>

⁵ <http://www.bing.com/maps/>

⁶ <https://gis.epa.ie/EPAMaps/>

⁷ <https://dahg.maps.arcgis.com/apps/webappviewer/index.html?id=8f7060450de3485fa1c1085536d477ba>

map viewer, the standard Natura 2000 Data Form for the SAC/SPA which details conditions and threats of the sites, and published information and unpublished reports on the relevant European sites.

Relevant planning information for the surrounding area was reviewed using the planning enquiry systems of Dún Laoghaire – Rathdown County Council and An Board Pleanála. Search criteria were implemented to determine whether such projects or plans were relevant to this study. This reviewed information was used to determine potential in-combination effects from other plans / projects with the proposed scheme.

3.3. Statement of Authority

The Screening for Appropriate Assessment report was prepared by Colin Wilson and Pauline Anderson. Kevin McCaffrey provided peer review and support.

Pauline Anderson has a BSc in Geography with Geoscience and is a qualifying member of the Chartered Institute of Ecology and Environmental Management. A focus of Pauline's work to date has been the preparation of Environmental Impact Assessment Reports and Appropriate Assessment reports. Pauline assisted with the collation of background information to inform this report.

Colin Wilson (Atkins Dublin) has a BSc (Hons) in Environmental Science and is a full member of CIEEM. He has over 16 years working in the fields of ecology and environmental management. He is a Senior Ecologist with experience in ecological surveying, environmental assessment, on-site ecological supervision and mitigation. He has experience on multiple infrastructure projects regarding all elements of surface and groundwater management, monitoring, sampling and associated reporting. Colin also has a broad range of experience in invasive species management, biosecurity and control. Colin has prepared AA screening reports, Natura Impact Statements and has also been involved in the development of Environmental Operating Plans and Construction Environmental Management Plans for a number of national infrastructure projects.

Kevin Mc Caffrey (Atkins Galway) has a BSc (Hons) in Applied Freshwater and Marine Biology and a MSc in Environmental Sustainability. He is a Senior Ecologist with over 10 years' experience in freshwater and marine ecology, environmental surveying, impact assessment and as an Ecological clerk of Works. He has prepared a wide range of technical reports including Environmental Impact Assessment, AA screening, Natura Impact Assessment and sanitary surveys.

4. Existing Environment

The proposed Active Travel Scheme is located immediately to the West of Blackrock DART Station between Bath Place and Blackrock Park. The DART railway line forms a physical barrier between the project site and the coastal waters of Dublin Bay.

The scheme Site is located ca. 20m from South Dublin Bay. South Dublin Bay is a designated conservation site; South Dublin Bay SAC (Site Code; 000210), South Dublin Bay and River Tolka Estuary SPA (Sire Code 004024) and South Dublin Bay proposed Natural Heritage Area (pNHA site code; 000210). The south side of Dublin Bay is also a Ramsar site; Sandymount Strand / Tolka Estuary (Site Code; 832).

The proposed scheme is within the Liffey and Dublin Bay Water Framework Directive (WFD) catchment area and the Dodder_SC_010 sub-catchment area. A review of Geological Survey Ireland datasets⁸ identifies the project site as being predominantly within areas of 'Extreme' groundwater vulnerability and 'an area of 'rock at or near surface or karst' at the eastern end of the proposed scheme.

There is 1no. watercourse within the scheme Site ; Priory Stream (EPA: IE_EA_09B130400), the stream is crossed by the proposed scheme via a bridge in Blackrock Park. The Priory Stream outfalls to South Dublin Bay ca.200m west of the watercourse crossing. The Priory Stream is a first order stream which is culverted for a large extent under Blackrock and receives storm water / surface water drainage from the upstream urban developed areas. The Priory Stream has been assigned 'Poor' ecological status under the Water Framework Directive (WFD) for the 2016-2021 monitoring period and the WFD risk is detailed as 'under review' – for the purpose of this assessment, and taking a conservative approach, this water body is considered 'at risk' until completion of the review.



Figure 4-1 - Watercourse within the project site.

⁸ <https://dcnr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0ab2fbde2aaac3c228>

5. Appropriate Assessment Screening

5.1. Connectivity to European Sites

The “Zone of Influence” of a plan or project is the area which may experience ecological effects as a result of its implementation, including any ancillary activities. The various impacts of a plan or project will each have their own characteristics, e.g. nature, extent, magnitude, duration etc. Accordingly, the area subject to each impact (“zone of impact”) will vary depending on characteristics of the impact and the presence of pathways for its propagation. Ecological features within or connected to one or more zones of impact could, depending on their sensitivities, be affected by the plan or project under consideration. The area containing such features may be regarded as the Zone of Influence. As such, in establishing the Zone of Influence (Zol) for a plan or project, regard must be had to the characteristics of its potential impacts, potential pathways for impacts and the sensitivities of ecological features in the receiving environment.

In its guidance on selecting which Natura 2000 sites to include in the AA Screening, *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities* (DEHLG, 2010a) recommends inclusion of sites in the following three categories: -

- Any Natura 2000 sites within or adjacent to the plan or project area,
- Any Natura 2000 sites within the Zol of the plan or project (generally within 15km for plans, to be established on a case-by-case basis for projects, having regard to the nature, scale and location of the project, the sensitivities of the ecological receptors and the potential for in-combination effects), and
- Following the precautionary principle, any other Natura 2000 sites for which the possibility of significant effects cannot be excluded, e.g., for a project with hydrological impacts, it may be necessary to check the full extent of the catchment for Natura 2000 sites with water-dependent qualifying interests.

