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**Screening for Appropriate Assessment**  
Proposed Part 8 Residential Development,  
Croke Villas, Sackville Avenue, Dublin 3

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## Executive Summary

This *Screening for Appropriate Assessment* report has been prepared by NM Ecology Ltd on behalf of Dublin City Council regarding a proposed residential development at Croke Villas, Sackville Avenue, Dublin 3. The proposed development will involve the construction of 52 apartments and associated works.

In accordance with their obligations under the *European Communities (Birds and Natural Habitats) Regulations 2011* (SI 477/2011), the competent authority must assess whether the proposed development could have 'likely significant effects' on any European sites. This document provides information to support an Appropriate Assessment screening exercise, including: a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, an appraisal of the suitability of the habitats for birds associated with nearby SPAs, and a screening conclusion.

There is no risk of direct impacts on European sites. Potential pathways for indirect impacts were considered, but none were found to be feasible. Habitats within the Site are unsuitable for brent geese or any other species associated with nearby SPAs. Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. The assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

# 1 Introduction

## 1.1 Background to Appropriate Assessment

Approximately 14% of the land area of Ireland is included in the European Network of Natura 2000 sites (hereafter referred to as European sites), which includes Special Protection Areas (SPAs) to protect important areas for birds, and Special Areas of Conservation (SACs) to protect a range of habitats and species. Legislative protection for these sites is provided by the *European Council Birds Directive (79/409/EEC)* and *E.C. Habitats Directive (92/43/EEC, as amended)*, which are jointly transposed into Irish law by the *European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011, as amended)*.

Regulation 42 (1) states that: “*Screening for Appropriate Assessment of a plan or project for which an application for consent is received [...] shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on [any European sites].*” To ensure compliance with this regulation, planning authorities must screen all planning applications for potential impacts on European sites. Supporting information may be requested from the applicant to assist with this process.

This document provides information to support the competent authority’s *Screening for Appropriate Assessment* exercise for the proposed development. It includes a description of the proposed development, a map and list of European sites in the surrounding area, a review of potential source-pathway-receptor links, and an appraisal of the suitability of the habitats for birds associated with nearby SPAs.

## 1.2 Statement of authority

This report was written by Nick Marchant, the principal ecologist of NM Ecology Ltd. He has sixteen years of professional experience, including thirteen years as an ecological consultant, one year as a local authority biodiversity officer, and two years managing an NGO in Indonesia. He provides ecological assessments for developments throughout Ireland and Northern Ireland, including wind farms, infrastructural projects (roads, water pipelines, greenways, etc.), and a range of residential and commercial developments.

He has an MSc in Ecosystem Conservation and Landscape Management from NUI Galway and a BSc in Environmental Science from Queens University Belfast. He is a member of the Chartered Institute of Ecology and Environmental Management, and operates in accordance with their code of professional conduct.

### 1.3 Methods

This report has been prepared with reference to the following guidelines:

- OPR Practice Note PN01: *Appropriate Assessment Screening for Development Management* (Office of the Planning Regulator 2021)
- *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4)*, (E.C., 2021)
- *Appropriate Assessment of Plans and Projects in Ireland* (Department of the Environment, Heritage and Local Government, 2009)
- *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* (Chartered Institute of Ecology and Environmental Management, 2018)

A desk-based study was carried out using data from the following sources:

- Plans and specifications for the proposed development
- Qualifying interests / conservation objectives of European sites from [www.npws.ie](http://www.npws.ie)
- Bedrock, soil, subsoil, surface water and ground water maps from the Geological Survey of Ireland webmapping service ([dcenr.maps.arcgis.com](http://dcenr.maps.arcgis.com)), the National Biodiversity Data Centre (<http://maps.biodiversityireland.ie/>), and the Environmental Protection Agency web viewer ([gis.epa.ie/EPAMaps/](http://gis.epa.ie/EPAMaps/))
- The *Dublin City Development Plan 2022 – 2028*, and details of permitted or proposed developments from the local authority's online planning records

Desktop data from internet resources was accessed in March 2024, and a series of ecological surveys were undertaken between July and September 2023.

## 2 Description of the Project

### 2.1 Environmental setting

#### Site location and surroundings

The proposed development site (hereafter referred to as 'the Site') currently contains a derelict five-storey apartment building, a derelict house (30 Sackville Avenue), a field of grassland, and disturbed ground / building rubble.

