



PROVISION OF INFORMATION FOR APPROPRIATE ASSESSMENT SCREENING
SPRINGHILL PARK, MOUNT ALBANY, DÚN LAOGHAIRE.

Prepared For Dún Laoghaire-Rathdown County Council

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1.0 INTRODUCTION

1.1 Aims and objectives

This report, which contains information required for the competent authority (in this instance Dún Laoghaire-Rathdown County Council) to undertake a screening for Appropriate Assessment (AA), has been prepared by Scott Cawley Ltd. It provides information on, and assesses the potential for, the proposed for a development proposal to construct a tennis pavilion at Springhill Park, Mount Albany, Dún Laoghaire, to impact on Natura 2000 sites (hereafter referred to as European Sites)¹.

This screening document has also been prepared in accordance with Section 13, subsection 6 of the *Planning and Development (Amendment) Act 2010* and *European Communities (Birds and Natural Habitats) Regulations 2011, S.I. No. 477 of 2011*.

It is necessary that the decision to permit the proposed development has regard to Article 6 of the *Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora* (as amended) (hereafter referred to as the Habitats Directive). This is transposed in Ireland primarily by *S.I. No. 477 of 2011, European Communities (Birds and Natural Habitats) Regulations 2011* (hereafter referred to as the Birds and Habitats Regulations) and by the *Planning and Development (Amendment) Act 2010*, as amended (hereafter referred to as the Planning Acts).

The information in this report forms part of, and should be read in conjunction with the other documentation prepared in connection with the proposed development.

The aims of this Report are to:

- Determine whether the proposed development is directly connected with or necessary to the conservation management of any Natura 2000 sites²;
- Identify 'Relevant' European sites within the potential "Zone of Influence (ZoI)"³ – these are sites for which it is determined that the development, either alone or in combination with other projects/plans could give rise to threats;
- Determine if the development could result in likely significant effects on any Relevant European sites within the Zone of Influence by causing known threats to their Qualifying Interests?

An AA is required if likely significant effects on European sites arising from a proposed development cannot be ruled out at the screening stage, either alone or in combination with other plans or projects.

2.0 METHODOLOGY

This Appropriate Assessment Screening Statement has been prepared with regard to the following guidance documents where relevant:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities*. (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities*. Circular NPW 1/10 & PSSP 2/10;

¹ Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special areas of conservation composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland these sites are designed at *European Sites* - defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs)

² In this instance the proposed development is not directly connected with or necessary to the conservation management of any European sites.

³ As per the definition in the National Roads Authorities *Guidelines for Assessment of Ecological Impacts of National Roads Schemes* (NRA, 2009), the zone of influence is defined as the estimated effect area over which biophysical changes are likely to occur for each activity associated with the development.

- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive;
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereafter referred to as MN2000;
- *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission (European Commission, January 2007);
- *Communication from the Commission on the precautionary principle.* European Commission (2000).

This Appropriate Assessment Screening Statement is based on a desktop study to establish the zone of influence of the project and the locations of any Annex I habitats/Annex II species and/or qualifying interests/special conservation interests of nearby European Sites.

Sources of information relied upon are listed below.

Desktop Data / Information Sources:

- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie;
- Online data available on European Sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie;
- Online data available from the National Biodiversity Data Centre mapping service (<http://maps.biodiversityireland.ie/#/Map>);
- Information on water quality in the area available from www.epa.ie;
- Information on local planning in the area available from www.myplan.ie;
- Information on the Eastern River Basin District from www.wfdireland.ie;
- Information on the location, nature and design of the proposed development supplied by the applicant's design team;
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013).

The Planning Authority must therefore consider whether or not the adoption of the proposed Part 8 would be likely to have a significant effect on a Natura 2000 site or will significantly adversely affect the integrity of the site and thus warrant an Appropriate Assessment. The Authority's AA Screening will be recorded in the form of an AA Conclusion Statement which will set out the judgement regarding the need to carry out a full AA and the reasons for this judgement.

2.1 Framework for Proposed Part 8 Development

The current document presents the results of the first of the four stages in the Appropriate Assessment process ie. Screening, to determine whether the proposed construction of a Tennis Pavilion at Springhill Park, Mount Albany, Dún Laoghaire, is likely to have a negative impact on a Natura 2000 site.

