Rochestown Avenue Active Travel Improvements

Appropriate Assessment Screening Report

Dún Laoghaire-Rathdown County Council

Project number: 60661468

June 2023

Delivering a better world

Quality information

Prepared by	Checked by	Verified by	Approved by
Alison Donnelly Consultant Marine Ecologist	Susanne Dunne Qualifying Member of CIEEM Consultant Ecologist	Clare McIlwraith Associate Ecologist MCIEEM SocEnv	Shaun Grima Associate Director

Revision history

Revision	Revision date	Details	Authorized	Name	Position

Prepared for:

Dún Laoghaire-Rathdown County Council

Prepared by:

AECOM Ireland Limited
4th Floor
Adelphi Plaza
Georges Street Upper
Dun Laoghaire
Co. Dublin A96 T927
Ireland

T: +353 1 238 3100
aecom.com

Table of contents

Tables

1. Introduction

1.1 Background

AECOM on behalf of Dún Laoghaire-Rathdown County Council (DLRCC) (the 'Client') has been tasked with undertaking an Appropriate Assessment (AA) Screening in relation to the Rochestown Avenue Active Travel Improvement (hereafter referred to as the 'Proposed Scheme') in Co. Dublin. The physical extent of the Proposed Scheme is hereafter referred to as 'Site'.

The Proposed Scheme is located along approximately 2.17 km of roadway in Dún Laoghaire, encompassing:

- Rochestown Avenue; and,
- Pottery Road.

The Site is highly urbanised and is dominated by existing roads and buildings. The Proposed Scheme is located along an existing road in Dún Laoghaire and is surrounded by a mosaic of habitats typical of the urban environment, including buildings and artificial surfaces, and areas of open space with amenity grassland and scattered trees.

This AA Screening Report considers the potential effects of the Proposed Scheme on European sites, which include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). It serves to 'screen' for likely significant effects on European sites from the Proposed Scheme, either alone or in-combination with other plans or projects, and in view of best scientific knowledge.

1.2 Description of the Proposed Scheme

The Proposed Scheme is proposing to improve the current facilities along this busy cycling and walking route to provide an enhanced environment to cater for the increasing cycling and walking demand, and to provide improved connections to other key cycling routes. This will be achieved by providing a new cycle track along the above sections of existing road, and other improvements such as cycle protected junctions. The Proposed Scheme will also incorporate lighting along a new path in Pearse Park and may also incorporate lighting along the new footpaths, although no specific lighting design is available at the time of writing. The extent and layout of the Proposed Scheme is shown on figures provided in Appendix A.

The Proposals will introduce a new footpath on the southern side of Rochestown Avenue. Approximately 800 m of new pedestrian infrastructure will be introduced on the southern side of Rochestown Avenue, including a new footpath connecting Pottery Road and the National Rehabilitation Hospital (NRH) (approximately 550 m) and a new footpath between NRH and Sefton (approximately 250 m). The Proposal will also comprise the upgrade of the existing signalised junctions along the Proposed Scheme route to enhance pedestrian and cycle-controlled crossings.

The Proposed Scheme ties in at its northern end with the Dún Laoghaire Central Active Travel Scheme, a recently approved Part 8 Development (2022) for high quality pedestrian and cycle infrastructure. At its southern end the Proposed Scheme will tie into the Graduate Roundabout, where existing cycle infrastructure is located along Church Road (R118).

1.3 Legislative context

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, which is more commonly known as 'the Habitats Directive', requires Member States of the European Union (EU) to take measures to maintain or restore, at favourable conservation status, natural habitats and wild species of fauna and flora of Community interest. The provisions of the Habitats Directive require that Member States designate SACs for habitats listed in Annex I and for species listed in Annex II. Similarly, Directive 2009/147/EC on the conservation of wild birds (more commonly known as 'the Birds Directive') provides a framework for the conservation and management of wild birds. It also requires Member States to identify and classify SPAs for rare or

vulnerable species listed in Annex I of the Birds Directive, as well as for all regularly occurring migratory species. Collectively, SACs and SPAs are known as ‘European sites’.

Under Article 6(3) of the Habitats Directive, any plan or project which is not directly connected with or necessary to the management of a European site, but would be likely to have a significant effect on such a site, either individually or in combination with other plans or projects, must be subject to an Appropriate Assessment (AA) of its implications for the SAC / SPA in view of the site’s conservation objectives.

In the Republic of Ireland, the requirements of Article 6(3) are transposed into national law through Part XAB of the Planning and Development Act 2000 (as amended) for planning matters, and by the European Communities (Birds and Natural Habitats) Regulations 2011 in relation to other relevant approvals / consents. The legislative provisions for AA Screening for planning applications are set out in Section 177U of the Planning and Development Act 2000 (as amended).

The competent authority, which is responsible for determining decisions regarding AA is the relevant consenting body for each plan or project, which in this case is DLRCC.

1.4 Overview of the Appropriate Assessment process

The process required by Articles 6(3) and 6(4) of the Habitats Directive is stepwise and must be followed in sequence.

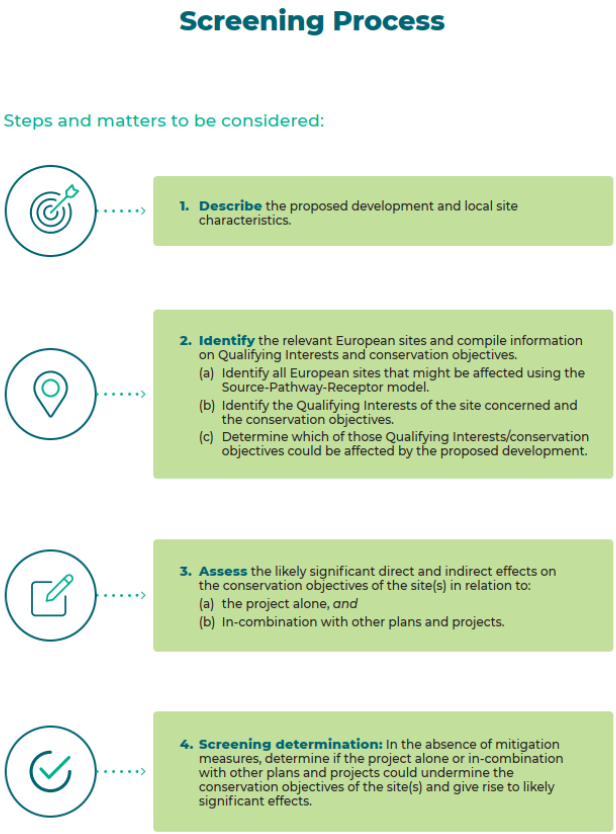
The first step in the sequence of tests is to establish whether an Appropriate Assessment (AA) is required. This is often referred to as ‘AA Screening’. The purpose of AA Screening is to determine, in view of best available scientific knowledge, whether a plan or project, either alone or in-combination with other plans or projects, could have likely significant effects on a European site, in view of that site’s conservation objectives.

