

Blackrock Local Area Plan (2015-2021)

Screening for Appropriate Assessment

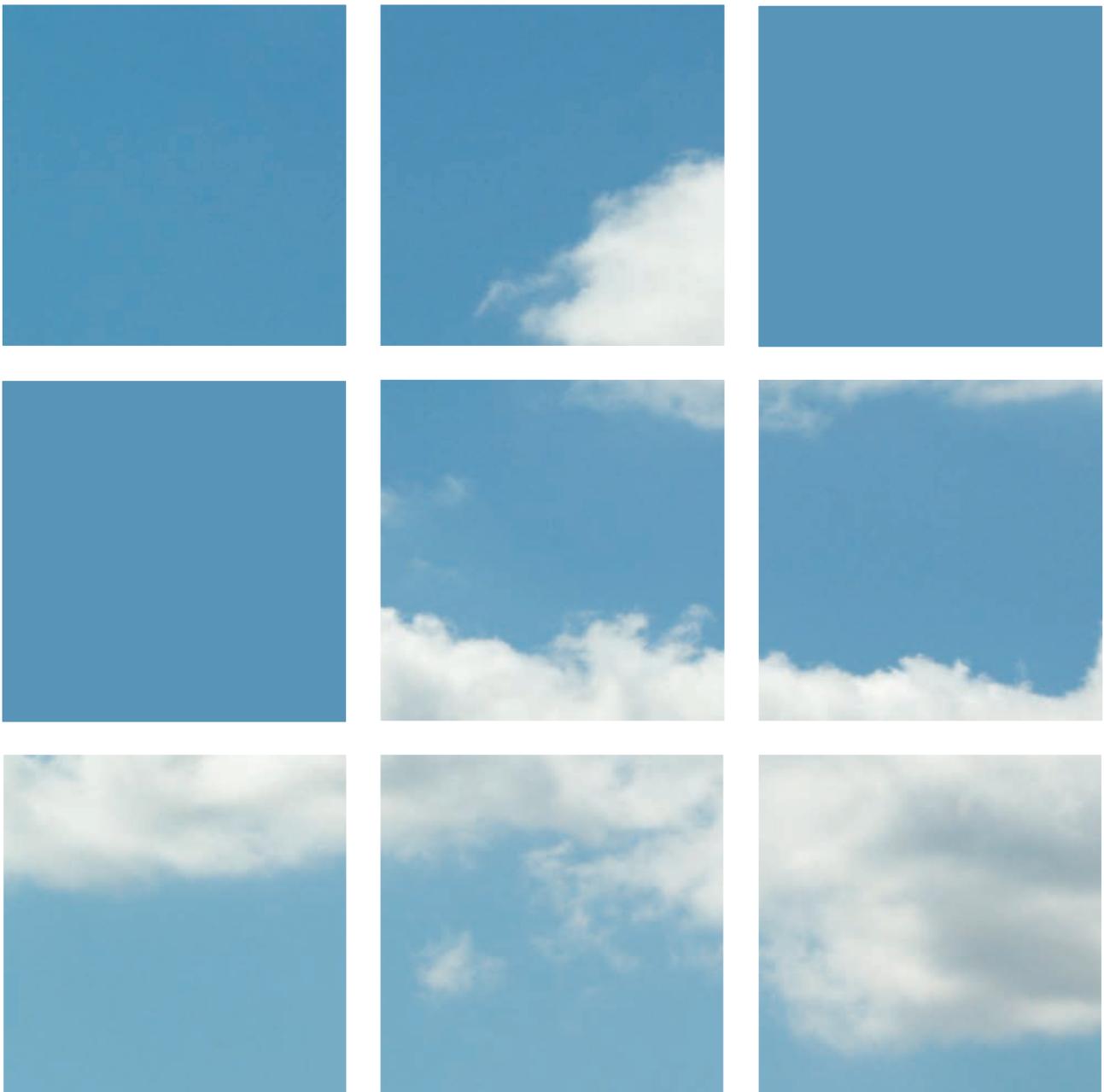


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1 INTRODUCTION

1.1 BACKGROUND

This report comprises information in support of screening for an Appropriate Assessment in line with the requirements of Article 6(3) of the EU Habitats Directive (Directive 92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora; the Planning and Development Act 2010; and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011) of the Draft Local Area Plan (LAP) for Blackrock 2015-2021.