The proposed Part 8 development will sit within the framework of the Dún Laoghaire-Rathdown County Development Plan 2010-2016. The County Development Plan was accordingly screened for Appropriate Assessment and the outcome of this process was that the Development Plan had generally been formulated to ensure that uses, developments and effects arising from permissions based upon the Plan (either individually or in combination with other plans or projects) shall not give rise to significant adverse impacts on the integrity of any Natura 2000 sites.

3.0 DESCRIPTION OF PROPOSED PART 8 DEVELOPMENT

3.1 Context for the Proposed Part 8 Development

Dún Laoghaire-Rathdown County Council (Planning Department) has initiated the procedures for commencing Part 8 consultation.

The proposed location of the Tennis Pavilion is within Springhill Park, adjoining five existing tennis courts. The Park, consisting of 3.96 ha of Parkland, also provides for other recreational activities such as a playground and playing pitches. The rationale for the proposal is to upgrade the current club house / changing room facilities which consist of a modified metal container.

The site is adjacent to residential area of Spring Hill Avenue, Mount Albany and Pine Lawn, with Newtown Park House Nursing home abutting the Park along the northern boundary of the Park.

The rationale for the proposed Part 8 is to upgrade the existing club house facilities and provide for improved amenity for local residents and a modern, secure facility for users of the Tennis courts.

3.2 Description of the Proposed Development

It is proposed to construct a single storey tennis pavilion with provision for both male and female changing rooms, storage rooms, coaches' room, kitchenette, community room and playroom/storage and associated civil works, total foot print of the proposed building is 153.7sqm. The existing container has a foot print of 50.75 m2.

The existing container is connected to a water main located within the open space. It also has a toilet which is connected to the foul sewer system of the adjoining nursing home property, located immediately north of the subject site. It is proposed to upgrade the existing water connection. Waste from the toilets, showers and kitchenette will be discharged into an existing foul sewer located on Mount Albany Road, adjoining the Park .

3.3 Location

The development site is located within Springhill Park, Mount Albany, Co. Dublin. The proposed Pavilion is located between the boundary wall of Newtownpark Nursing Home and the tennis courts immediately to the south of this wall.

The site is zoned Objective 'F',- 'To preserve and provide for open space with ancillary active recreational amenities' as annotated within Map 6 of Dún Laoghaire-Rathdown County Development Plan, 2010-2016.

Within this Plan there is another local objective on the subject site to 'Protect and preserve Trees and Woodlands.

4.0 SUMMARY OF THE NATURA 2000 SITES IDENTIFIED

Natura 2000 sites within 5km of the proposed development, or with possible hydrological links to the proposed development site, were identified.

Potential impact sources (i.e. potential effects which could impact on Natura 2000 sites) associated with the proposed project were identified, as were potential impact pathways (linkages) and potential receptors (which may include qualifying interest features of Natura 2000 sites or their underpinning environmental conditions). Potential impact pathways include:

- 1) Physical linkages between the proposed development site and Natura 2000 sites
- 2) Hydrological linkages between the proposed development site and Natura 2000 sites
- 3) Movement of species between the proposed development site and Natura 2000 sites.

There are no Natura 2000 sites located within the site of the Proposed Part 8 or immediately adjoining it.

There are two Special Protection Areas within a radius of 5km of the project:

- South Dublin Bay and River Tolka Estuary SPA;
- Dalkey Island SPA.

There are two proposed Special Areas of Conservation within a radius of 5km of the project;

- South Dublin Bay cSAC;
- Rockabill-Dalkey Island cSAC.

There is no known connectivity between the project site and any other Natura 2000 site.

South Dublin Bay SAC (Site Code 210) (2km)

This site lies south of the mouth of the River Liffey, extending from the South Wall to the west pier at Dún Laoghaire. Its nearest point lies two kilometres from the site of the project.

The South Dublin Bay SAC has been designated for the following Annex I habitats:

- Mudflats and sandflats not covered by seawater at low tide.