The site was formerly used for social housing, and contained four apartment buildings on the southern side of Sackville Avenue (of the same design as the remaining apartment building) and some dwelling houses on the northern side. Three of the apartment buildings and most of the dwelling houses were demolished in late 2017; their foundations are still visible in parts of the Site. There are live planning consents for the demolition of the remaining apartment building (planning reference 2946/16) and 30 Sackville Avenue (planning reference 3789/20).

Croke Park Handball Alley adjoins the north-western boundary of the Site. Croke Park GAA stadium, museum and associated facilities are located to the north-west of the Site on the far side of Ardilaun Square. With these exceptions, the broader surroundings are characterised primarily by housing estates.

#### Geology and soils

The underlying bedrock is limestone (subcategorised as 'dark limestone and shale' on the GSI database), which is a locally-important aquifer. Subsoils are limestone till, and soils are made ground.

#### Hydrology

The Royal Canal is located approx. 25 m south-west of the Site. There is a high wall, train line and earth embankment between the Site and the canal, which would block any overland flow of surface water runoff. Canals are self-contained hydrological features that do not interact with surrounding surface water or groundwater features, so there is no possibility that any waterborne materials from the Site could reach the canal.

The only other watercourse in the surrounding area (as per the EPA database of rivers and streams) is the Tolka Estuary, which is approx. 400 m north-east of the Site. There are no surface water (or other) pathways between the Site and the Tolka Estuary.

In summary, the Site does not appear to have a connection to any nearby watercourses. Rainfall on greenfield areas of the Site is expected to soak to ground, and rainfall on existing hard surfaces (e.g. Sackville Avenue) would flow into roadside storm drains.

## **2.2 Description of the proposed development**

The proposed development will involve the construction of two 4 -5 storey buildings containing 52 apartments, and associated works. Road access will be from Sackville Avenue, with a new pedestrian / cycle boulevard via Sackville Gardens. Public open space will be provided between the apartment buildings, and public realm features along roadsides will be improved. An outdoor community / arts / cultural space will also be provided.

Foul water will be pumped to a local authority foul sewer to the north of the Site and conveyed to the Ringsend Waste Water Treatment Plant. The Ringsend WWTP is currently exceeding its organic capacity, but a major upgrade is in progress that will provide sufficient capacity by 2025. The WWTP upgrade will be completed before the proposed development is operational / occupied, so there will be capacity to accept the effluent. The additional load from the proposed development (201 Population Equivalent) will represent 0.008% of the load of the upgraded capacity of Ringsend WWTP (2,400,000 Population Equivalent), which is a negligible increase.

Rainwater runoff from roofs and other impermeable surfaces will be channelled to an attenuation tank in the centre of the Site, and discharged at a controlled rate to a local authority storm drain. The system will include an oil and hydrocarbon interceptor.

### 2.3 Other nearby developments (potential in-combination effects)

There have been a number of Part 8 planning applications within and adjacent to the Site, notably a line of new houses along the northern side of Sackville Avenue approved under planning consents 3435/17 and 3789/20. There are live planning consents for the demolition of the remaining apartment building (2946/16) and 30 Sackville Avenue (3789/20). Details are provided in the planning report that accompanies this application. The new houses will be constructed on ground that was disturbed during the demolition of former structures; this area is of Negligible ecological importance.

Other live and recently-approved planning applications in the vicinity of the Site were reviewed on the online planning records of Dublin City Council, but none were found. Therefore, no potential in-combination effects were identified.

## 3 Review of relevant European sites

In this section we identify European sites that could potentially be affected by the proposed development. The primary consideration is whether the proposed development is within the boundaries of any European sites, because this could lead to direct effects. This is discussed in Section 3.1.