The planning process is iterative and therefore this document includes the Appropriate Assessment of the Draft LAP (chapters 1 to 4) and the Final LAP, including the amendments stage (chapter 5).

1.2 DRAFT BLACKROCK LOCAL AREA PLAN

Dún Laoghaire-Rathdown County Council are preparing the Draft Blackrock Local Area Plan (LAP) 2014-2020 in accordance with Part II, Sections 18, 19 and 20 of the Planning and Development Act 2000 (as amended), which set out the provisions for the preparation of Local Area Plans. The Draft Blackrock LAP is being prepared as a result of an objective contained within the Dún Laoghaire-Rathdown County Development Plan (DLRCDP) 2010-2016.

The Draft LAP is also being prepared in accordance to the policies and objectives contained within the DLRCDP (2010-2016). The DLRCDP is the overarching statutory framework for the development of the County and the Draft LAP must be consistent with the objectives of the DLRCDP 2010-2016 under the Planning and Development Acts.

The main aim of the Draft Blackrock LAP 2015-2021 will be to set out a framework for the physical development of the Blackrock area to generate growth in a co-ordinated, sensitive and orderly manner while conserving the area's natural and cultural heritage. The Draft LAP strives to inform the general public, statutory authorities, developers and other interested bodies of the policy framework, objectives and land-use proposals for the Blackrock area.

1.3 LEGISLATIVE CONTEXT

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as "The Habitats Directive", provides legal protection for habitats and species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000. These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/ECC) as codified by Directive 2009/147/EC.

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment (AA):

Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained

that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

Article 6(4) states:

If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

These Articles mean that where the implementation of the plan has potential to have a significant effect on a Natura 2000 site, the relevant Local Authority (Dún Laoghaire-Rathdown County Council) must ensure that an appropriate assessment is carried out in view of that site's conservation objectives. The plan can be approved by DLRCC only if it has been ascertained that it will not adversely affect the integrity of the Natura 2000 site(s) concerned, or in the case of a negative assessment and where there are no alternative solutions, the scheme can only be approved for reasons of overriding public interest.

1.4 STAGES OF THE APPROPRIATE ASSESSMENT

Both EU and national guidance exists in relation to Member States fulfilling their requirements under the EU Habitats Directive, with particular reference to Article 6(3) and 6(4) of that Directive. The methodology followed in relation to this AA screening has had regard to the following guidance:

- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of Environment, Heritage and Local Government. <http://www.npws.ie>
- Managing Natura 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC, referred to as MN2000, European Commission 2000; <http://ec.europa.eu>
- 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, referred to as the "EC Article 6 Guidance Document (EC2000); <http://ec.europa.eu>
- 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 commission. <http://ec.europa.eu>

In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidelines, this AA has been structured as a stage by stage approach as follows:

1) Screening stage

- Description of the Plan;
- Identification of Natura 2000 sites potentially affected;
- Identification and description of individual and cumulative impacts likely to result;
- Assessment of the significance of the impacts identified above on site integrity;

- Exclusion of sites where it can be objectively concluded that there will be no significant effects;
and
- Screening conclusion.

2 SCREENING

2.1 DESCRIPTION OF PLAN

Blackrock is a historic and well established urban village within Dún Laoghaire-Rathdown. It is a centre of employment as well as a focal point for the surrounding residential communities. Blackrock is located 8km south of Dublin City Centre and approximately 3km north-west of Dún Laoghaire. Blackrock lies adjacent to the coastline of Dublin Bay and east of the N11 National Road. Blackrock is serviced by the DART, with Blackrock DART station at the centre of the District Centre and quality bus routes along Rock Road and the N11.