The Conservation Objectives for the site are *'to maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC'*. A series of attributes and targets for this objective have been prepared and are presented below:

Conservation Objectives for : South Dublin Bay SAC [000210]

1140 Mudflats and sandflats not covered by seawater at low tide

To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by the following list of attributes and targets:

Attribute	Measure	Target	Notes
Habitat area	Hectares	The permanent habitat area is stable or increasing, subject to natural processes. See map 3	Habitat area was estimated using OSi data as 720ha
Community extent	Hectares	Maintain the extent of the <i>Zostera</i> -dominated community, subject to natural processes. See map 4	Based on an intertidal survey undertaken in 2011 (MERC, 2012). See marine supporting document for further information
Community structure: <i>Zostera</i> density	Shoots/m ²	Conserve the high quality of the <i>Zostera</i> -dominated community, subject to natural processes	Based on an intertidal survey undertaken in 2011 (MERC, 2012). See marine supporting document for further details
Community distribution	Hectares	Conserve the following community type in a natural condition: Fine sands with <i>Angulus tenuis</i> community complex. See map 4	Based on intertidal surveys undertaken in 2006 (Aquafact, 2006) and 2011 (MERC, 2012). See marine supporting document for further information

The South Dublin Bay SAC is an intertidal site with extensive areas of sand and mudflats, a habitat listed on Annex I of the E.U. Habitats Directive. The sediments are predominantly sands but grade to sandy muds near the shore at Merrion gates. The main channel, which drains the area, is Cackle Lake.

There is a bed of Eelgrass (*Zostera noltii*) below Merrion Gates which 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*. Lugworm (*Arenicola marina*) and Cockles (*Cerastoderma edule*) and other annelids and bivalves are frequent throughout the site. The small gastropod *Hydrobia ulvae* occurs on the muddy sands off Merrion Gates. (NPWS Site synopsis sheet 210).

The site has not been designated for Annex II species.

Rockabill-Dalkey Island cSAC. (2.5km)

The Rockabill-Dalkey Island cSAC has been designated on the basis of the following habitats and species:

- Reefs,
- Harbour porpoise (*Phocoena phocoena*).

This site includes a range of dynamic inshore and coastal waters in the western Irish Sea. These include sandy and muddy seabed, reefs, sandbanks and islands. This site extends southwards, in a strip approximately 7 km wide and 40 km in length, from Rockabill, running adjacent to Howth Head, and crosses Dublin Bay to Frazer Bank in South County Dublin. The site encompasses Dalkey, Muglins and Rockabill Islands. The area selected for designation represents a key habitat for the Annex II species harbour porpoise, within the Irish Sea. Population survey data show that porpoise occurrence within the site boundary meets suitable reference values for other designated sites in Ireland. The species occurs year-round within the site and comparatively high group sizes have been recorded.

Reef habitat is uncommon along the eastern seaboard of Ireland due to prevailing geology and hydrographical conditions. Expansive surveys of the Irish coast have indicated that the greatest resource of this habitat within the Irish Sea is found fringing offshore islands which are concentrated along the Dublin coast.

The conservation objectives for the reefs are “To maintain the favourable conservation condition of Reefs in Rockabill to Dalkey Island SAC” and are elaborated with a series of targets and attributes as set out below:

Conservation Objectives for : Rockabill to Dalkey Island SAC [003000]

1170 Reefs

To maintain the favourable conservation condition of Reefs in Rockabill to Dalkey Island SAC, which is defined by the following list of attributes and targets:

Attribute	Measure	Target	Notes
Habitat area	Hectares	The permanent area is stable or increasing, subject to natural processes. See map 3	Habitat area estimated as 182ha using 2010 and 2011 intertidal and subtidal reef survey data (MERC, 2010, 2012a,b), InfoMar bathymetry and the Arklow to Skerries Islands Admiralty Chart (1468_0)
Habitat distribution	Occurrence	Distribution is stable or increasing, subject to natural processes. See map 3	Distribution derived from 2010 and 2011 intertidal and subtidal reef survey data (MERC, 2010, 2012a,b), InfoMar bathymetry and the Arklow to Skerries Islands Admiralty Chart (1468_0). See marine supporting document for further details
Community structure	Biological composition	Conserve the following community types in a natural condition: Intertidal reef community complex; and Subtidal reef community complex. See map 4	Reef community mapping based on 2010 and 2011 intertidal and subtidal reef survey data (MERC, 2010, 2012a,b). See marine supporting document for further details

In a similar manner, conservation objectives for the Harbour porpoises are “To maintain the favourable conservation condition of Harbour porpoise in Rockabill to Dalkey Island SAC”.