In addition, *Assessment of plans and projects in relation to Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC* (EC, 2021) recommends consideration of Natura 2000 sites hosting fauna which could move to the plan or project area or its zone(s) of impact, and the potential for the plan or project to sever ecological connectivity within or between Natura 2000 sites. *Appropriate Assessment Screening for Development Management* (OPR, 2021) emphasises the importance of employing the source-pathway-receptor model (rather than arbitrary distances such as 15km) when selecting Natura 2000 sites for inclusion in the AA Screening.

During the construction and operational phases, European sites with indirect hydrological or hydrogeological connectivity to the proposed scheme (i.e., via watercourses, via groundwater) are considered to be within the Zol of the proposed scheme. Given the nature and scale of the proposed works the Zol for the works is 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. Given the relatively shallow excavation depths required for construction the Zol for hydrogeological pathways is considered to be 50m.

The proposed scheme does not lie within or directly border any European Site.

The proposed scheme lies ca. 20m from South Dublin Bay SAC (000210) and South Dublin Bay and River Tolka Estuary SPA (004024). There is 1no. watercourse within the proposed scheme Site ; Priory stream which outfalls to South Dublin Bay.

There are no other European sites within the Zol of the proposed project.

Tables 5-1 below, details the European sites which are within the Zol of the proposed scheme. and lists their associated qualifying interests. Figure 5-1 depicts the locations of the European Sites within the Zol of the proposed scheme.

Table 5-1 – European sites within the potential Zone of Influence of the proposed project.

Site Name and Code	Distance from project	Features of Interest	Connectivity
South Dublin Bay SAC ⁹ (Site Code: 000210)	Ca. 20m direct line distance. Ca. 200m downstream.	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • <i>Salicornia</i> and other annuals colonising mud and sand [1310] • Embryonic shifting dunes [2110] 	<p>The scheme Site does not lie within the SAC and there is no direct connectivity from the project site to this SAC.</p> <p>There is indirect connectivity from the scheme Site to the SAC via hydrological pathways – the Priors Stream and there is potential connectivity to the SAC via groundwater pathways.</p>
South Dublin Bay and River Tolka Estuary SPA ¹⁰ (Site code: 004024)	Ca. 20m direct line distance. Ca. 200m downstream.	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Roseate Tern (<i>Sterna dougalli</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Wetland and Waterbirds [A999] 	<p>The scheme Site does not lie within the SPA and there is no direct connectivity from the scheme Site to this SPA.</p> <p>There is indirect connectivity from the scheme Site to the SPA via hydrological pathways – the Priors Stream and there is potential connectivity to the SPA via groundwater pathways.</p>

