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# **Screening for Appropriate Assessment**

**Social Housing Bundle 4, Development at  
Wellmount Road, Finglas  
26 June 2024**



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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 adjacent to Wellmount Road in Finglas, Dublin 11. The proposed development will involve the construction of 77 apartments, the provision of communal and public open space, 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. The Site provides an occasional inland feeding site for moderate numbers of brent geese (which are a qualifying interest of SPAs in Dublin Bay), but the proposed development will have an imperceptible impact on them. 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 and April 2024, a multi-disciplinary survey was carried out on 15 June 2023, and a series of winter bird surveys were undertaken between September 2023 and April 2024.

#### Winter bird surveys

Bird surveys were carried out approximately every two weeks from late September to early April, comprising a total of 14 surveys. Bibby's 'Look-See' approach was followed, which involved an initial search of the study area with binoculars, followed by a review of the survey area from a fixed vantage point. To assess levels of anthropogenic disturbance at the Site, the number of pedestrians, dog walkers and other sources of disturbance was recorded during each survey. Further details of surveys methods are provided in the *Winter Bird Survey Report* in Appendix 1.

## **2 Description of the Project**

### **2.1 Environmental setting**

#### Site location and surroundings

The proposed development site (hereafter referred to as 'the Site') covers a field of amenity grassland enclosed by Cardiffsbridge Road, Wellmount Road and Wellmount Drive. There is a small shopping centre to the north of the Site, but it is surrounded on all other sides by housing estates.

#### Geology and soils

The underlying bedrock is dark limestone / shale, which is a locally-important aquifer. Subsoils are limestone till, and soils are made ground.

#### Hydrology

The EPA database of rivers and streams does not show any watercourses within the Site or surrounding area, and none were observed during the site inspection.

The closest watercourse is the River Tolka, which is approx. 600 m south of the Site. Due to its distance from the Site and the presence of intervening buildings and roads, it can be concluded that the Site has no connection to the River Tolka.

The Royal Canal is located approx. 900 m south of the Site, on the opposite side of the River Tolka valley. 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.

In summary, the Site has no connection to any watercourses.

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

The proposed development will involve the construction of an apartment building containing 77 apartments, located in the west of the Site adjoining Cardiffsbridge Road. Car parking will be provided at two locations, with road access off Cardiffsbridge Road and Wellmount Road. Communal open space will be provided around the apartment building, and a larger area of landscaped public open space will be provided in the east of the Site.

Foul water will be discharged to local authority foul sewers to the south and west 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 (128 Population Equivalent) will represent 0.005% 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 a detention basin 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.