For this purpose and as a result of case law ‘likely’ means ‘possible’. If the competent authority determines that there are no likely significant effects (including ‘in-combination’ effects from other plans or projects), then no further assessment is necessary and the plan or project can, subject to any other issues, be taken forward. If, however, the competent authority determines that there are likely significant effects, or if there is reasonable scientific doubt, then the next step in the process must be initiated and a detailed AA be undertaken.

1.5 Sources of guidance

This AA Screening report has been prepared in accordance with the European Commission (EC) guidance document Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (EC, 2021). It also accords with the guidance provided in the Office of the Planning Regulator (OPR) Practice Note PN01 Appropriate Assessment Screening for Development Management (OPR, 2021), and follows the structure and approach recommended, as shown on Image 1-1 below.

Image 1-1: The AA Screening process (taken from OPR 2021)



In addition, the following sources of guidance have also been used when carrying out this AA Screening exercise:

- Appropriate Assessment of Plans and Projects in Ireland (DoEHLG, 2010);
- Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (EC, 2018); and,
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular Letter NPWS 1/10 & PSSP 2/10 (NPWS, 2010).

1.6 Relevant case law

A series of rulings of the Court of Justice of the European Union (CJEU) are relevant and are considered throughout this document. Some of the most important of these rulings and their implications for the AA Screening of the Proposed Scheme are summarised in Table 1-1.

Table 1-1 Case law relevant to the AA Screening of the Proposed Scheme

Case	Ruling	Relevance to the AA Screening of the Proposed Scheme
People Over Wind and Sweetman v Coillte Teoranta (C-323/17)	The ruling of the CJEU in this case requires that any conclusion of 'no likely significant effect' on a European site must be made prior to any consideration of measures to avoid or reduce harm to the European site. The determination of likely significant effects should not, in the opinion of the CJEU, constitute an attempt at detailed technical analyses. This should be conducted as part of the AA.	It is necessary to distinguish between those measures which are intended to avoid or reduce harmful effects on a European site and those elements of a plan or project that may incidentally provide some degree of mitigation, but which are intrinsic or essential parts of the plan / project itself. If it can be concluded that the Proposed Scheme will have no adverse effect on any European site, in the absence of mitigation, it will be possible to conclude 'no likely significant effects', and the need for further detailed AA will be 'screened out'.
Waddenzee (C-127/02)	The ruling in this case clarified that AA must be conducted using best scientific knowledge, and that there must be no reasonable scientific doubt in the conclusions drawn. The Waddenzee ruling also provided clarity on the definition of 'significant effect', which would be any effect from a plan or project which is likely to undermine the conservation objectives of any European site.	Adopting the precautionary principle, a 'likely' effect in this AA Screening is interpreted as one which is 'possible' and cannot be objectively ruled out. The test of significance of effects has been conducted with reference to the conservation objectives of relevant European sites.
Holohan and Others v An Bord Pleanála (C-461/17)	The conclusions of the Court in this case were that consideration must be given during AA to: • effects on qualifying habitats and/or species of a SAC or SPA, even when occurring outside of the boundary of a European site, if these are relevant to the site meeting its conservation objectives; and, • effects on non-qualifying habitats and/or species on which the qualifying habitats and/or species depend and which could result in adverse effects on the integrity of the European site.	This relates to the concept of 'functionally-linked habitat', i.e. areas outside of the boundary of a European site which supports its qualifying feature(s). In addition, consideration must be given to non-qualifying features upon which qualifying habitats and/or species rely.
T.C Briels and Others v Minister van Infrastructuur en Milieu (C-521/12)	The ruling of the CJEU in this case determined that compensatory measures cannot be used to support a conclusion of no adverse effect on site integrity.	Compensation can only be considered at the relevant stage of the assessment process and not during AA. Compensation must be delivered when AA concludes that there will be adverse effects on site integrity.
Sweetman v An Bord Pleanála (C-258/11)	The CJEU ruled that the protection afforded by the Habitats Directive applies once a Member State of the EU has notified a candidate European site. Furthermore, the court also concluded that where a plan or project will lead to the permanent loss of a priority habitat (i.e. one which is listed on Annex I of the Habitats Directive) and which is a qualifying feature of a European site, the view should be taken that such a plan or project will adversely affect the integrity of that site.	A candidate SAC / proposed SPA receives the same legal protection as a fully designated site and must be treated as such by AA. The loss of even a very small area of priority habitat listed on Annex I of the Habitats Directive, where such habitat is a qualifying feature of an SAC, will almost certainly be considered to result in adverse effects on the integrity of that site.

1.7 Purpose of this Report

Whilst the various steps involved in the AA process must be carried out by a competent authority, under Section 177U(3) of the Planning and Development Act 2000 (as amended), project proponents or their consultants may undertake a form of screening to establish if an AA is required and provide advice, or may submit the information necessary to allow the competent authority to conduct a screening of an application for consent. Specifically, Section 177U(3) states that "*in carrying out a screening for appropriate assessment of a Proposed Scheme a competent authority may request such information from the applicant as it may consider necessary to enable it to carry out that screening, and may consult with such persons as it considers appropriate…*".

This AA Screening report therefore serves to provide AECOM's opinion on the requirement for further AA, and to provide the information needed by DLRCC as the competent authority for the Proposed Scheme responsible for determining decisions regarding AA.

2. Methodology

2.1 Data sources

A desk-based study was carried out to establish the baseline conditions relevant to the Proposed Scheme. The following resources were analysed to inform the baseline description of the Site and surrounding environment:

- Environmental Protection Agency (EPA) maps website (https://gis.epa.ie/EPAMaps/) (accessed August 2022);
- National Parks and Wildlife Service (NPWS) Protected Sites in Ireland website (https://www.npws.ie/protected-sites) (accessed August 2022);
- Google Maps website (https://maps.google.com/) (accessed August 2022);
- The Status of European Union (EU) Protected Habitats and Species in Ireland (Article 17 Report) (https://www.npws.ie/publications/article-17-reports/article-17-reports-2019) (accessed August 2022); and,
- Results of an ecological walkover survey which was carried out for the Proposed Scheme on 04 August 2022 to identify habitats, protected and notable species and any invasive non-native species located within the Site and 50 m buffer either side of the Site.

2.2 Establishing the zone of influence

When seeking to identify relevant European sites, consideration was given to identified impact pathways and the source-pathway-receptor approach (see OPR (2021)), rather than adopting a purely ‘zones’-based approach. The source-pathway-receptor approach is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for an effect to occur. Furthermore, even where an impact is predicted to occur, it may not result in significant effects.