⁹ NPWS (2013) Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht

¹⁰ NPWS (2015) Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

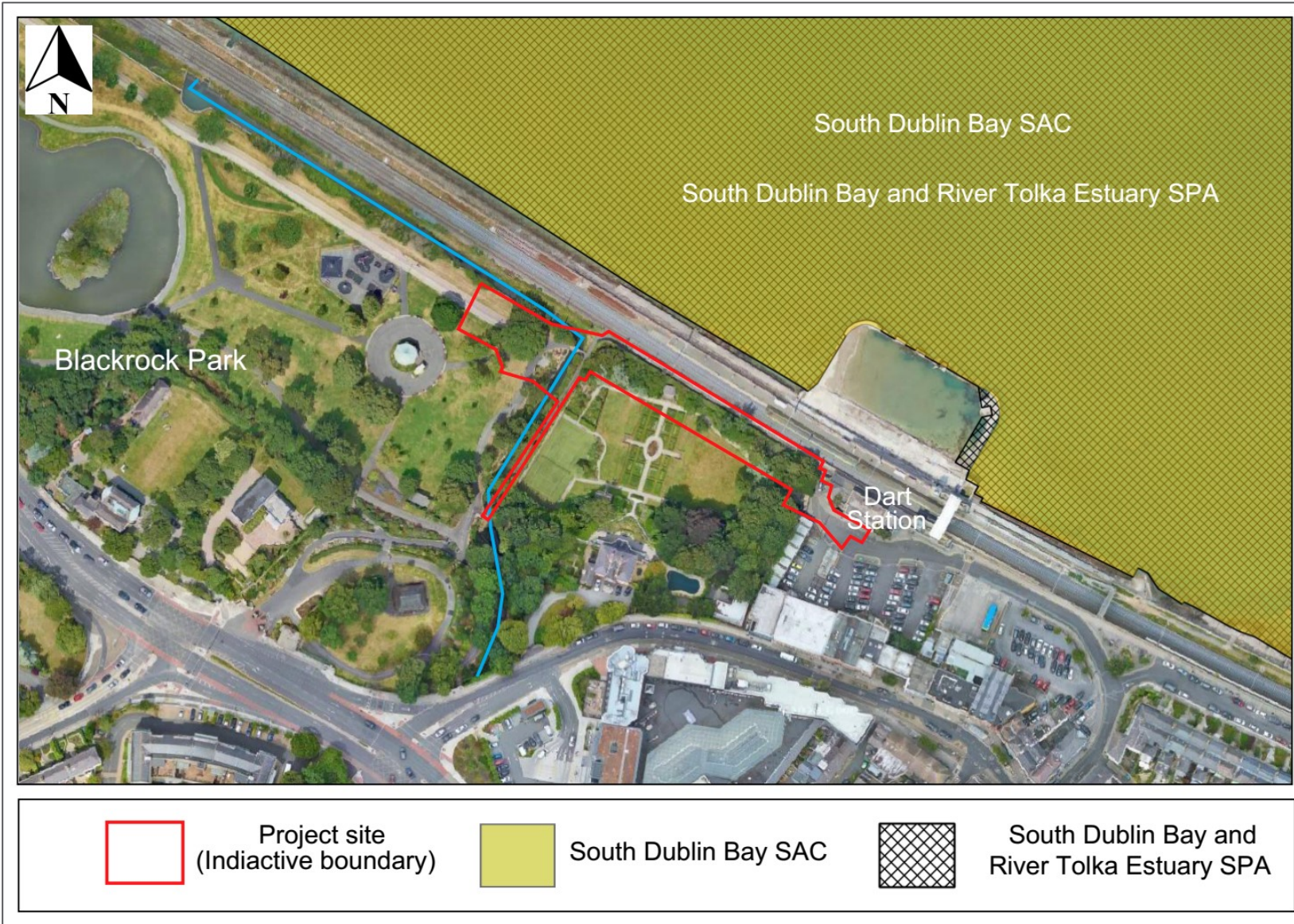


Figure 5-1 – European sites within the Zone of influence of the proposed project.

5.2. South Dublin Bay SAC

5.2.1. Site Synopsis

A short summary of the SAC site synopsis, as detailed by NPWS, is as follows¹¹: -

'This site lies south of the River Liffey in Co. Dublin and extends from the South Wall to the west pier at Dun Laoghaire. It is an intertidal site with extensive areas of sand and mudflats. The sediments are predominantly sands but grade to sandy muds near the shore at Merrion Gates.

The bed of Dwarf Eelgrass (Zostera noltii) found below Merrion Gates is the largest stand on the east coast. Green algae (Enteromorpha spp. and Ulva lactuca) are distributed throughout the area at a low density. Furoid algae occur on the rocky shore in the Maretimo to Dún Laoghaire area. Species include Fucus spiralis, F. vesiculosus, F. serratus, Ascophyllum nodosum and Pelvetia canaliculata.

Several small, sandy beaches with incipient dune formation occur in the northern and western sectors of the site, notably at Poolbeg, Irishtown and Merrion/ Booterstown. The formation at Booterstown is very recent. Drift line vegetation occurs in association with the embryonic and incipient fore dunes. Typically drift lines occur in a band approximately 5 m wide, though at Booterstown this zone is wider in places. The habitat occurs just above the High-Water Mark and below the area of embryonic dune. Species present are Sea Rocket (Cakile maritima), Frosted Orache (Atriplex laciniata), Spear-leaved Orache (A. prostrata), Prickly Saltwort (Salsola kali) and Fat Hen (Chenopodium album). Also occurring is Sea Sandwort (Honkenya peploides), Sea Beet (Beta vulgaris subsp. maritima) and Annual Sea-blite (Suaeda maritima). A small area of pioneer saltmarsh now occurs in the lee of an embryonic sand dune just north of Booterstown Station. This early stage of saltmarsh development is here characterised by the presence of pioneer stands of glassworts (Salicornia spp.) occurring below an area of drift line vegetation.

At low tide the inner parts of the south bay are used for amenity purposes. Baitdigging is a regular activity on the sandy flats. At high tide some areas have windsurfing and jet-skiing.

This site is a fine example of a coastal system, with extensive sand and mudflats, and incipient dune formations. South Dublin Bay is also an internationally important bird site.'

5.2.2. Conservation Objectives

The Habitats Directive defines when the conservation status of the listed habitats and species is considered as favourable. The definitions it uses for this are specific to the Directive. In summary, they require that the range and areas of the listed habitats, and the range and population of the listed species, should be at least maintained at their status at the time of designation. Site-specific conservation objectives aim to define and achieve favourable conservation conditions for a particular habitat or species at that site.

Article (1) of the Habitats Directive (92/43/EEC) describes favourable conservation status for habitats and species as follows.

Favourable conservation status of a habitat is achieved when: -

- Its natural range, and area it covers within that range, are stable or increasing,
- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- The conservation status of its typical species is favourable.

¹¹ <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY000210.pdf>

The favourable conservation status of a species is achieved when: -

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

The conservation objective for the South Dublin Bay SAC, to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide, Annual vegetation of drift lines, Salicornia and other annuals colonising mud and sand and Embryonic shifting dunes was published by NPWS (2013) (Version 1; 22/08/2013)¹².

5.2.3. Potential Threats

The threats, pressures and activities¹³ with negative impacts on the South Dublin Bay SAC, as identified in the Natura 2000 Standard Data Form for the site, are listed in Table 5-2.

Table 5-2 - Threats, pressures and activities with negative impacts on South Dublin Bay SAC.

Rank	Threats and pressures [code]	Threats and pressures	inside/outside/both
High	E01	Urbanised areas, human habitation	Outside
High	E02	Industrial or commercial areas	Outside
High	G01.02	Walking, horse-riding and non-motorised vehicles	Inside
High	J02.01.02	Reclamation of land from sea, estuary or marsh	Outside
High	K02.02	Accumulation of organic material	Inside
Low	D01.02	Roads, motorways	Outside
Medium	D01.01	Paths, tracks, cycling tracks	Inside
Medium	E03	Discharges	Both
Medium	F02.03.01	Bait digging or collection	Inside
Medium	G01.01	Nautical sports	Inside
Medium	G01.01.02	Non-motorised nautical sports	Inside
Medium	H02	Pollution to groundwater (point sources and diffuse sources)	Both

5.3. South Dublin Bay and River Tolka Estuary SPA

5.3.1. Site Synopsis

A short summary of the SPA site synopsis, as detailed by NPWS, is as follows¹⁴: -