### **3 Review of relevant European sites**

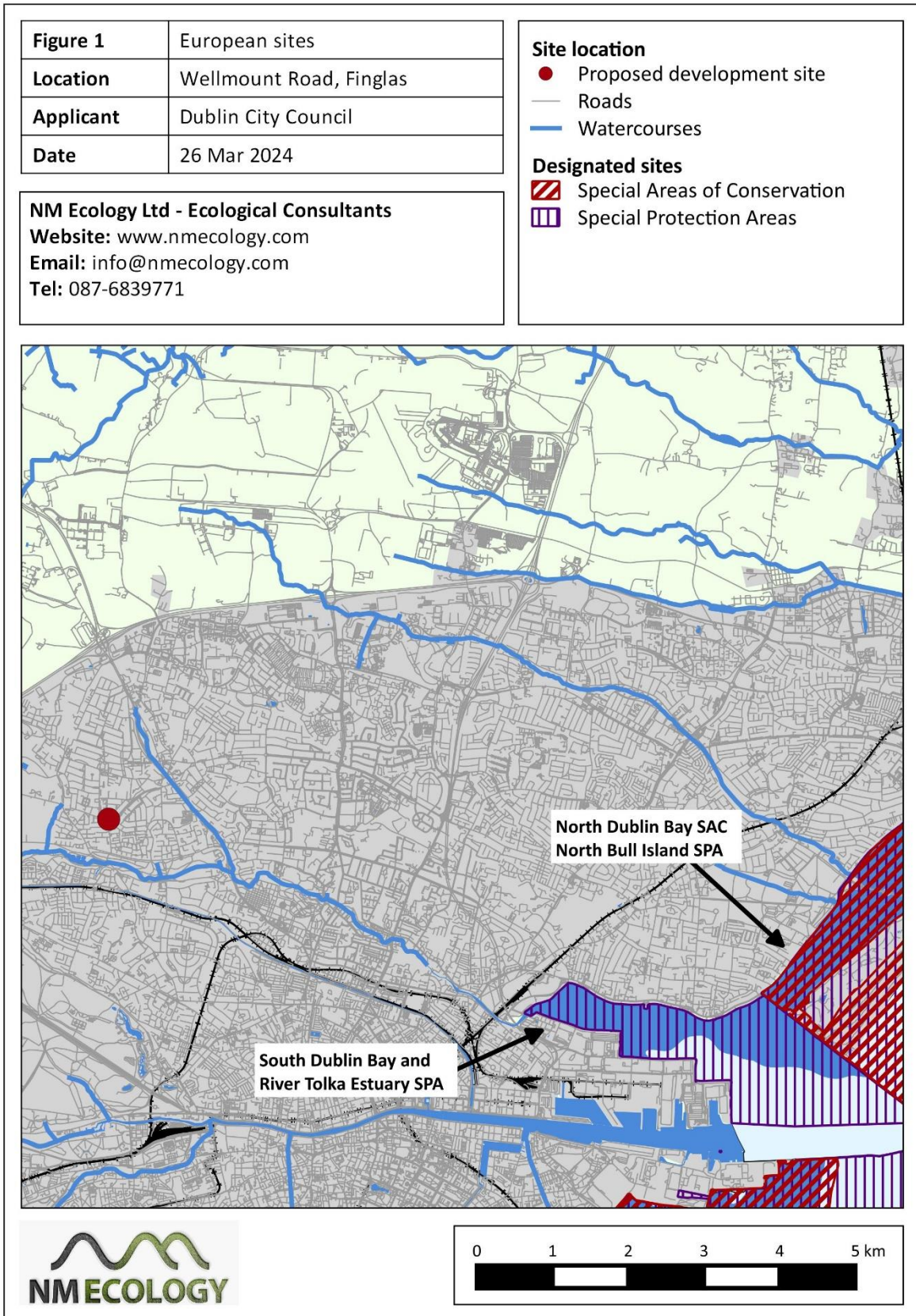
In this section we identify European sites that could potentially be affected by the proposed development. The primary consideration is whether the proposed development is within the boundaries of any European sites, because this could lead to direct effects. This is discussed in Section 3.1.

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)	6.0 km south-east	<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)	8.4 km south-east	<b>Annex I habitats:</b> inter-tidal mudflats / sandflats, <i>Salicornia</i> and other annuals colonising mud / sand, annual vegetation of drift lines, embryonic shifting dunes <b>Annex II species:</b> N.A.
North Dublin Bay SAC (site code 206)	8.9 km east	<b>Annex I habitats:</b> inter-tidal mudflats / sandflats (including patches of <i>Salicornia</i> and other annuals), salt marshes, annual vegetation of drift lines, embryonic shifting dunes, white dunes, grey dunes, dune slacks <b>Annex II species:</b> petalwort <i>Petalophyllum ralfsii</i>
North Bull Island SPA (2006)	8.9 km east	<b>Special conservation interests:</b> wintering populations of 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

### 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 at least 6 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 6.8 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 6.8 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**

A series of 12 winter bird surveys was carried out at the site between September 2023 and February 2024. Detailed methods, results and conclusions are presented in the Winter Bird Survey Report in Appendix 1, but the results are summarised below.

### Background

There are two large SPAs in Dublin Bay – the *North Bull Island SPA* and the *South Dublin Bay and River Tolka Estuary SPA* – both of which were designated to protect a range of over-wintering migratory birds. Their Special Conservation Interests (the species for which the SPAs were designated) are listed in Table 1. The primary habitats for these birds are the coastal and intertidal habitats within the SPA boundaries (mudflats, sandflats, saltmarsh), which are exposed at low tide. However, some species also fly inland to feed in amenity grasslands throughout Dublin City (hereafter referred to as ‘inland sites’), particularly playing fields, parks and other areas of regularly-mown grassland. This behaviour is most-commonly seen in brent geese, but also occurs in oystercatchers, godwit and curlew.