Department of the Environment, Heritage and Local Government guidance (DoEHLG, 2010) states that European sites with the potential to be affected by a plan or project should be identified taking into consideration the potential for direct, indirect and/or cumulative (in-combination) effects. It also states that the specific approach in each case is likely to differ depending on the scale and likely effects of the plan or project. However, it advises that the following sites should generally be included:

- all European sites within or immediately adjacent to the plan or project area;
- all European sites within the likely ‘zone of impact’ of the plan or project; and,
- adopting the Precautionary Principle (UNESCO, 2005), all European sites for which there is doubt as to whether or not such sites might be significantly affected.

The likely zone of impact (also referred to as the likely ‘zone of influence’ (ZoI)) of a plan or project is the geographic extent over which significant ecological effects are likely to occur. In the case of projects, the DoEHLG guidance acknowledges that the zone of influence must be devised on a case-by-case basis with reference to the following criteria: the nature, size / scale and location of the project, sensitivity of ecological features under consideration and cumulative effects. Consideration has therefore been given primarily to identified impact pathways and the source-pathway-receptor approach, rather than adopting an arbitrary ‘zones’ approach (e.g. 15 km from the Site).

The process of determining which (if any) European sites are within the ZoI of the Proposed Scheme is a progressive process that effectively ‘screens in’ European sites if they considered to within the ZoI of a particular effect. This has been carried out for each source type in a tabular manner in the initial part of the screening assessment, in Section 4 below.

2.3 In-combination assessment

Effects which arise in-combination with other projects or plans must be considered as part of AA Screening. In accordance with OPR guidance (2021), the assessment of in-combination effects must examine:

- completed projects;
- projects which are approved but not completed;
- proposed projects (i.e. for which an application for approval or consent has been made, including refusals subject to appeal and not yet determined);
- proposals in adopted plans; and
- proposals in finalised draft plans formally published or submitted for consultation or adoption.

The National Planning Application Map Viewer was consulted for relevant planning applications and projects in the vicinity of the Site which may act in combination with the Proposed Scheme.

3. Site and ecological baseline conditions

3.1 Terrestrial habitats

The Site lies entirely within built-up land comprising approximately 2.17 km of roadway in Dún Laoghaire, encompassing Rochestown Avenue and Pottery Road (Fossitt BL3). Habitats surrounding the Site are typical of the urban environment, and include areas of open space, such as Pearse Park to the north of the Site. Pearse Park has a mix of scattered trees and parkland (WD5), mixed broadleaved woodland (WD1) and amenity grassland (improved) (GA2) on its grounds. Mixed broadleaved (WD1) and coniferous woodland (WD3) parcels are present elsewhere in the area surrounding the route of the Proposed Scheme, and are typically uniform in age, indicative of planting, with limited understorey and ground flora. Hedgerows (WL1) are found throughout the surrounding area, and typically form the curtilages of residential and commercial premises. Tree lines (WL2) are frequently present, comprising lines of planted street trees, parkland trees, or bordering residential dwellings. Other habitats present in the area surrounding the Site include exposed sand and gravel (ED1), flower beds and borders (BC4), recolonising bare ground (ED3), improved agricultural grassland (GA1), scrub (WS1) and ornamental shrubs (WS3). No protected or notable species of plant were noted during the survey. There are no Annex I habitats present. However, the areas of amenity grass such as the small section of Pearse Park located within the Site contains suitable feeding and roosting habitats for SCI birds.

3.2 Water environment

A review of the EPA interactive mapper for water quality data from 2013-2018 indicated that there are no waterbodies crossed by or immediately adjacent to the Proposed Scheme. The closest waterbody to the Proposed Scheme is the Kill-O-The-Grange Stream which is located more than 250 m south-west of the Site.

4. Appropriate Assessment Screening

4.1 Screening exercise

Table 4-1 below initially considered all possible impact source types and their relevance to the Proposed Scheme. Where potential applicable impact sources are identified, it then considered whether a pathway for an effect on European sites exists and the nature of any effect (if any) on relevant receptors (comprising Qualifying Interests (QI), Special Conservation Interests (SCI) or the ecological features/processes supporting them for which an impact pathway exists). This establishes the ZoI of the Proposed Scheme for each impact source, and any European sites (if any) within the ZoI are stated.

All stages of the Proposed Scheme have been considered. In this case, the construction and operational stages are relevant, but there is no expectation of a decommissioning stage which has therefore been excluded.

Table 4-1: Consideration of all impact sources, pathways, effects and resulting European sites within the potential ZoI

Impact source	Applicability to Proposed Scheme	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential ZoI
Construction phase				
Direct loss of qualifying or supporting habitat(s)	None. The Proposed Scheme is not within or adjacent to European sites, and is confined to existing roads which do not constitute functionally-linked or supporting habitat for any SCI/QI species.	None	None.	None.
Waterborne pollution of qualifying or supporting habitat(s) or species.	Construction could produce pollution that could theoretically enter the water environment, although such pollution would not be major given the minor nature of the works in an urban area.	The Site is in a serviced urban area and construction pollution would likely be captured and managed by the existing drainage system. The closest open waterbody to the Site (Kill-O-The-Grange Stream) is more than 250 m to the south-west. Therefore the likelihood that pollution from the minor required works would reach this stream is very low, and although the stream discharges to Dublin Bay, it is culverted and there are intervening buildings/gardens etc. between the Site and the stream. Therefore the likelihood that pollution from the minor required works would reach this stream is very low. Moreover this stream does not discharge into a European site directly but via non-designated open sea.	None. The minor works required for the Proposed Scheme would not produce major pollution. In the unlikely event that pollution occurred, it would be minor and would be captured and managed by the existing urban drainage system, and in the extremely unlikely event that it should reach the nearest watercourses the great degree of dilution at the sea combined with the insignificant nature of any construction pollution from such minor works indicates that there would be no effect.	None.
Airborne pollution of qualifying or supporting habitat(s) or species.	Construction would involve plant machinery/equipment therefore construction vehicle emissions would occur and dust generation is possible (although slight owing to the minor nature of the works).	No pathway. The closest European sites to the Site (South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC) are over 1.7 km to the north, with an intervening highly urban area. Construction-generated dust and vehicular emissions would be minimal for the minor works required, and owing to dispersal would be insignificant at European sites with this degree of separation or greater.	None.	None.
Hydrological changes (to surface waters or groundwater)	None. Construction does not require significant earthworks and will not abstract water, therefore there will be no effect on groundwater at European sites.	None. Further to the comments to the left, the nearest European sites comprise either marine habitat which is not vulnerable to terrestrial hydrological changes, or distant coastal areas with	None.	None.