'The South Dublin Bay and River Tolka Estuary SPA comprises a substantial part of Dublin Bay. It includes the intertidal area between the River Liffey and Dun Laoghaire, and the estuary of the River Tolka to the north

¹² https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf

¹³ <https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=IE0000210>

¹⁴ <https://www.npws.ie/sites/default/files/protected-sites/synopsis/SY004024.pdf>

of the River Liffey, as well as Booterstown Marsh. A portion of the shallow marine waters of the bay is also included.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Grey Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern and Arctic Tern. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of the SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

The site is an important site for wintering waterfowl, being an integral part of the internationally important Dublin Bay complex – all counts for wintering waterbirds are five year mean peaks for the period 1995/96 to 1999/2000. Although birds regularly commute between the south bay and the north bay, recent studies have shown that certain populations which occur in the south bay spend most of their time there. An internationally important population of Light-bellied Brent Goose (368) occurs regularly and newly arrived birds in the autumn feed on the Eelgrass bed at Merrion. At the time of designation, the site supported nationally important numbers of a further nine species: Oystercatcher (1,145), Ringed Plover (161), Grey Plover (45), Knot (548), Sanderling (321), Dunlin (1,923), Bar-tailed Godwit (766), Redshank (260) and Black-headed Gull (3,040). Other species occurring in smaller numbers include Great Crested Grebe (21), Curlew (127) and Turnstone (52). Little Egret, a species which has recently colonised Ireland, also occurs at this site.

South Dublin Bay is a significant site for wintering gulls, with a nationally important population of Black-headed Gull, but also Common Gull (330) and Herring Gull (348). Mediterranean Gull is also recorded from here, occurring through much of the year, but especially in late winter/spring and again in late summer into winter.

Both Common Tern and Arctic Tern breed in Dublin Docks, on a man-made mooring structure known as the E.S.B. dolphin – this is included within the site. Small numbers of Common Tern and Arctic Tern were recorded nesting on this dolphin in the 1980s. A survey in 1995 recorded nationally important numbers of Common Tern nesting here (52 pairs). The breeding population of Common Tern at this site has increased, with 216 pairs recorded in 2000. This increase was largely due to the ongoing management of the site for breeding terns. More recent data highlights this site as one of the most important Common Tern sites in the country with over 400 pairs recorded here in 2007.

South Dublin Bay is an important staging/passage site for a number of tern species in the autumn (mostly late July to September). The origin of many of the birds is likely to be the Dublin breeding sites (Rockabill and the Dublin Docks) though numbers suggest that the site is also used by birds from other sites, perhaps outside the state. This site is selected for designation for its autumn tern populations: Roseate Tern (2,000 in 1999), Common Tern (5,000 in 1999) and Arctic Tern (20,000 in 1996).

The South Dublin Bay and River Tolka Estuary SPA is of ornithological importance as it supports an internationally important population of Light-bellied Brent Goose and nationally important populations of a further nine wintering species. Furthermore, the site supports a nationally important colony of breeding Common Tern and is an internationally important passage/staging site for three tern species. It is of note that four of the species that regularly occur at this site are listed on Annex I of the E.U. Birds Directive, i.e., Bar-tailed Godwit, Common Tern, Arctic Tern and Roseate Tern. Sandymount Strand/Tolka Estuary is also a Ramsar Convention site.

5.3.2. Conservation Objectives

The Habitats Directive defines when the conservation status of the listed habitats and species is considered as favourable. The definitions it uses for this are specific to the Directive. In summary, they require that the range and areas of the listed habitats, and the range and population of the listed species, should be at least maintained at their status at the time of designation. Site-specific conservation objectives aim to define and achieve favourable conservation conditions for a particular habitat or species at that site.

Article (1) of the Habitats Directive (92/43/EEC) describes favourable conservation status for habitats and species as follows.

Favourable conservation status of a habitat is achieved when: -

- Its natural range, and area it covers within that range, are stable or increasing,

- The specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when: -

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

The conservation objectives for the South Dublin Bay and River Tolka Estuary SPA, to maintain the favourable conservation condition of each of the special conservation interest bird species, were published by NPWS (2015) (Version 1; 09/03/2015)¹⁵.

5.3.3. Potential Threats

The threats, pressures and activities¹⁶ with negative impacts on the South Dublin Bay and River Tolka Estuary SPA, as identified in the Natura 2000 Standard Data Form for the site, are listed in Table 5-3.

Table 5-3 - Threats, pressures and activities with negative impacts on South Dublin Bay and River Tolka Estuary SPA.

Rank	Threats and pressures [code]	Threats and pressures	inside/outside/both
High	J02.01.02	Reclamation of land from sea, estuary or marsh	Outside
High	E01	Urbanised areas, human habitation	Outside
Medium	G01.01	Nautical sports	Inside
High	G01.02	Non-motorised nautical sports	Inside
Medium	K02.03	Eutrophication (natural)	Inside
High	E02	Industrial or commercial areas	Outside
Medium	D01.02	Roads, motorways	Outside
Medium	F02.03.01	Bait digging or collection	Inside
Medium	F02.03	Leisure fishing	Inside
High	E03	Discharges	Inside

¹⁵ https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf

¹⁶ <https://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=IE0004024>

5.4. Identification of Likely Significant Effects

5.4.1. South Dublin Bay SAC

The South Dublin Bay SAC covers a significant geographical area and the qualifying habitats and species for which they are designated are also spread widely throughout. An Appropriate Assessment screening, under Article 6(3) of the Habitats Directive, should be appropriate to assess the potential level of impact, the likely receptors, and in the case of water quality, connectivity between the scheme Site and the SAC. Therefore, designated SAC features which have no potential of being impacted by the proposed scheme, either because they do not occur within the area likely to be affected or because of distance from the works areas of the proposed scheme, are listed as such below. Table 5-4 below presents an overview of the potential for impacts on the habitats and species listed as features of interest within the SAC.