The Site includes a large open area of amenity grassland with a surface area of approx. 1.1 ha, which is larger than the ‘size of a football pitch’ reported by Benson (2009). Therefore, it was considered prudent to carry out a series of winter bird surveys, to determine whether or not the Special Conservation Interests of any nearby SPAs (SCI species) were present, and if so, to assess the numbers and frequency of their use of the Site. Detailed methods and results are presented in the Winter Bird Survey Report that accompanies this application, but the results are summarised below.

**Table 3: Special Conservation Interests of the SPAs in Dublin Bay**

Site Name	Distance	Reasons for designation
South Dublin Bay and River Tolka Estuary SPA (4024)	6 km south-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)	9 km east	<b>Key habitats:</b> coastal wetlands <b>Special conservation interests:</b> wintering populations of 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

### Brent geese

Geese were recorded on four occasions: 24 geese on 23 November, 5 geese on 16 January, 83 geese on 29 January and 3 geese on 29 February. The flock of 83 geese fed on the Site for 1.5 hours, but on the other three occasions the geese were only present for a maximum of 30 minutes before being disturbed by pedestrians / dogs and leaving the Site. No geese were recorded during the other ten surveys. Based on these results, it was concluded that the Site is used on an occasional basis by brent geese, usually only in flocks of moderate importance. Detailed results and conclusions are presented in the *Winter Bird Survey Report*, but a summary is provided below.

The development of the Site would substantially change the extent and character of grassland at the Site, which would reduce it below the 0.7 ha threshold suggested by Benson (2009). It would also increase activity (and thus disturbance) by pedestrians and dog walkers. In combination, these factors would almost certainly make the Site unsuitable for brent geese in the future.

A large-scale study by Scott Cawley in 2017 identified 161 inland sites used by brent geese in Dublin, including 12 that supported populations of major importance (i.e. > 400 brent geese) for 4–5 consecutive years; these represent the most-important inland sites used by brent geese in Dublin. The Site was not one of the 161 sites identified in the Scott Cawley study, so its loss will not substantially reduce the known feeding network for this species in Dublin.

Geese displaced from the Site would have alternative feeding sites in the broader surroundings. Scott Cawley identified 7 potential grassland sites within 1.5 km of the Site (Table 2, Figure 1), and recorded geese at 4 of them, including 1 site of Major importance (>400 brent geese

recorded). These sites would be large enough to accommodate the small number of geese displaced from the Site.

Therefore, considering that brent geese were only recorded at the Site in relatively low numbers and on an occasional basis, that there is regular anthropogenic disturbance at the Site (by pedestrians, dogs, scramblers and sulkies), and that there are several sites nearby of higher foraging value, the development of the Site will have an imperceptible impact on brent geese associated with the SPAs in Dublin Bay.

#### Black-headed gull

Black-headed gull was regularly recorded at the Site, with a peak count of 38 individuals. They often occurred as part of a large, sprawling flock of mixed gulls (black-headed gull, herring gulls and common gull) that roosted across the Site, on lamp-posts surrounding the Site, and on the roofs of surrounding houses.

Gulls are generalist species that can readily adapt to anthropogenic environments, including urban habitats. They are widespread in the area, and are not specifically associated with grassland habitats. It is expected that they will continue to use the Site following the construction of the proposed development. Therefore, there will be no impact on this species.

#### Conclusions

We conclude that the proposed development will have an imperceptible impact on brent geese, because the Site is only used by relatively low numbers and on an occasional basis, and there are several alternative sites nearby of higher foraging value. Black-headed gull was also present, but it is a generalist species that will continue to use the Site following the proposed development, so it will not be significantly affected.

On this basis, we conclude that the proposed development will not significantly affect the SCI bird 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
- It will have an imperceptible impact on brent geese and any other species 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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