Impact source	Applicability to Proposed Scheme	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential ZoI
		intervening sea and/or large urban areas such that hydrological changes would not be possible.		
Changes to coastal processes	None. The Proposed Scheme is not located at the coast and provides no mechanism by which coastal processes could be distantly affected.	None.	None.	None.
Disturbance of SCI/QI or supporting species (e.g. visually or by noise, vibration or artificial light)	Disturbance of SCI birds is theoretically possible by the construction works.	The Site is not in a European site and does not constitute functionally-linked / supporting habitat for SCI / QI species, which would not occur there. The closest relevant European site (South Dublin Bay and River Tolka Estuary SPA) is more than 1.7 km to the north, beyond possible disturbance for SCI birds – the Proposed Scheme will involve minor works only, whereas even 'high level' disturbance (very noisy construction activities) is only likely to result in 'low level' disturbance beyond 500 m (Cutts *et al.*, 2013). However, parks within the Site could constitute functionally-linked habitat for SCI birds such as light-bellied Brent goose *Branta bernicla* hrota.	None. The small area of amenity grassland at Pearse Park and beside Sefton Road could theoretically be used by SCI birds. However, given that a) the works for this Proposed Scheme will be minor, b) these roads are in-land and within a highly urbanised town (Dún Laoghaire) thus are subject to existing disturbance, and c) the amenity grasslands mentioned above would also experience a high degree of disturbance by people so SCI birds would most likely not occur near the Site, and if they did, they would be already habituated to significant disturbance. There are also many alternative larger and likely less disturbed parks in the area. Therefore no effect is considered possible.	None.
Injury or mortality of QI/SCI or supporting species	None. The site is confined to existing roads in a heavily built-up area which does not constitute functionally-linked habitat for SCI/QI or supporting species, therefore they will not occur at the Site and will not be injured.	None.	None.	None.
Barriers to or displacement of QI/SCI or supporting species	None. The Site does not affect waterbodies directly and provides no mechanism for affecting fish movements distantly, thus cannot affect fish migration. Neither does the Proposed Scheme provide any mechanism for affecting migration of other taxa such as birds.	None.	None.	None.

Impact source	Applicability to Proposed Scheme	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential ZoI
Changes to predator-prey dynamics	None. The Proposed Scheme provides no mechanism for affecting predator-prey dynamics (such as facilitated predation).	None.	None.	None
Spread of invasive non-native species	Tenuously applicable. The Site is on existing well-maintained busy roads/paths in Dún Laoghaire which contain non-scheduled, invasive non-native species including butterfly bush (medium impact invasive) and winter heliotrope (low impact invasive).	None are realistic. The closest waterbody to the Site (Kill-O-The-Grange Stream) is more than 250 m to the south-west. north of the Proposed Scheme, therefore no spread of invasives by water is likely. The nearest European sites are all marine and not vulnerable to terrestrial invasive species. It is improbable that construction plant/vehicles would drive into terrestrial European sites at greater distances, and therefore improbable that invasives could be spread to them. Therefore no realistic pathway is considered to exist.	None.	None.
Operational phase				
Waterborne pollution of qualifying or supporting habitat(s) or species.	None. The Proposed Scheme does not change baseline operational drainage or water treatment.	None.	None.	None.
Airborne pollution of qualifying or supporting habitat(s) or species.	The Proposed Scheme could slightly change operational vehicular emissions.	None. The Proposed Scheme could cause a reduction in vehicular emissions (it improves sustainable transport) but any such change would not be sufficient to be detectable at European sites, given the separation distances (minimum 1.7 km) and overall vehicular emissions from the wider nearby urban area (including Dublin). The nearer European sites are also marine and not vulnerable to such emissions.	None.	None.
Hydrological changes (to surface waters or groundwater)	None. The Proposed Scheme is an urban road improvement providing no mechanism for affecting groundwater levels or hydrology of surface water during operation.	None.	None.	None.

Impact source	Applicability to Proposed Scheme	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential ZoI
Changes to coastal processes	None. The Proposed Scheme is an urban road improvement not located at the coast and providing no mechanism by which coastal processes could be distantly affected.	None.	None.	None.
Disturbance of SCI/QI or supporting species (e.g. visually or by noise, vibration or artificial light)	European sites are too distant to be subject to disturbance (more than 1.7 km from the nearest European site), and the Site does not constitute as functionally-linked habitat that might be used by SCI birds. The Proposed Scheme will not result in significant change to the current baseline traffic / human disturbance within the Site. However, disturbance of SCI birds is theoretically possible by new operational phase lighting.	Parks within and adjacent to the Site (e.g. Pearse Park) could constitute functionally-linked habitat for SCI birds such as light-bellied Brent goose *Branta bernicla* hrota.	None. The small area of amenity grassland at Pearse Park and beside Sefton Road could theoretically be used by SCI birds. New lighting will be installed along a new path in Pearse Park and may be installed elsewhere within the Proposed Scheme. However, given that street lighting is already present throughout the Site, including along the existing lane in Pearse Park, any SCI birds would already be habituated to lighting. There are also many alternative parks in the area. Therefore no effect is considered possible.	None.
Injury or mortality of QI/SCI or supporting species	None. As noted above, the Proposed Scheme involves minor alterations to existing roads which do not constitute functionally-linked habitat for QI/SCI or supporting species, therefore they will not occur at the Site and cannot not be injured.	None.	None.	None.
Barriers to or displacement of QI/SCI or supporting species	None. The Proposed Scheme provides no mechanism for affecting migratory or other movements during operation.	None.	None.	None.
Changes to predator-prey dynamics	None. The Proposed Scheme is an urban road improvement providing no mechanism for affecting predator-prey dynamics (such as facilitated predation).	None.	None.	None.
Spread of invasive non-native species	None. Operation of the Proposed Scheme provides no mechanism for spread of invasive non-native species.	None.	None.	None.

Impact source	Applicability to Proposed Scheme	Pathway to European site(s)	Potential for effect(s) on receptors*	European sites within potential ZoI

* Receptors here means any Qualifying Interest(s) of SAC(s) or Special Conservation Interest(s) of SPA(s) or any other ecological features which support QI/SCI.

4.2 Consultation

Consultation during planning will be made with the relevant statutory agencies. No consultation has been made to date.

4.3 Test of likely significant effects

As set out in Table 4-1, for almost all impact sources potentially arising from both the construction and operational phases, there is no applicability to the Proposed Scheme or no pathway for an effect to be caused on any European sites, largely because the Proposed Scheme involves minor road improvements of existing busy roads within a heavily built-up area.

In the unlikely event that pollution during construction occurred the possible impact would be very minor owing to the limited nature of the works, and any water pollution would be subsequently managed by the existing urban drainage system. There is a very low risk of construction pollution reaching the nearest watercourse (Kill-O-The-Grange Stream), which is indirectly linked more than 250 m south-west of the Site, given the distance and intervening habitats. However, on the very unlikely basis that pollution should enter Kill-O-Grange Stream which is hydrologically linked to European sites (South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC), there is no potential for an adverse effect, significant or otherwise, given the marine environment and the large degree of dilution by emerging major rivers, tidal flushing and the volume of sea itself, combined with the minor nature of any such pollution (considering the minor nature of the works).