Table 5-4 - Review of qualifying interests of South Dublin Bay SAC.

Qualifying Interest	Comment	Within the Zol
Mudflats and sandflats not covered by seawater at low tide [1140]	This habitat covers a large extent of South Dublin Bay and is downstream of the scheme Site at the outfall of the Priory stream. Whilst mudflats and sandflats are not a habitat likely affected by a deterioration in water quality of the Priory Stream, following a precautionary approach this habitat is considered within the Zol of the proposed scheme.	Yes
Annual vegetation of drift lines [1210]	Drift line vegetation does not occur near the project site nor at the outfall of the Priory Stream. The nearest area of drift line vegetation is located ca. 1.4km north along the coast line at Booterstown. This habitat is terrestrial and does not have the potential to be affected by any impact the proposed scheme could potentially generate. There will be no impacts on this habitat and the proposed scheme will not have an adverse effect on the integrity of this habitat either during the construction or operational phases.	No
Salicornia and other annuals colonising mud and sand [1310]	This habitat does not occur near the scheme Site nor at the outfall of the Priory Stream. Early stage / pioneer salt marsh habitat is found at Booterstown ca. 1.4km from the proposed project site. Given the dilution and dispersal that would occur within 1.4km of coastal waters of Dublin Bay and given the nature, scale and duration of proposed works, this habitat will not be affected by any impacts the proposed scheme could potentially generate. There will be no impacts on this habitat and the proposed scheme will not have an adverse effect on the integrity of this habitat either during the construction or operational phases.	No
Embryonic shifting dunes [2110]	Dune habitat does not occur near the scheme Site nor at the outfall of the Priory Stream. This habitat is terrestrial and there is no direct or indirect connectivity from the scheme Site to this habitat type. There will be no impacts on this habitat and the proposed scheme will not have an adverse effect on the integrity of this habitat either during the construction or operational phases.	No

The qualifying interest habitats of South Dublin Bay SAC which are within the zone of influence of the proposed scheme are; Mudflats and sandflats not covered by seawater at low tide [1140].

Direct Impacts

The proposed scheme is remote (c. 20m) from Dublin Bay and the project site is separated from the bay by the physical barrier of the Dart railway line and coastal defence wall (c. 2m in height). The proposed scheme does not necessitate any works within the bay or on the coastal side of the railway line. As such the proposed scheme will not result in any direct impacts on the qualifying interest habitats of South Dublin Bay SAC.

Indirect Impacts

The proposed scheme crosses the Priory stream which outfalls ca. 200m downstream into South Dublin Bay therefore there is indirect hydrological connectivity from the scheme Site to South Dublin Bay SAC. Given there is hydrological connectivity the potential for construction activities to result in a deterioration in the water quality of the Priory Stream and subsequently the coastal waters of Dublin Bay must be considered.

The removal of the existing (ca. 5m long) bridge and the installation of the new prefabricated bridge are the works elements that have the potential to affect the water quality of the Priory Stream. For bridge removal, the steel supporting beams of the existing steel span bridge will be cut and the bridge span will be removed in one piece by use of a mobile crane. The existing abutments and stone walls forming the banks of the canalised stream will be left in situ. Bridge removal works will take approximately one day and no instream works, no excavations and no potentially contaminating materials (such as cement) are required for this element of the works. Given the scale, nature and duration of these works, the removal of the bridge will not affect the downstream sandflats and mudflats within the SAC.

The installation of the new proposed prefabricated bridge will involve drilling 6no. foundation piles and the use of concrete for bridge pile foundations with the nearest foundation pile being 1.3m from the Priory Stream Works will only be undertaken during a period of dry weather. Bored soil materials will be removed from site for disposal to a licenced waste facility. The cast in-situ concrete piles will be constructed at the two abutment locations with the use of temporary steel guide casings in the bore holes. The drilling of the 6no. bore holes and pouring of the 6no. foundation piles is estimated to take one week. As per normal construction techniques, concrete will be contained within shuttering and the guide casings within the bore holes. Given the small scale nature and duration of the 6no. foundation pile works and as works will be undertaken during dry weather conditions and given that concrete will be contained within shuttering and casings, no impacts to the watercourse will occur and no likely significant effects to the integrity of qualifying interest mudflats and sandflats will occur via the hydrological pathway of the Priory Stream.

The main element of the project works, i.e. removal of sections of the existing wall and the construction of the c. 130m cycle and pedestrian pathway, involves shallow excavations of soil, 500mm-750mm deep which will be or removed from site, followed by the installation of pathway subbase materials (compacted stone) and surface materials (bitumen). No viscous materials which could potentially run-off from site and enter the Prior Stream are required. Given the nature small scale and duration of the works and also the nature of the materials required, the construction of c. 130m of cycle / pedestrian pathway will not result in any likely significant effects to the sandflats and mudflats of South Dublin Bay SAC.

The removal of existing wall sections and the construction of the new wall along the rear boundary of the private residence (Deepwell House) is remote (ca. 5m) from the Priory Steam and wall construction will therefore not result in any impacts to the water quality of the canalised stream.

Given the nature, scale and duration of the proposed works no impacts to the water quality of the Priory Stream are anticipated and as such there will be no likely significant effects via this hydrological pathway to the qualifying interest sandflats and mudflats of South Dublin Bay SAC.