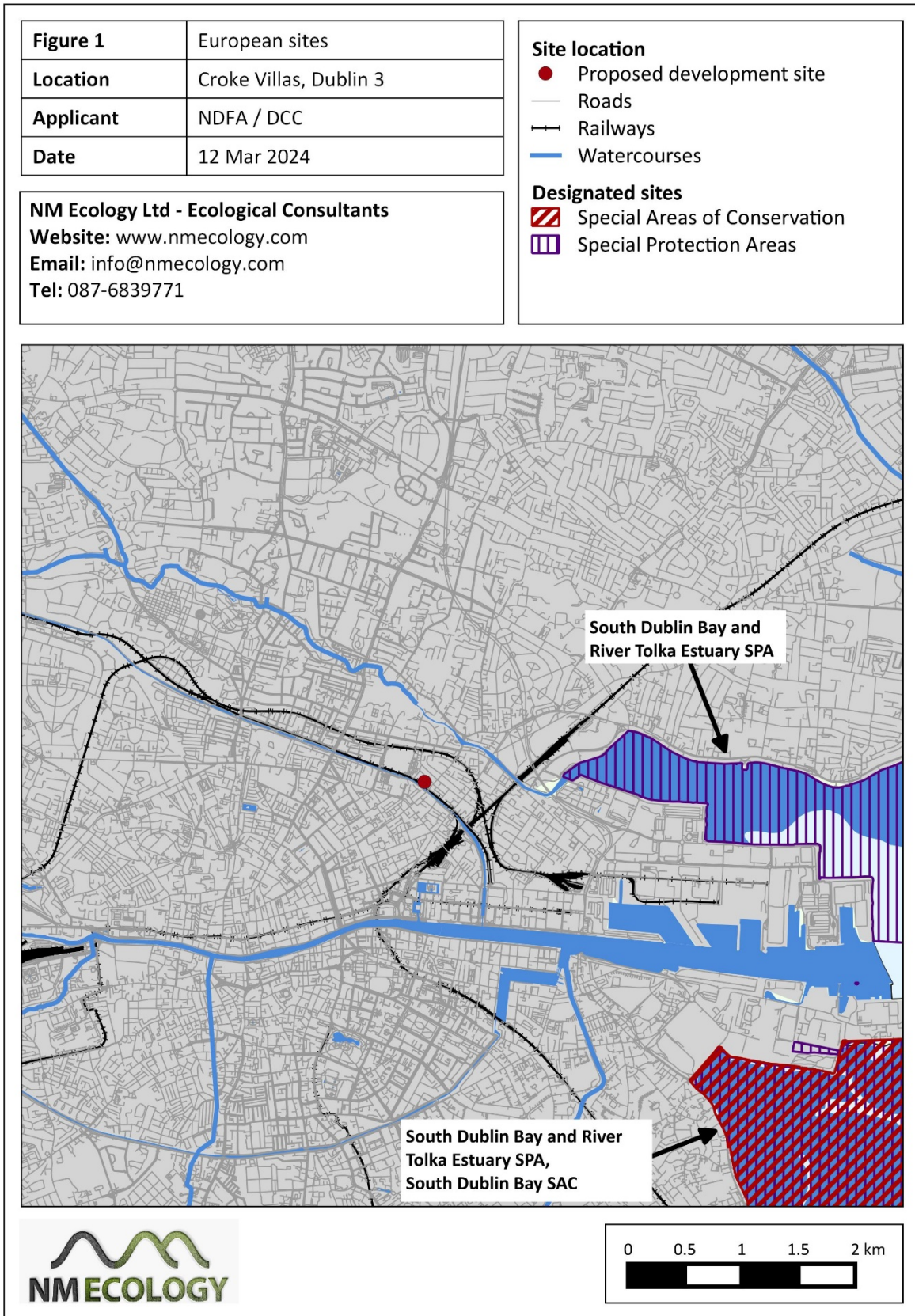
It is also possible that the proposed development could cause indirect effects on European sites located outside the boundary. This is considered using the *source-pathway-receptor* model, which identifies potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). This is discussed in Section 3.2.

Some of the bird species associated with SPAs can use secondary habitats outside the SPA boundaries, e.g. brent geese feeding on urban grasslands. The suitability of habitats within the Site for SPA bird species is discussed in Section 3.3.

To support the above assessments, a map of European sites in the surrounding area is shown in Figure 1, and details of relevant European sites are provided in Table 1. For the avoidance of doubt, an arbitrary zone of influence (e.g. 15 km) has not been used for this assessment, as it is no longer considered to be best practice (OPR 2021).

The Conservation Objectives of all European sites discussed in this report are available at <https://www.npws.ie/protected-sites>. They are lengthy and repetitive documents, so in the interests of brevity they are not reproduced here.