The core of Blackrock is zoned District Centre in the Dún Laoghaire-Rathdown County Development Plan 2010-2016, and is serviced by comparison and convenience shopping and other district centre uses.

Blackrock is identified as an area for 'Development and Regeneration' in the County Development Plan 2010-2016 where it is the vision '*To encourage the renewal of existing built-up areas through sensitive regeneration and consolidation, and to establish new urban villages in well located Greenfield areas that will have their own quality 'sense of place' and community and that will be well served by existing or planned public transport networks*'.

The purpose of the Draft Blackrock Local Area Plan is to identify a clear and integrated vision for Blackrock which will provide for the delivery of a quality District Centre with a vibrant retail core, a comprehensive range of community facilities and recreational space, utilising the potential of the coastline and Blackrock Park, which is legible and easy to move around and generally a pleasant place to live, work and visit.

2.1.1 Development Strategy

The purpose of the draft Blackrock LAP is to set out the policies and objectives that when implemented, will provide for the delivery of a distinctive, coherent and vibrant urban village that is well connected with its surrounding hinterland and makes for an attractive place to live, work and visit. The essence of the Plan is based around improving the local environment, both physical and visual, for all users.

Key Objectives:

- To direct and co-ordinate future development in a manner that protects and builds on the village's existing character and qualities, and embraces development opportunities.
- To further develop Blackrock as a thriving and attractive urban village with a mix of uses and appropriate retail provision to animate and support daytime and evening activity.
- To improve access to and encourage uses which embrace the amenity of the Seafront at Blackrock.
- To consolidate the existing built environment in a manner that enhances the architectural fabric of the area.

- To implement a range of public realm improvement works to in particular, improve the environment for the pedestrian.
- To improve movement, connectivity and legibility within the area for users of all forms of transport particularly pedestrians and cyclists.
- To enhance the existing parks and open space and connections between them.

Any developments within the Draft LAP boundary shall be done so in accordance with the requirements of the EU Directives and associated legislation, County Development Plan policy and shall have regard to national and regional guidelines. See Appendix A of the Draft Blackrock LAP for a full list of the relevant European Directives, National, Regional and County guidelines.

It is Council policy to protect, conserve and enhance the natural heritage and environment within and adjacent to Blackrock whilst utilising these natural assets in promoting Blackrock as a heritage destination. The Council is very much aware and committed to protecting the environment within and adjacent to the Draft LAP, and in that regard have a number of objectives focused on the implementation of relevant EU Directives and associated legislation. In particular, it is an objective of the Council to ensure that all plans and projects in the County which could, either individually or in combination with other plans and projects have significant effects on a Natura 2000 site(s) will be subject to Appropriate Assessment Screening. Further, it is an objective of the Council to ensure the implementation of the European Communities Birds and Natural Habitats Regulations 2011 (S.I. No. 477 of 2011).

2.2 EXISTING ENVIRONMENT AT THE DRAFT LAP LANDS

2.2.1 Water quality

The Draft LAP is located within the Eastern River Basin District (ERBD). There are two streams within the Draft LAP boundary; these are the Carysfort Maretimo Stream and the Priory Stream. Both streams discharge to the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA.

The Carysfort Maretimo Stream starts in the Three Rock Mountain and flows across the heavily urbanised areas of Sandyford, Leopardstown and Stillorgan before finally discharging into the sea at Blackrock. The Environmental Report carried out as part of the Carysfort Maretimo Stream Improvement Scheme found that there was no evidence of fish or invertebrate species of conservation importance within the stream; all species found within the stream were identified as common. The river is not known for populations of salmon, trout or lamprey as significant culverting has not made it suitable for many fish species.

The Council is committed to protecting the watercourses within the boundaries of the Draft LAP. To this regard there are a number of objectives within the Draft LAP which focus on maintaining and protecting the natural character and ecological value of these watercourses. Development proposals will be required to provide a buffer zone a minimum of 10m each side of the waters edge.