Similarly, given the nature, scale and duration of the proposed works, there will be no significant impacts to local groundwater conditions from bridge and pathway construction. Dewatering of excavation may be required, in the event that this is required, all groundwater/ perched water will be pumped and tankered off site for treatment and / or disposal to an appropriate facility. There will be no discharge to ground (or the Priory Stream). As such there will be no effects on South Dublin Bay SAC via groundwater pathways.

During the operational phase of the proposed scheme the usage of the pedestrian and cycling facilities will not generate any potential contaminants which could result in impacts to the sandflats and mudflats of South Dublin Bay SAC.

5.4.2. South Dublin Bay and River Tolka Estuary SPA

Direct Impacts

The proposed scheme does not involve works within the SPA and as such there will be no direct impacts to SCI bird species within the SPA or the qualifying interest wetland habitats which support the waterbirds.

Indirect Impacts

As outlined for the habitats of South Dublin Bay SAC, there will similarly be no likely significant effects to the qualifying interest wetland habitats (sandflats and mudflats) of South Dublin Bay and River Tolka Estuary SPA.

The c. 130m scheme Site consists predominantly of a residential garden comprised of ornamental planting. The proposed project site does not accommodate waterbirds which may range outside of the SPA boundary as the project site does not provide for suitable foraging or roosting habitat that could be utilised by ex-situ Species of Conservation Interest (SCI) of the SPA. As such the proposed project will not result in indirect impacts such as the displacement of ex-situ SCI birds associated with the SPA.

The scheme Site is within a busy urban area adjacent to the DART railway line and DART station with the railway line, rail station walls and coastal defence walls (c. 2m in height) separating and screening the project site from SPA waterbirds that may frequent the coastline in the immediate vicinity of the Dart station. In addition, as per normal construction practices, hoarding will be erected around the scheme Site providing further screening of the SPA. This screening, combined with the relatively short duration of the construction activities, will ensure there is no significant visual disturbance to birds utilising the coastal waters alongside the railway station.

Blackrock Park is known to accommodate wintering waterbirds which are SCI for South Dublin Bay and River Tolka Estuary SPA, for example Brent Geese are known to forage and roost within and around the artificial lake within the park (c. 140m from the project Site and nearest point). The wintering birds utilising the busy park are habituated to a certain extent to human presence. As noted, during the construction phase, the scheme site will be surrounded by hoarding which will screen any ex-situ wintering waterbirds from construction activities. This screening, combined with the relatively short duration of the construction activities, will ensure there is no significant visual disturbance to birds utilising the neighbouring park.

As noted, the scheme Site is within a busy urban environment subject to noise from the railway and human activity. During the construction phase there will inevitably be an increase in noise levels over the short term within the area, however, given the small scale nature and duration of the proposed scheme, any additional construction related noise will have no likely significant effect on SPA waterbirds.

During the operational phase of the proposed scheme the scheme will likely be used by more cyclists and pedestrians that is presently occurring along the existing laneway. However, as noted previously, the scheme is screened from the SPA shoreline by the aforementioned existing structures and in addition the new footpath and cycleway will have a 2m high wall (minimum) between the scheme and the railway line. As such, there will be no likely significant effects to SCI accommodated within the SPA during the usage of the proposed scheme. During the operational phase of the scheme there will be no change to the usage of the parklands by ex-situ SPA waterbirds.

Given the nature, scale and duration of the proposed project works and considering the already busy location of the proposed scheme, the proposed c. 130m long cycling and pedestrian pathway will not result in any likely significant effects on the habitats and species South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA either during the construction phase or the operational phase of the proposed scheme.

5.5. Potential In-combination Effects

5.5.1. Requirement for Assessment

The requirement for AA arising out of Article 6(3) of the Habitats Directive covers plans and projects that, “*either individually or in combination with other plans or projects*”, are likely to have a significant effect on one or more Natura 2000 sites. This means that AA is required for any plan or project that, in combination with other plans or projects, would have a significant effect on one or more Natura 2000 sites, irrespective of the presence or absence of such effects from that plan or project on its own. Therefore, regardless of the significance of the effects of the plan or project individually, the potential for significant effects in combination with other plans and projects must be considered in all cases.

5.5.2. Approach and Methodology

The objective of this requirement is to capture significant effects potentially arising from the cumulation or other interaction of non-significant effects from multiple plans and projects. Consequently, the assessment of potential in-combination effects is not a pair-wise assessment, rather, it considers the totality of the effects arising from all plans and projects affecting the Natura 2000 sites in question. In identifying the plans and projects to be included in this assessment, it is important to define an appropriate geographical scope and timescale over which potential in-combination effects are to be considered and the sources of information to be consulted, as described below. It is also important to consider the nature of the interactions between effects, which may be additive, antagonistic, synergistic or complex.

5.5.3. Geographical Scope

In defining the geographical scope for identifying potential in-combination effects, it is important to remember that effects are evaluated in view of the conservation objectives of the Natura 2000 site(s) concerned. As such, two or more effects relating to the same conservation objective for a given Natura 2000 site would combine even if their geographical extents did not overlap. For example, the loss of a small area of an Annex I habitat type listed as a qualifying interest of a Natura 2000 site would combine with the loss of an entirely unconnected area of the same habitat type from a remote part of the same site to produce an in-combination effect, the significance of which would need to be evaluated in view of the relevant conservation objective. On that basis, the scope of the assessment of in-combination effects extends to all plans and projects affecting the same conservation objectives as the plan or project under consideration, irrespective of whether those effects are significant or not.

In this case, however, given the scale of the proposed project, localised extents of its potential impacts and sensitivities of the Natura 2000 sites in its Zone of Influence, it was deemed most appropriate to include areas in close proximity to the proposed project and its zones of impact (as described in Section 5.1) within the geographical scope for identifying potential in-combination effects.