**Table 1: European site shown in Figure 1**

Site Name	Distance	Qualifying Interests
South Dublin Bay and River Tolka Estuary SPA (4024)	1.2 km east	<b>Key habitats:</b> coastal wetlands <b>Special conservation interests:</b> light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)
South Dublin Bay SAC (site code 206)	3.5 km south-east	<b>Annex I habitats:</b> inter-tidal mudflats / sandflats, Salicornia and other annuals colonising mud / sand, annual vegetation of drift lines, embryonic shifting dunes <b>Annex I habitats:</b> N.A.

### 3.1 European sites within the Site boundary (potential direct effects)

The Site is not within or adjacent to any European sites (Figure 1), so the proposed development poses no risk of direct impacts.

### 3.2 European sites outside the Site boundary (potential indirect effects)

In this section we identify potential *pathways* (e.g. surface water) between the *source* (the Site) and the *receptor* (a European site). The most common pathway is surface water, which typically occurs when a pollutant is washed into a river and carried downstream into a European site. Other potential pathways are groundwater, air (e.g. airborne dust or sound waves), or land (e.g. flow of liquids, vibration). The zone of effect for hydrological effects can be several kilometres, but for air and land it is rarely more than one hundred metres.

#### Surface water

There are no rivers or streams within or adjacent to the Site (refer to Section 2.1 and Figure 1), so surface water can be ruled out as a pathway to any European sites.

#### Groundwater

If any pollutants soaked to ground within the Site, they would have to pass through 1.2 km of intervening subsoils / bedrock before reaching the closest European site. This would reduce any pollutants to negligible concentrations, in which case they would pose no risk of impacts. Therefore, groundwater can be ruled out as a feasible pathway.

#### Land

There is no risk that any pollutants could flow 1.2 km over land to reach the European sites.



Air

The only potential airborne pollutant generated at the Site would be dust. There is no risk that any perceptible quantity of dust could be carried 1.2 km to the European sites.

Summary

In summary, no feasible pathways were identified between the Site and any European sites.

**3.3 Habitat suitability for SPA birds**

The *South Dublin Bay and River Tolka Estuary* SPA and *North Bull Island* SPA are located 1.2 km and 4.4 km from the Site, respectively. Both SPAs cover extensive areas of intertidal mudflat and sandflat in Dublin Bay, and they are designated to protect a range of species that are present in winter months. Their qualifying interests are listed in Table 2.

**Table 2: Qualifying interests of nearby SPAs**

Site Name	Distance	Qualifying Interests
South Dublin Bay and River Tolka Estuary SPA (4024)	1.2 km east	<b>Key habitats:</b> coastal wetlands <b>Special conservation interests:</b> light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)
North Bull Island SPA (2006)	4.4 m east	<b>Key habitats:</b> coastal wetlands <b>Special conservation interests:</b> light-bellied brent goose, shelduck, teal, pintail, shoveler, oystercatcher, golden plover, knot, sanderling, dunlin, black-tailed godwit, bar-tailed godwit, curlew, redshank, turnstone, black-headed gull (all wintering populations)

The primary feeding and roosting habitat for all of these species is the coastal and intertidal habitats within the SPA boundaries, where they feed on intertidal vegetation and invertebrates. However, some species also fly inland (outside the SPA boundary) to feed on amenity grasslands and / or agricultural land. This is commonly observed in brent geese, whose primary food source – eelgrass, algae and saltmarsh plants – is only available at low tide. At high tide, or when food resources are depleted, brent geese fly inland to feed in terrestrial habitats, particularly playing fields, urban parks and intensive agricultural land.

The Site does not contain any amenity grassland, and the dry meadows consist of coarse grasses that are unsuitable for brent geese. There are no wet areas suitable for waders. Therefore, the Site is considered to be unsuitable for any of the species associated with the SPAs in Dublin Bay.

## 4 Screening Statement

In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:

### 1. No likelihood of significant effects

Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.

### 2. Significant effects cannot be excluded

Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

- The Site is not within or adjacent to any European sites, so there is no risk of direct effects
- There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects
- Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.

Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the *European Communities (Birds and Natural Habitats) Regulations 2011*, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.

## References

Chartered Institute of Ecology and Environmental Management, 2018. *Guidelines for Ecological Impact Assessment in the U.K and Ireland: Terrestrial, Freshwater, Coastal and Marine* (2<sup>nd</sup> Edition). C.I.E.E.M., Hampshire, England.

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