Furthermore, it is an objective of the Council to facilitate compliance with the requirements of the EU Water Framework Directive and any relevant legislation. In this regard, the Council will facilitate compliance with the relevant objectives and measures for individual water bodies set out in the Eastern River Basin Management Plan and associated Programme of Measures, where relevant.

2.2.2 Water supply

The government has established Irish Water, a new public utility. Irish Water will make capital and investment decisions regarding the country's water infrastructure on a national basis. Irish Water is now responsible for the operation of public water services including management of national water assets, maintenance of the water system, investment planning, managing capital projects and customer care and billing. Dún Laoghaire-Rathdown County Council is committed to working with Irish Water to ensure that the provision of water services will not be a limiting factor in terms of allowing growth within the Blackrock LAP area.

Extensive rehabilitation of old watermains has been carried out in the Blackrock area in recent years but some old pipes remain. It is intended that these will be rehabilitated as opportunity and funding allow.

Existing and future populations within the Plan area should continue to have access to adequate high quality clean drinking water. The existing water network is generally adequate for current demand and small infill growth, however more detailed investigations would have to be carried out on the capacity of the network for any proposal which would generate significant water usage. Network improvements required to address any deficiency identified by these investigations shall be addressed by Irish Water.

It is an objective of the Council to ensure the implementation of the surface water legislation Environmental Objectives (Surface Waters) Regulations 2009 S.I. No 272 of 2009 and the EPA report Water Quality in Ireland 2007-2009 in order to ensure that development permitted would not have an unacceptable impact on water quality including surface waters, ground water, river corridors, estuarine waters, bathing waters, coastal and transitional waters.

2.2.3 Wastewater Facilities

Blackrock is served by the Ringsend Waste Water Treatment Plant. The existing foul & surface water drainage network is generally adequate to satisfy current demand and small infill growth. More detailed investigations would, however, have to be carried out on the capacity of the network for any proposal which would have a significant impact on the drainage network. Any network improvements required to address deficiencies identified by these investigations shall be addressed by Irish Water.

It is an objective of the Council to facilitate Irish Water in ensuring that all wastewater generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance.

2.2.4 Flood Protection

Blackrock lies within the Eastern Catchment Flood Risk Assessment and Management (ECFRAM). CFRAM is a national programme for the medium to long-term strategy for the reduction and management of flood risk in Ireland. It will deliver on core components of the National Flood Policy and on the requirements of the EU Flood Directive. The Office of Public Works is the lead agency for flood risk management in Ireland and is working in partnership with all the local authorities to deliver the objectives of this programme. These CFRAM studies will produce Flood Risk Management Plans along with a strategy for implementation.

One of the main issues in the Blackrock area in the past has been the flooding incidences caused by the Carysfort Maretime Stream. However, the Carysfort Maretime Stream Improvement Scheme, designated to deliver solutions to flooding by enhancing channel capacity and dealing with other deficiencies in the stream is now complete.

The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) introduce mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. Planning applications for development in areas where flood risk may be present will be assessed in accordance with the provisions of these Guidelines. Where flood risk is potentially considered to be an issue, a flood risk assessment should be carried out.

All new development shall comply with the Greater Dublin Strategic Drainage Study in terms of sustainable drainage system (SUDS). It is imperative that stringent SUDS measures are applied throughout the area on all new developments.

2.2.5 Sutton to Sandycove Pedestrian / Cycle Route (S2S)

The current County Development Plan identified a Specific Local Objective SL093, '*To promote the development of the Sutton to Sandycove (S2S) Promenade and Cycleway*'. The Sutton to Sandycove initiative involves the development of a continuous 22 km cycleway and promenade around the coastal edge of Dublin Bay and linking into existing and proposed cycle and walking routes. The indicative route shown on Map 2 'Extract from the County Development Plan' runs along the seafront at Blackrock.

The biodiversity and habitat of Dublin Bay is of national and international importance and large sections are designated as SAC's, SPA's and pNHA's. The indicative S2S route, as shown in the County Development Plan 2010-2016, traverses sections of these designated areas, and therefore feasibility studies of this coastal route shall be carried out, including an assessment of route options.