5.5.4. Timescale

The timescale over which potential in-combination effects were considered in this case covered plans and projects from 5 years ago (i.e., 2019) to the present and all reasonably foreseeable future plans and projects, i.e., published draft plans and projects which are already in the planning system or have received planning permission.

5.5.5. Sources of Information

The following sources of information were consulted to gather information on other plans and projects:

- Dún Laoghaire-Rathdown County Council Planning Data viewed through; <https://www.dlrco.ie/planning-applications/planning-applications-online-search>
- An Bord Pleanála Planning Applications viewed through; [EIA Portal \(arcgis.com\)](https://www.eiaportal.com/)
- Dún Laoghaire-Rathdown County Development Plan 2022-2028
- Blackrock Local Area Plan 2020-2025
- Transport Infrastructure Ireland
- National Transport Authority

- Uisce Éireann

The threats, pressures and activities with negative impacts on the South Dublin SAC and South Dublin and Tolka Bay SPA (see Section 5.2.3 and 5.3.3) were used to identify plans and projects which, by their nature, are likely to give rise to potential impacts on the sites concerned.

5.5.6. Assessment

Dún Laoghaire-Rathdown Plans

Dún Laoghaire-Rathdown County Development Plan 2022-2028 sets out policies and objectives for the development of the county. The plan aims to create vibrant, liveable, climate resilient communities. The Plan also requires that any developments must be subject to AA process and that permitted developments comply with the requirements of the WFD, the relevant River Basin Management Plans and the Habitats Directive. A Strategic Environmental Assessment (SEA) was prepared for the Plan and went through the AA process. The findings of which were integrated into the objectives of the Plan resulting in a plan that affords high level protection to the environment and Natura 2000 sites.

Blackrock Local Area Plan (LAP) 2020-2025 aims to set out a framework for the physical development of the Blackrock area to generate growth in a co-ordinated, sensitive and orderly manner while conserving the area's natural and cultural heritage. The LAP strives to inform the general public, statutory authorities, developers and other interested bodies of the policy framework, objectives and land-use proposals for the Blackrock area. The Blackrock LAP has been subject to the Appropriate Assessment process which concluded that the LAP will not have a significant effect on the Natura 2000 network.

As noted, Dún Laoghaire-Rathdown County have developed a Masterplan for the enhancement of Blackrock Park. The Masterplan includes amongst the objectives; *'creating a naturalised bank along the Priory Stream, upgrade the bridge for access for cyclists and pedestrians, expand the sub-standard laneway to improve pedestrian/cycle permeability and connectivity'*. As such, the proposed Active Travel Scheme can be considered to facilitate certain elements of the Blackrock Park Masterplan. The Blackrock Park Masterplan has been subject to the Appropriate Assessment process which concludes: *'It is concluded that the Masterplan will not give rise to any significant adverse effects on any designated European sites, alone or in combination with other plans or projects.'* Given the environmental protection and biodiversity enhancement measures built into the Masterplan (Refer to Section 2.10), it is considered that the proposed scheme will not act in combination with the Masterplan to cause negative effects to the receiving environment. Moreover, the Masterplan proffers the opportunity for the two projects to act in combination to provide ecological enhancement to the local environment.

Dún Laoghaire-Rathdown Projects

Living Streets Blackrock:- the proposed living streets scheme will upgrade the urban realm in Blackrock Village with new hard and soft landscaping, planting, and street furniture it will also enhance the pedestrian and cycle infrastructure in the village. The scheme will include works to the following roads: Rock Hill, Main Street, Georges Avenue, Main Street East (Maretimo Terrace), Carysfort Avenue and Temple Road. An AA Screening determination has been made for this Living streets scheme which concludes; *'It is concluded that the proposed development will not give rise to any significant adverse effects on designated European sites, alone or in combination with other plans or projects.'*

Living Streets: Coastal Mobility Route: - The Living Streets: Coastal Mobility Route in Dun Laoghaire is a transportation project aiming to improve mobility and connectivity along the coast. In 2020 DLRCC implemented a temporary one-way traffic system from Blackrock to Sandycove and reallocated the surplus road space to a two-way segregated cycle track. The proposed works will further improve this temporary route and make it permanent. This scheme has been subject to the AA process which concludes: *'It is concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the proposed development, individually or in combination with other plans and projects, in the absence of mitigation, will not have a significant effect on any European Site designated under the Habitats Directive and Birds Directive'*.

In addition, Dún Laoghaire-Rathdown County Council, in conjunction with the National Transport Authority, has recently developed sustainable transport improvements on the Rock Road between Blackrock Park and Trimleston Avenue. This Active Travel Scheme is a short two way cycleway facility which will not act in combination with the proposed project to give rise to adverse effects on any European site.

Other Statutory Bodies Projects

A review of Transport Infrastructure Ireland (TII) publicly available planned projects¹⁷ did not identify any road projects in the vicinity of the proposed project.

A review of Uisce Eireann projects¹⁸ did not identify any ongoing water or wastewater projects in the vicinity of the proposed project.

A review of the National Transport Authority (NTA) Greater Dublin Area Cycle Network Plan (2022)¹⁹ identifies a number of future cycleways projects within the vicinity of the proposed project which are currently under development. A review of other National Transport Authority projects also identifies the Bus Connects project which plans to go through Blackrock. These future projects are detailed below.