Conservation Objectives for : Rockabill to Dalkey Island SAC [003000]

1351 Harbour porpoise *Phocoena phocoena*

To maintain the favourable conservation condition of Harbour porpoise in Rockabill to Dalkey Island SAC, which is defined by the following list of attributes and targets:

Attribute	Measure	Target	Notes
Access to suitable habitat	Number of artificial barriers	Species range within the site should not be restricted by artificial barriers to site use. See map 5	See marine supporting document for further details
Disturbance	Level of impact	Human activities should occur at levels that do not adversely affect the harbour porpoise community at the site	See marine supporting document for further details

South Dublin Bay/Tolka Estuary SPA (Site Code 4024) (2km)

This site comprises a substantial part of Dublin Bay. It includes virtually all of the intertidal area in the South Bay, as well as much of the estuary of the River Tolka to the north of the River Liffey. A portion of the shallow marine waters of the Bay is also included. Its nearest point lies two kilometres from the site of the project.

The Conservation Objectives for the site are *'to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA'*.

The site is an important site for wintering waterfowl, being an integral part of the internationally important Dublin Bay complex. 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 Brent Goose (368) occurs regularly and newly arrived birds in the autumn feed on the eelgrass bed at Merrion. The site supports nationally important numbers of a further six species: Oystercatcher (1,145), Ringed Plover (161), Knot (548), Sanderling (321), Dunlin (1,923) and Bar-tailed Godwit (766). Other species which occur in smaller numbers include Great Crested Grebe (21), Grey Plover (45), Curlew (127), Redshank (260) and Turnstone (52). South Dublin Bay is an important site for wintering gulls, especially Black-headed Gull (3,040), Common Gull (330) and Herring Gull (348). It is also the premier site in Ireland for Mediterranean Gull, with up to 20 birds present at times. These occur through much of the year, but especially in late-winter/spring and again in late summer into winter. The south bay is an important tern roost in the autumn (mostly late July to September). Birds also use the Dalkey Islands to the south. The origin of many of the birds is likely to be the Dublin breeding sites (Rockabill, Dublin docks) though numbers suggest that the site is also used by birds from other sites, perhaps outside the state. More than 5,000 terns have been recorded: Common Tern (usually 2,000-3,000), Arctic Tern (usually 1,000-2,000) and Roseate Tern (usually 200-500) (NPWS Site synopsis sheet 4024).

Dalkey Island SPA (2.5km)

- Roseate Tern (*Sterna dougallii*)
- Common Tern (*Sterna hirundo*)
- Arctic Tern (*Sterna paradisaea*)

Dalkey Islands SPA is both a breeding and a staging site for *Sterna* terns. There is a good history of nesting by terns though success has been variable over the years. Common Tern is the most common species.

The Conservation Objectives for the site are *'to maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA'*.

5.0 INFORMATION REQUIRED FOR AA SCREENING

The screening criteria below is based on the template outlined in the EU methodology and its purpose is to identify elements of the project likely to impact on the Natura 2000 sites and determine the significance of any of the identified impacts on the Natura 2000 sites.

Elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

The development site is located in a suburban setting and the site comprises of landscape park land facilitating both passive and active recreational activities.

The site is located approximately 2km from the South Dublin Bay cSAC and South Dublin Bay/Tolka Estuary SPA, which are designated for the estuarine habitats and wader birds. Located between the development site and these Natura 2000 sites are highly built up suburban areas. There is no watercourse leading from the site of the project to the designated sites. Due to the modest nature of the project, the distance to the relevant designates sites and the absence of connectivity between the project site and the designated sites it is considered that there is no direct or indirect connection between the development site and the Natura 2000 sites or species utilising the sites.