It is an objective of the Council to promote the development of the S2S promenade and cycleway in accordance with the objectives of the County Development Plan 2010-2016. It should be noted that this coastal route will be subject to a feasibility study, including an assessment of the route options. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SAC's, SPA's and pNHA's in Dublin Bay and the surrounding area.

2.3 BRIEF DESCRIPTION OF THE NATURA 2000 SITES

This section of the screening process describes the Natura 2000 sites within a 15km radius of the Draft Blackrock LAP area. A 15km buffer zone has been chosen as a precautionary measure, to ensure that all potentially affected Natura 2000 sites are included in the screening process. This is in line with, *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, produced by the Department of the Environment, Heritage and Local Government.

Table 2.1 lists the SACs and **Table 2.2** lists the SPAs that are within 15km of the Draft LAP, and **Figure 1** shows their locations in relation to the Draft Blackrock LAP.

The integrity of a Natura 2000 site (referred to in Article 6.3 of the EU Habitats Directive) is determined based on the conservation status of the qualifying features of the SAC or SPA. The qualifying features for each site have been obtained through a review of the Conservation Objectives available from the NPWS.

Table 2.1: SACs within 15km of the Blackrock LAP

Site Code	Site Name	Qualifying Habitats	Qualifying Species
000199	Baldoyle Bay SAC	Mudflats and sandflats not covered by seawater at low tide [1140]; Salicornia and other annuals colonizing mud and sand [1310]; Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]; and Mediterranean salt meadows (Juncetalia maritimi) [1410].	-
000205	Malahide Estuary SAC	Mudflats and sandflats not covered by seawater at low tide [1140]; <i>Salicornia</i> and other annuals colonizing mud and sand [1310]; <i>Spartina</i> swards (Spartinion maritimae) [1320]; Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]; Mediterranean salt meadows (Juncetalia maritimi) [1410]; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [21A20]; and *Fixed coastal dunes with herbaceous vegetation (grey dunes) [21A30].	-
000202	Howth Head SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]; and European dry heaths [4030].	-
000206	North Dublin Bay SAC	Mudflats and sandflats not covered by seawater at low tide [1140]; <i>Salicornia</i> and other annuals colonizing mud and sand [1310]; <i>Spartina</i> swards (Spartinion maritimae) [1320]; Atlantic salt meadows (Glauco-Puccinellietalia maritimae) [1330]; Mediterranean salt meadows (Juncetalia maritimi) [1410]; Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [21A20]; Fixed coastal dunes with herbaceous vegetation (grey dunes) [21A30]; Annual vegetation of drift lines [121A0]; Embryonic shifting dunes [21A10]; and Humid dune slacks [21A90].	<i>Petalophyllum ralfsii</i> [1395] (Petalwort)

Site Code	Site Name	Qualifying Habitats	Qualifying Species
000210	South Dublin Bay	Mudflats and sandflats not covered by seawater at low tide [1140].	-
003000	Rockabill to Dalkey Island cSAC	Reefs [1170]	Harbour porpoise (<i>Phocoena phocoena</i>) [1351]
002193	Ireland's Eye SAC	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]; and Perennial vegetation of stony banks [1220].	-
000714	Bray Head	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]; and European dry heaths [4030].	-
002122	Wicklow Mountains	Oligotrophic to mesotrophic standing waters [3130]; Natural dystrophic lakes and ponds [3160]; Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010]; European dry heaths [4030]; Alpine and Boreal heaths [4060]; Species-rich <i>Nardus</i> grasslands [6230]; Blanket bog [7130]; Siliceous scree of the montane to snow levels [8110]; Calcareous rocky slopes with chasmophytic vegetation [8210]; Siliceous rocky slopes with chasmophytic vegetation [8220]; and Old sessile oak woods [91A0].	Otter (<i>Lutra lutra</i>) [1355].
000725	Knocksink Wood	Petrifying Springs with tufa formation [7220]; and Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91EO].	-
000713	Ballyman Glen	Petrifying Springs with tufa formation [7220]; and Alkaline Fens [7230].	-
001209	Glenasmole Valley	Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (*important orchid sites) [6210]; Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]; and Petrifying Springs with tufa formation [7220].	-