Dún Laoghaire-Rathdown Future Projects

It is a policy of Dún Laoghaire-Rathdown County Council to promote the development of the Sutton to Sandycove Promenade and Cycleway, as a component part of the National East Coast Trail Cycle Route and also the Dublin Bay Trail from the boundary of Dublin City to Wicklow County.

These future coastal route projects, which are within the vicinity of the proposed active travel scheme, are at development stage and have not been subject to the planning process. These coastal routes will be subject to a feasibility study, including an assessment of the route options. Any development proposals shall be subject to Ecological Impact Assessment and Appropriate Assessment Screening to ensure the protection and preservation of all designated SACs, SPAs and pNHAs in Dublin Bay and the surrounding area.

Granted Developments

A search of Dún Laoghaire-Rathdown County Council Planning and An Bord Pleanála planning applications has been undertaken for applications submitted within the last 5 years in the vicinity of the proposed development (last accessed April 2024). Near the proposed works, projects that have been granted planning permission include; retention of existing developments, typical extensions to domestic dwellings or the construction of new domestic dwellings. Regarding potential impacts to water quality, these projects will have conditions attached to their planning permission relating to sustainable development, such as foul water drainage requirements and clean surface water run-off drainage requirements. Therefore, it is not anticipated that the developments that have been granted permission will have any significant effects in combination with the proposed project.

Key developments which shall be considered are large-scale developments in the region of the proposed active travel scheme, there are 5 no. of these developments which have been further assessed in terms of in-combination effects with the proposed scheme and are presented in Table 5-5 below.

It is considered that there are no approved/ granted developments or projects that will act in combination with the proposed scheme to give rise to significant in-combination effects on South Dublin Bay SAC, South Dublin Bay and Tolka Estuary SPA or any other European site.

¹⁷ <https://www.tii.ie/public-transport/projects-and-improvements/>

¹⁸ <https://www.water.ie/projects/?map=our-projects&id=627>

¹⁹ <https://www.nationaltransport.ie/wp-content/uploads/2023/01/2022-GDA-Cycle-Network.pdf>

Table 5-5 - Planning applications near the proposed scheme.

Planning Ref.	Decision Date	Location		In-combination assessment
D19A/0824	30/06/2020	Congregation of the Holy Spirit, Blackrock College, Blackrock	Permission for the upgrading and reorientation of the existing natural grass playing pitches to reduce the existing gradient of the playing surface. The proposed works include the widening of an internal access road, new below ground drainage, soft landscaping and the introduction of grass embankments to facilitate the modified cross fall of the playing surfaces. Blackrock College has Protected Structures within its curtilage.	<p>A Natura Impact Statement has been prepared for this project, with the following conclusion:</p> <p><i>'It has been objectively concluded by Scott Cawley Ltd., following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted impacts from the proposed development, that the proposed development will not adversely effect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects, and there is no reasonable scientific doubt in relation to this conclusion.'</i></p> <p>Based on the location, scale and nature of this project, in-combination effects associated with the proposed Active Travel Scheme on the receiving environment will not occur.</p>
ABP-300745-18	25/05/2019	IMRF Frascati Limited Partnership Frascati Shopping Centre, Frascati Road, Blackrock, Co. Dublin	45no. apartment units over 3no. storeys, from second to fourth floor level, over the permitted ground and first floor levels of retail / restaurant floorspace and permitted lower ground floor car park	<p>The Competent Authority (DLRCC) provides an AA statement for the project as follows; <i>'the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Sites'</i></p> <p>Based on the location, scale and nature of this project, in-combination effects associated with the proposed Active Travel Scheme on the receiving environment will not occur.</p>
LRD22A/0930	15/09/2023	Dalguise House, Monkstown Road, Monkstown, County Dublin,	The Dalguise House Large-scale Residential Development is situated on the 3.58- hectare site of Dalguise House, Monkstown, Co. Dublin. The proposed development includes the demolition of a number of structures on site and the development of 494 no.	<p>The Competent Authority (ABP) provides an AA statement for the project as follows:- <i>'...by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the conservation objectives of such sites.'</i></p>

			residential units, 487 no. of which are new build and 7 no. which will be provided in existing buildings	Based on the location, scale and nature of this project, in-combination effects associated with the proposed Active Travel Scheme on the receiving environment will not occur.
ABP 313509	27/03/2024	BusConnects Belfield/Blackrock	The Proposed Scheme has an overall length of approximately 8.3km and is comprised of two main alignments in terms of the route it follows, from Blackrock to the City Centre and along Nutley Lane	<p>A Natura Impact Statement has been prepared for this project, with the following conclusion:</p> <p><i>'following an examination, analysis and evaluation of the relevant information, including in particular the nature of the predicted impacts from the Proposed Scheme and with the implementation of the mitigation measures proposed that the Proposed Scheme will not adversely affect (either directly or indirectly) the integrity of any European site, either alone or in combination with other plans or projects.'</i></p> <p>Based on the location, scale and nature of this project, in-combination effects associated with the proposed Active Travel scheme on the receiving environment will not occur.</p>
ABP 311190	08/12/2021	Cross Avenue, Blackrock SHD	Strategic Housing Development - 244 no. Build to Rent apartments and associated site works	<p>A Natura Impact Statement has been prepared for this project, with the following conclusion:</p> <p><i>'The NIS concludes that no adverse impacts are likely on any designated Natura 2000 sites or their associated qualifying interests or their conservation objectives.'</i></p> <p>Based on the location, scale and nature of this project, in-combination effects associated with the proposed Active Travel scheme on the receiving environment will not occur.</p>

6. Conclusions

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.

7. References

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WS Atkins Ireland Limited
Atkins House
150 Airside Business Park
Swords
Co. Dublin
K67 K5W4

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