Therefore, it is considered that no elements of the project are considered in any way likely to give rise to impacts on the Natura 2000 sites.

Cumulative elements

Due to the nature of the development, the distance from the Natura 2000 sites and as this site does not have any supporting habitats it is considered that there are no significant impacts from the proposed works on the Natura 2000 sites. There are no adjacent works imminent, which could create cumulative elements with potential for adverse effects.

Direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of following headings

Size and scale

The overall area of proposed development is 153.7sqm and will include the installation of utility services. The existing container is connected to a water main located within the open space. It also has a toilet which is connected to the foul sewer system of the adjoining nursing home property, located immediately north of the subject site. It is proposed to upgrade the existing water connection. The proposed waste from the toilets, showers and kitchenette will be discharged into an existing foul sewer located on Mount Albany Road, adjoining the Park where there is capacity to treat same.

The size and scale of the project is unlikely to have a significant impact on the Natura 2000 sites.

Land-take

There will be no land take from Natura 2000 sites.

Resource Requirements

No resources from Natura 2000 sites will be required as part of the proposed development.

Emission

Any emissions from the car park are not expected to have a significant impact on the Natura 2000 sites. It is noted that the site is already in use as a car park and is hard surfaced.

Excavation requirements

No excavation in the Natura 2000 sites will be required as part of the proposed development.

Transportation requirements

No transportation requirements within the Natura 2000 sites will be required as part of the proposed development.

Duration of construction, operation, decommissioning etc;

Due to the relatively small scale nature and the location of the site of the proposed development and its distance from any Natura 2000 site, there are no impacts to Natura 2000 sites expected during the construction, operation or decommissioning of the proposed development.

Describe any likely changes to the site arising as a result of: reduction of habitat area, disturbance to key species, habitat or species fragmentation, reduction in species density, changes in key indicators of conservation value (water quality etc)

Due to the nature of the proposed Part 8 development, its distance from any Natura 2000 sites, the fact that a temporary Club House already exists on the site and the absence of any ecological or hydrological links, there are no changes expected to any Natura 2000 site relating to habitat or species reduction, changes to key indicators of conservation value, or to climate change.

Describe any likely impacts on the Natura 2000 sites as a whole in terms of: Interference with the key relationships that define the structure of the site; Interference with key relationships that define the

function of the site
<p>The proposed development, if successful, would result in the provision of a tennis pavilion facility. There is an existing temporary facility on the site. Therefore the proposed development would not interfere with the key relationships that define the structure of the site. In addition the distance between the proposed development site and Natura 2000 sites, the localised characteristics of the proposed development and the fact that there are no direct connection or similarity in habitats types between the site of the proposed development and Natura 2000 sites mean that the proposed development will not have a significant impact on the structure or key relationships that define the function of the site</p>
Indicators of significance as a result of the identification of effects set out above in terms of the following headings:
<p><u>Habitat Loss</u> There are no Annex I habitat types within the development site.</p> <p><u>Fragmentation</u> As there is no direct connection between the subject site and the Natura 2000 sites, there will be no habitat fragmentation of the Natura 2000 sites as a result of this project.</p> <p><u>Disruption and Disturbance</u> Due to distance from the Natura 2000 site there will be no disruption or disturbance of the Natura 2000 sites as a result of the construction and use of the development.</p> <p><u>Change to key elements of the site</u> There is no anticipated change in the key elements of the Natura 2000 sites by the project.</p>
Elements of the project, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts are not known
<p>No elements of the project have been identified to have a significant impact on the integrity of South Dublin Bay SAC and South Dublin Bay/Tolka Estuary SPA. Therefore it is considered that a full Habitats Directive Appropriate Assessment is not required.</p>

6.0 CONCLUSION

Based on the information collected, it is our professional opinion that there will not be a significant impact on the integrity of the European sites. The scale of this development is small, it is relatively remote from the nearest Natura 2000 sites and there is no ecological connectivity between the sites. Therefore it is recommended that a full Appropriate Assessment is not required.

7.0 REFERENCES

- Department of Environment, Heritage and Local Government (2009). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*.
- Department of Environment, Heritage and Local Government (2004). *Architectural Heritage Protection Guidelines for Planning Authorities*.
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