Table 2.2: SPAs within 15km of the Blackrock LAP

Site Code	Site Name	Qualifying Feature Annex I species
004006	North Bull Island SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Light-bellied Brent Goose, Shelduck, Teal, Pintail, Shoveler, Oystercatcher, Golden Plover, Grey Plover, Knot, Sanderling, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Turnstone, Black-headed Gull, and Wetland & Waterbirds.
004016	Baldoye Bay SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Light-bellied Brent Geese, Shelduck, Ringed Plover, Golden Plover, Grey Plover, Bar-tailed Godwit, Wetland & Waterbirds.
004025	Malahide Estuary SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Great Crested Grebe, Light-bellied Brent Goose, Shelduck, Pintail, Goldeneye, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Knot, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Redshank, Wetlands & Waterbirds
004024	South Dublin Bay and River Tolka Estuary SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Light-bellied Brent Goose, Oystercatcher, Ringed Plover, Golden Plover, Knot, Sanderling, Dunlin, Bar-tailed Godwit, Redshank, Black-headed Gull, Roseate Tern, Common Tern, Arctic Tern and Wetland & Waterbirds.
004113	Howth Head Coast SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Kittiwake.
004117	Ireland's Eye SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Cormorant, Herring Gull, Kittiwake, Guillemot and Razorbill.
004172	Dalkey Island SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Roseate Tern, Common Tern and Arctic Tern.
004040	Wicklow Mountains SPA	To maintain or restore the favourable conservation conditions of the bird species listed as Special Conservation Interests for this SPA: Merlin and Peregrine.

2.4 ASSESSMENT CRITERIA

2.4.1 Direct, Indirect or Secondary Impacts

Tables 2.1 and **2.2** list the Natura 2000 sites within 15 km of the Draft LAP area. There are twenty sites in all, twelve SACs and eight SPAs.

It is Council policy to protect, conserve and enhance the natural heritage and environment within and adjacent to Blackrock whilst utilising these natural assets in promoting Blackrock as a heritage destination. The Council is committed to protecting and enhancing the conservation status of these SACs and SPAs, and have specific policies relating to their protection and maintenance, as appropriate. In particular, it is an objective of the Council to ensure that all plans and projects in the County which could, either individually or in combination with other plans and projects have significant effects on a Natura 2000 site(s) will be subject to Appropriate Assessment Screening. Further, it is an objective of the Council to ensure the implementation of the European Communities Birds and Natural Habitats Regulations 2011 (S.I. No. 477 of 2011).

No Natura 2000 site lies within the boundaries of the Draft LAP lands, therefore no direct impacts will occur through land take or fragmentation of habitats.

Increased development and construction of residential and commercial units will lead to increased demand for potable water and increased pressure on existing and future waste water treatment systems. Water for Blackrock comes from the Sandyford High Level Water Supply Scheme and this is capable of catering for future developments in the area. There are no particular constraints in terms of supplying water to future development within the Draft LAP lands. Any medium to large scale development in the area may be required to upgrade sections of the existing network to ensure adequate security of supply as deemed necessary by Irish Water, which will not result in any direct or indirect impacts on the Natura 2000 sites.

Increased development will lead to more sewage, which will be treated at the Ringsend Waste Water Treatment Plant. It is an objective of the Council to facilitate Irish Water in ensuring that all wastewater generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance. Complying with the standards and requirements set out in EU and national legislation will ensure that sewage will be treated to an appropriate standard such that it will not impact on receiving waters, and therefore, will not result in any indirect impacts on the Natura 2000 sites.