For disturbance of SCI/QI species, it is noted in Table 4-1 that parks such as Pearse Park within the Site could be used as functionally-linked habitat by SCI birds such as light-bellied Brent geese. However, given that, a) the Proposed Scheme involves only minor works to existing roads, b) the roads concerned are in central Dún Laoghaire where there is existing disturbance, and c) the amenity grasslands mentioned above would also experience a high degree of disturbance by people. SCI birds would most likely not occur near the Site, and if they did, they would be already habituated to significant disturbance and there are many alternative larger and likely less disturbed parks in the area. Therefore no effect is considered possible on SCI birds.

Consequently, it is concluded that there will be no effects of any kind on European sites as a result of the Proposed Scheme.

4.4 In-combination effects

Cumulative effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location (CIEEM, 2022). As discussed at Section 4.3, there is potential for very small, but insignificant effects to South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC during construction of the Proposed Scheme as a result of pollution and disturbance of SCI/QI species within functionally-linked habitat. The potential for in-combination effects with nearby plans and projects has been considered, particularly the Dún Laoghaire Central Active Travel Scheme which ties into the Proposed Scheme at its northern end. An AA Screening was completed for the Dún Laoghaire Central Active Travel Scheme, which concluded for the same reasons, i.e., the minor nature of the project, combined with its location within an already disturbed urban environment, that there was no possibility for an adverse effect including in-combination with other plans or projects. It can therefore be concluded that there is no possibility for the Proposed Scheme to act in-combination with the Dún Laoghaire Central Active Travel Scheme.

Consequently, it is concluded that there will be no effects on European sites from the Proposed Scheme in-combination with any other plans or projects.

5. Screening statement and conclusion

The assessment has concluded that there are no likely significant effects predicted from the Proposed Scheme on any European sites, SCI/QI species or supporting habitat.

Furthermore, the in-combination assessment also concludes that there are no likely effects at all predicted when considering the Proposed Scheme in combination with other projects or plans.

Therefore, in view of best scientific knowledge and on the basis of objective information, it is concluded that the Proposed Scheme, whether individually or in-combination with other plans or projects, beyond reasonable scientific doubt is not likely to have significant effects on any European site. Therefore, there is no requirement to proceed to the next step of Appropriate Assessment and, subject to other requirements, the Proposed Scheme can be authorised.

6. References

CIEEM (2022). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater Coastal and Marine. Version 1.2, Updated April 2022. Chartered Institute of Ecology and Environmental Management, Winchester.

Cutts, N., Hemmingway, K. and Spencer, J. (2013). Waterbird Disturbance Mitigation Toolkit. Institute of Estuarine and Coastal Studies, University of Hull.

DoEHLG (2010). Appropriate Assessment of plans and projects in Ireland. Guidance for Planning Authorities. Department of Environment, Heritage and Local Government: Ireland.

European Commission (2002). Assessment of Plans and Proposed Schemes 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 (2000). Communication from the Commission on the Precautionary Principle. Office for Official Publications of the European Communities, Luxembourg.

European Commission (2018). Commission Notice: Managing Natura 2000 sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Brussels, 21.11.2018 (2018) 7621 final.

EPA (2018). River Waterbody WFD Status 2013 – 2018. Accessed December 2021. Available: https://gis.epa.ie/EPAMaps/

NPWS (2010). Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.

NPWS (2019). The Status of EU Protected Habitats and Species in Ireland. Volumes 1, 2 and 3. NPWS report.

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

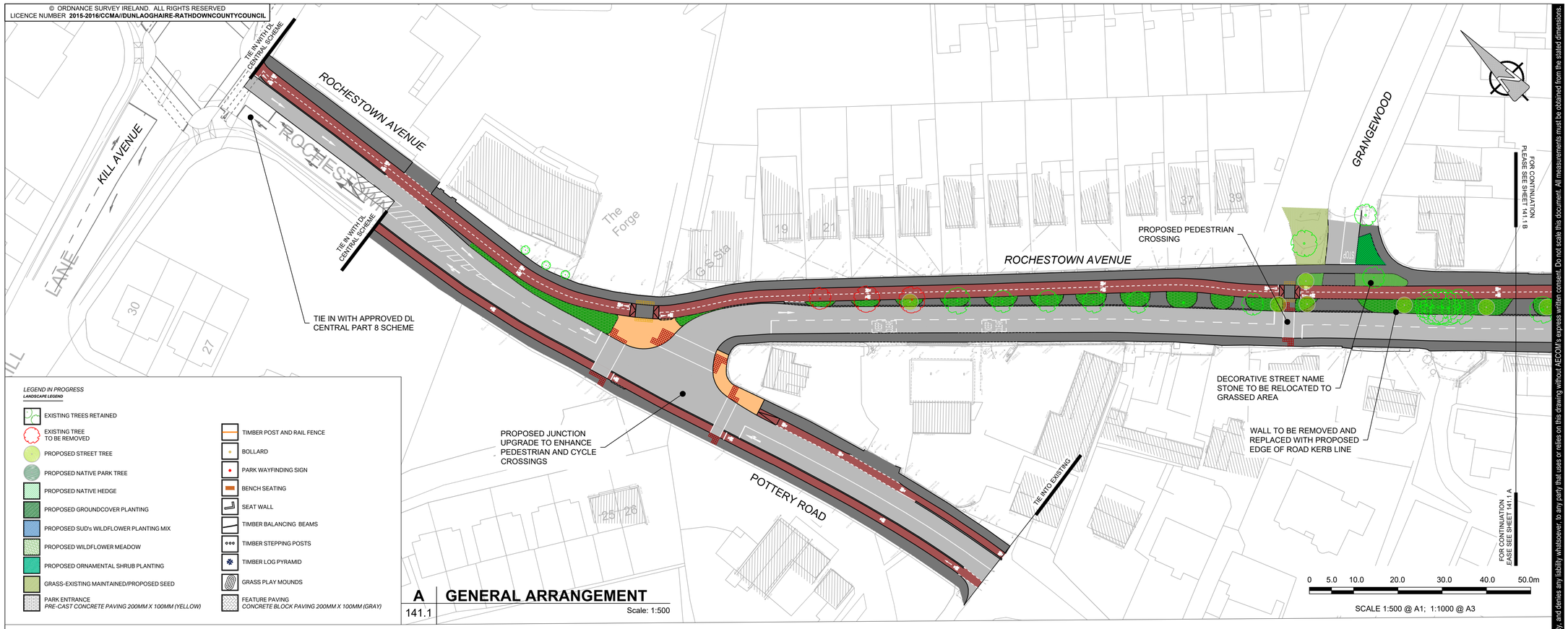
NPWS (2015) Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

OPR (2021). OPR Practice Note PN01: Appropriate Assessment Screening for Development Management. March 2021.

UNESCO (2005). The Precautionary Principle. World Commission on the Ethics of Scientific Knowledge and Technology, UNESCO.

Appendix A Figures

Project Management Initials: Designer: TM Checked: SG Approved: EG ISO A1 594mm x 841mm



LEGEND IN PROGRESS
LANDSCAPE LEGEND

- EXISTING TREES RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED STREET TREE
- PROPOSED NATIVE PARK TREE
- PROPOSED NATIVE HEDGE
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED SUD's WILDFLOWER PLANTING MIX
- PROPOSED WILDFLOWER MEADOW
- PROPOSED ORNAMENTAL SHRUB PLANTING
- GRASS-EXISTING MAINTAINED/PROPOSED SEED
- PARK ENTRANCE *PRE-CAST CONCRETE PAVING 200MM X 100MM (YELLOW)*
- TIMBER POST AND RAIL FENCE
- BOLLARD
- PARK WAYFINDING SIGN
- BENCH SEATING
- SEAT WALL
- TIMBER BALANCING BEAMS
- TIMBER STEPPING POSTS
- TIMBER LOG PYRAMID
- GRASS PLAY MOUNDS
- FEATURE PAVING *CONCRETE BLOCK PAVING 200MM X 100MM (GRAY)*

A GENERAL ARRANGEMENT
141.1 Scale: 1:500

B GENERAL ARRANGEMENT
141.1 Scale: 1:500

Printed on ___% Post-Consumer Recycled Content Paper

AECOM

PROJECT
ROCHESTOWN AVENUE ACTIVE TRAVEL SCHEME

CLIENT
dlr Comhairle Contae County Council

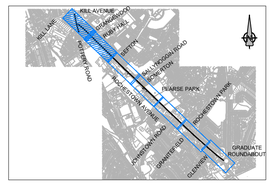
CONSULTANT
AECOM
Adelphi Plaza
George's Street Upper
Dun Laoghaire Co.Dublin
Tel:+353(0)1 2383100 Fax:+353(0)1 2383199
www.aecom.com

NOTES:
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS, ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
2. ALL DIMENSIONS ARE IN METERS UNLESS STATED OTHERWISE.
3. DO NOT SCALE, ALL DIMENSIONS AND COORDINATES SHALL BE CHECKED AND CONFIRMED ON SITE.

KEY:
- CYCLE TRACK
- CARRIAGEWAY
- FOOTWAY / ISLAND
- SHARED PATH

ISSUE/REVISION

I/R	DATE	DESCRIPTION
A	JUNE 2023	ISSUED FOR CONSULTATION

KEY PLAN


PROJECT NUMBER
60661468

SHEET TITLE
GENERAL ARRANGEMENT
SHEET 1 OF 4

SHEET NUMBER
60661468_SHT_ROCH_141.1

ISO A1 594mm x 841mm
Approved: EG
Checked: SG
Designer: TM
Project Management Initials:

LEGEND IN PROGRESS
LANDSCAPE LEGEND

- EXISTING TREES RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED STREET TREE
- PROPOSED NATIVE PARK TREE
- PROPOSED NATIVE HEDGE
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED SUD's WILDFLOWER PLANTING MIX
- PROPOSED WILDFLOWER MEADOW
- PROPOSED ORNAMENTAL SHRUB PLANTING
- GRASS-EXISTING MAINTAINED/PROPOSED SEED
- PARK ENTRANCE *PRE-CAST CONCRETE PAVING 200MM X 100MM (YELLOW)*
- TIMBER POST AND RAIL FENCE
- BOLLARD
- PARK WAYFINDING SIGN
- BENCH SEATING
- SEAT WALL
- TIMBER BALANCING BEAMS
- TIMBER STEPPING POSTS
- TIMBER LOG PYRAMID
- GRASS PLAY MOUNDS
- FEATURE PAVING *CONCRETE BLOCK PAVING 200MM X 100MM (GRAY)*

AECOM

PROJECT

ROCHESTOWN AVENUE ACTIVE TRAVEL SCHEME

CLIENT

dlr Comhairle Contae County Council

CONSULTANT

AECOM
Adelphi Plaza
George's Street Upper
Dun Laoghaire Co.Dublin
Tel:+353(0)1 2383100 Fax:+353(0)1 2383199
www.aecom.com

NOTES:

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS, ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
2. ALL DIMENSIONS ARE IN METERS UNLESS STATED OTHERWISE.
3. DO NOT SCALE, ALL DIMENSIONS AND COORDINATES SHALL BE CHECKED AND CONFIRMED ON SITE.

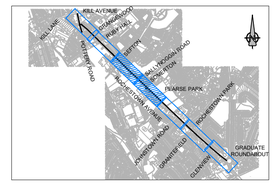
KEY:

- CYCLE TRACK
- CARRIAGEWAY
- FOOTWAY / ISLAND
- SHARED PATH

ISSUE/REVISION

I/R	DATE	DESCRIPTION
A	JUNE 2023	ISSUED FOR CONSULTATION

KEY PLAN



PROJECT NUMBER

60661468

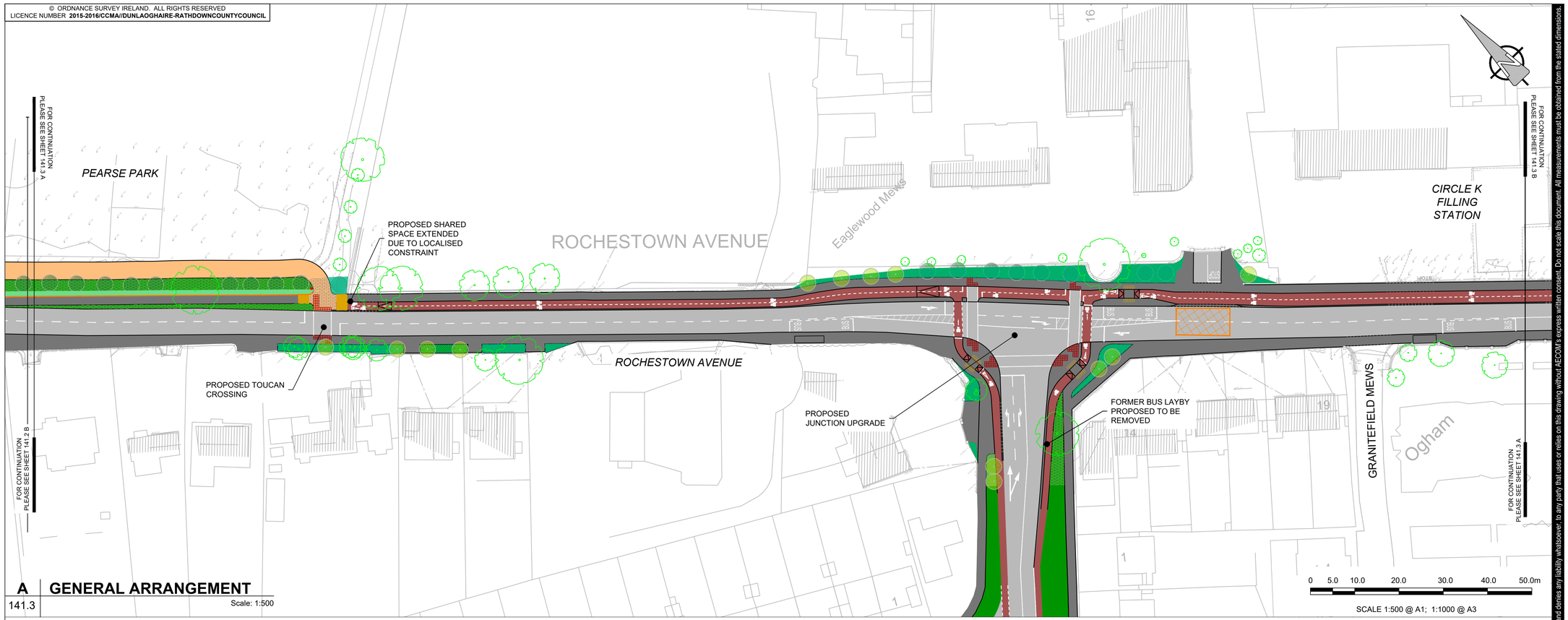
SHEET TITLE

GENERAL ARRANGEMENT
SHEET 2 OF 4

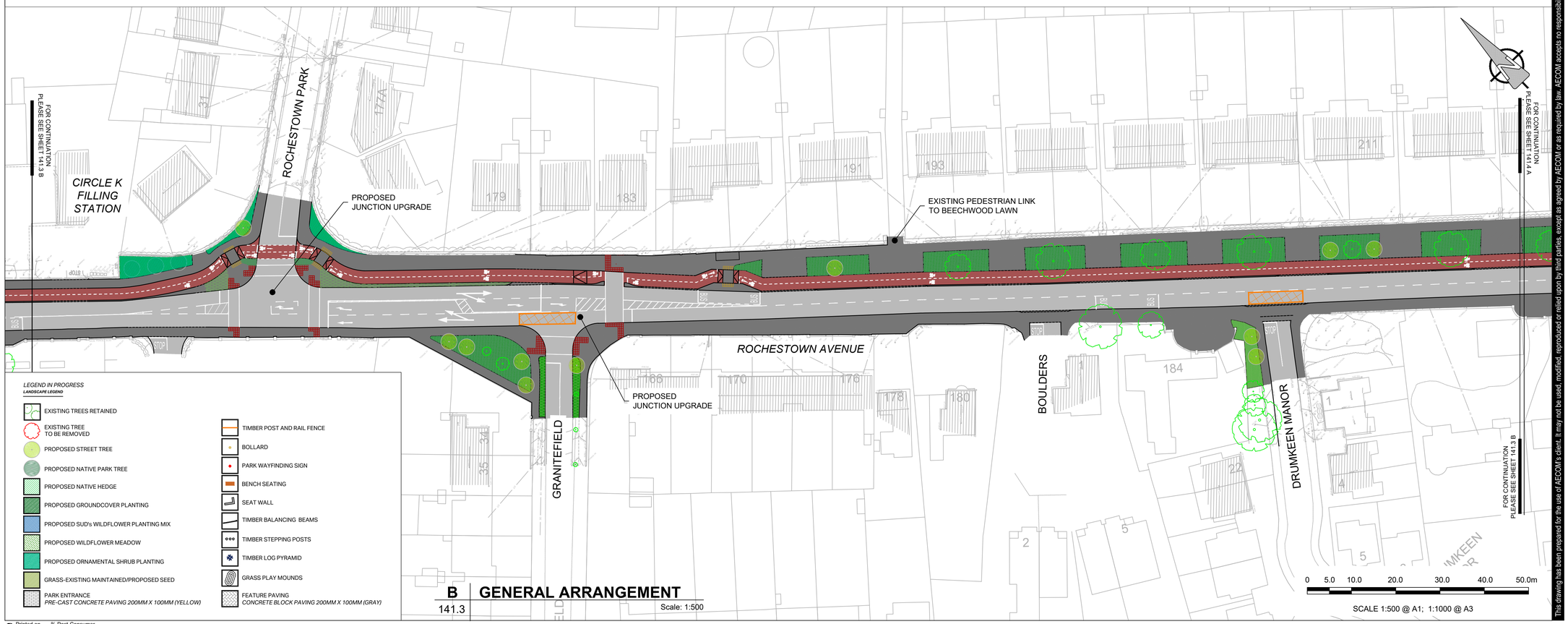
SHEET NUMBER

60661468_SHT_ROCH_141.2

ISO A1 594mm x 841mm
Approved: EG
Checked: SG
Designer: TM
Project Management Initials:



A GENERAL ARRANGEMENT
141.3 Scale: 1:500



LEGEND IN PROGRESS
LANDSCAPE LEGEND

- EXISTING TREES RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED STREET TREE
- PROPOSED NATIVE PARK TREE
- PROPOSED NATIVE HEDGE
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED SUD's WILDFLOWER PLANTING MIX
- PROPOSED WILDFLOWER MEADOW
- PROPOSED ORNAMENTAL SHRUB PLANTING
- GRASS-EXISTING MAINTAINED/PROPOSED SEED
- PARK ENTRANCE *PRE-CAST CONCRETE PAVING 200MM X 100MM (YELLOW)*
- TIMBER POST AND RAIL FENCE
- BOLLARD
- PARK WAYFINDING SIGN
- BENCH SEATING
- SEAT WALL
- TIMBER BALANCING BEAMS
- TIMBER STEPPING POSTS
- TIMBER LOG PYRAMID
- GRASS PLAY MOUNDS
- FEATURE PAVING *CONCRETE BLOCK PAVING 200MM X 100MM (GRAY)*

B GENERAL ARRANGEMENT
141.3 Scale: 1:500

AECOM

PROJECT
ROCHESTOWN AVENUE ACTIVE TRAVEL SCHEME

CLIENT
dlr Comhairle Contae County Council

CONSULTANT
AECOM
Adelphi Plaza
George's Street Upper
Dun Laoghaire Co.Dublin
Tel:+353(0)1 2383100 Fax:+353(0)1 2383199
www.aecom.com

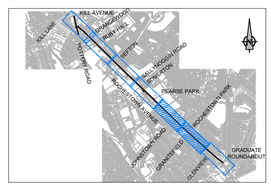
NOTES:
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS, ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
2. ALL DIMENSIONS ARE IN METERS UNLESS STATED OTHERWISE.
3. DO NOT SCALE, ALL DIMENSIONS AND COORDINATES SHALL BE CHECKED AND CONFIRMED ON SITE.

KEY:
- CYCLE TRACK
- CARRIAGEWAY
- FOOTWAY / ISLAND
- SHARED PATH

ISSUE/REVISION

I/R	DATE	DESCRIPTION
A	JUNE 2023	ISSUED FOR CONSULTATION

KEY PLAN

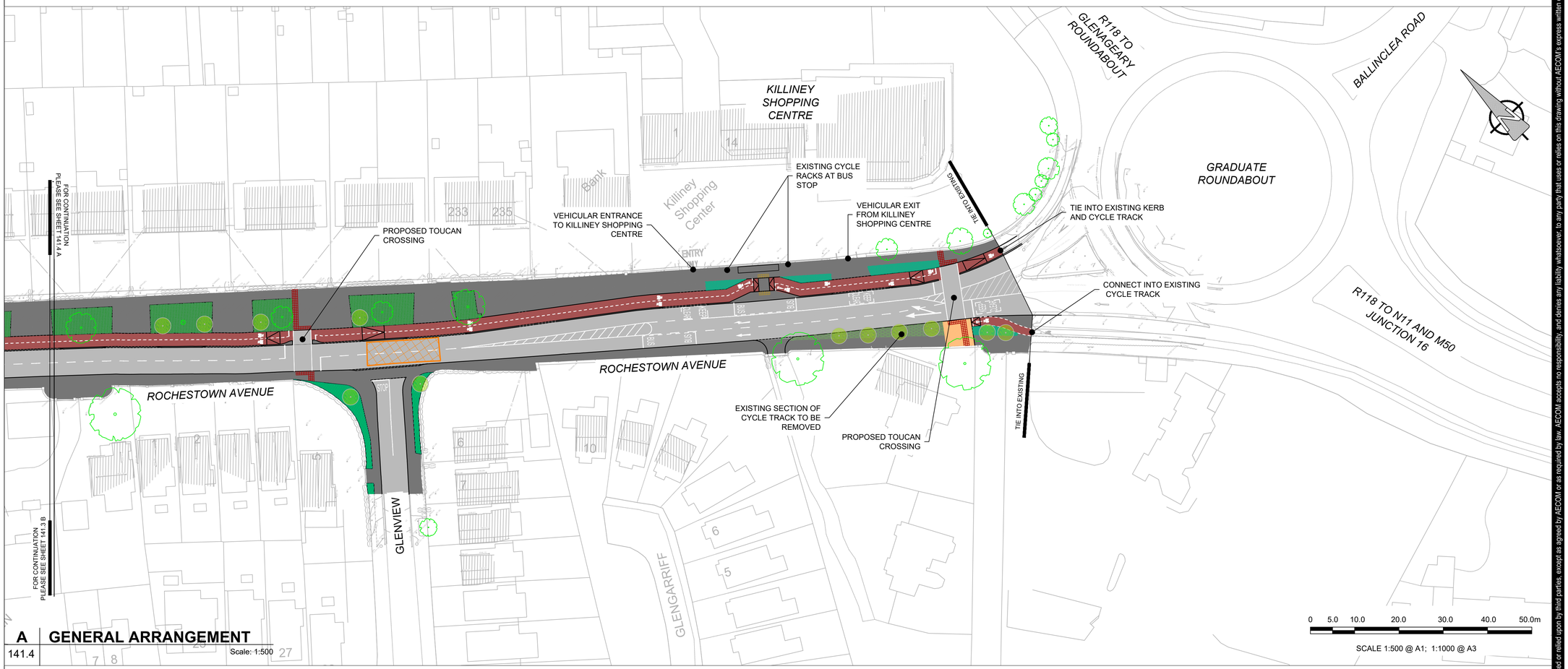


PROJECT NUMBER
60661468

SHEET TITLE
GENERAL ARRANGEMENT
SHEET 3 OF 4

SHEET NUMBER
60661468_SHT_ROCH_141.3

ISO A1 594mm x 841mm
Approved: EG
Checked: SG
Designer: TM
Project Management Initials:



SCALE 1:500 @ A1; 1:1000 @ A3

A GENERAL ARRANGEMENT

141.4 Scale: 1:500

LEGEND IN PROGRESS

LANDSCAPE LEGEND

- EXISTING TREES RETAINED
- EXISTING TREE TO BE REMOVED
- PROPOSED STREET TREE
- PROPOSED NATIVE PARK TREE
- PROPOSED NATIVE HEDGE
- PROPOSED GROUNDCOVER PLANTING
- PROPOSED SUD's WILDFLOWER PLANTING MIX
- PROPOSED WILDFLOWER MEADOW
- PROPOSED ORNAMENTAL SHRUB PLANTING
- GRASS-EXISTING MAINTAINED/PROPOSED SEED
- PARK ENTRANCE *PRE-CAST CONCRETE PAVING 200MM X 100MM (YELLOW)*
- TIMBER POST AND RAIL FENCE
- BOLLARD
- PARK WAYFINDING SIGN
- BENCH SEATING
- SEAT WALL
- TIMBER BALANCING BEAMS
- TIMBER STEPPING POSTS
- TIMBER LOG PYRAMID
- GRASS PLAY MOUNDS
- FEATURE PAVING *CONCRETE BLOCK PAVING 200MM X 100MM (GRAY)*

AECOM

PROJECT

ROCHESTOWN AVENUE ACTIVE TRAVEL SCHEME

CLIENT

dlr Comhairle Contae County Council

CONSULTANT

AECOM
Adelphi Plaza
George's Street Upper
Dun Laoghaire Co.Dublin
Tel:+353(0)1 2383100 Fax:+353(0)1 2383199
www.aecom.com

NOTES:

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS, ANY DISCREPANCIES, ERRORS OR OMISSIONS TO BE BROUGHT TO THE ATTENTION OF THE DESIGNER.
2. ALL DIMENSIONS ARE IN METERS UNLESS STATED OTHERWISE.
3. DO NOT SCALE, ALL DIMENSIONS AND COORDINATES SHALL BE CHECKED AND CONFIRMED ON SITE.

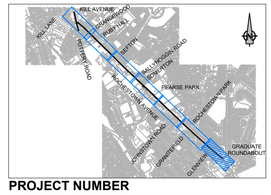
KEY:

- CYCLE TRACK
- CARRIAGEWAY
- FOOTWAY / ISLAND
- SHARED PATH

ISSUE/REVISION

I/R	DATE	DESCRIPTION
A	JUNE 2023	ISSUED FOR CONSULTATION

KEY PLAN



PROJECT NUMBER

60661468

SHEET TITLE

GENERAL ARRANGEMENT
SHEET 4 OF 4

SHEET NUMBER

60661468_SHT_ROCH_141.4

aecom.com