There are two streams within the Draft LAP boundary; these are the Carysfort Maretimo Stream and the Priory Stream, both of which discharge to the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA. The Council is committed to protecting the watercourses within the boundaries of the Draft LAP. To this regard there are a number of objectives within the Draft LAP which focus on maintaining and protecting the natural character and ecological value of these watercourses. Development proposals will be required to provide a buffer zone a minimum of 10m each side of the waters edge. Furthermore, it is an objective of the Council to facilitate compliance with the requirements of the EU Water Framework Directive and any relevant legislation. In this regard, the Council will facilitate compliance with the relevant objectives and measures for individual water bodies set out in the Eastern River Basin Management Plan and associated Programme of Measures, where relevant. These policies to protect the natural character and ecological value of these watercourses will also ensure that the receiving South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA are also protected, and therefore, will not result in any indirect impacts on these Natura 2000 sites.

The current County Development Plan identified a Specific Local Objective SL093, '*To promote the development of the Sutton to Sandycove (S2S) Promenade and Cycleway*'. The Sutton to Sandycove initiative involves the development of a continuous 22 km cycleway and promenade around the coastal edge of Dublin Bay and linking into existing and proposed cycle and walking routes. The indicative route shown on Map 2 'Extract from the County Development Plan' runs along the seafront at Blackrock. It is an objective of the Council to promote the development of the S2S promenade and cycleway in accordance with the objectives of the County Development Plan 2010-2016. It should be noted that this coastal route will be subject to a feasibility study, including an assessment of the route options. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SAC's, SPA's and pNHA's in Dublin Bay and the surrounding area.

Furthermore, it is an objective of the Council to ensure the protection and preservation of the ecological integrity of the SPA, SAC and pNHA within and abutting the Draft Blackrock Local Area Plan boundary in the consideration and implementation of development within Blackrock in accordance with their designation. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SPA's and SACs of Dublin Bay and the surrounding area.

2.4.2 Cumulative and in Combination Impacts

This step aims to identify at this early stage any possible significant in-combination or cumulative effects/impacts of the proposed Draft LAP with other such Plans and projects on the three Natura 2000 sites. Other Plans and projects specific to the relevant Natura 2000 site are the following:

- Dublin City Development Plan 2011-2017;
- Dún Laoghaire-Rathdown County Development Plan 2010-2016;
- Greater Dublin Area Regional Planning Guidelines 2010-2022;
- National Spatial Strategy;
- Eastern RBD Management Plan;
- IPPC Programme;
- Groundwater Pollution Reduction Programmes;
- Surface Water Pollution Reduction Programmes;
- Catchment Flood Risk Assessment and Management Study; and
- Catchment Flood Risk Management Plans.

No other pathway has been identified by which any of the Plans and programmes identified could have a significant 'in combination' effect on any of the Natura 2000 sites identified. In fact, the in combination effect of the above water related Plans and programmes would have positive effects on water quality resulting in positive indirect impacts on the coastal SACs and SPAs.

2.4.3 Likely Changes to the Site

The likely changes that could arise from the implementation of the Draft Blackrock LAP have been examined in the context of a number of factors that could potentially affect the integrity of the identified Natura 2000 site. It has been determined that no Natura 2000 site will be potentially impacted as a result of the Draft Blackrock LAP. **Table 2.3** shows the Likely Changes to Natura 2000 Sites as a result of the Draft Blackrock LAP.

Table 2.3: Likely Affect on Natura 2000 Sites

Site Name	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.)	Climate Change
Baldoyle Bay SAC	None	None	None	None	None	None
Malahide Estuary SAC	None	None	None	None	None	None
Howth Head SAC	None	None	None	None	None	None
North Dublin Bay SAC	None	None	None	None	None	None
South Dublin Bay cSAC	None	None	None	None	None	None
Bray Head SAC	None	None	None	None	None	None
Wicklow Mountains SAC	None	None	None	None	None	None
Knocksink Wood SAC	None	None	None	None	None	None
Ballyman Glen SAC	None	None	None	None	None	None
Glen of The Downs SAC	None	None	None	None	None	None
Glenasmole Valley SAC	None	None	None	None	None	None
Rockabill to Dalkey Island cSAC	None	None	None	None	None	None
North Bull Island SPA	None	None	None	None	None	None
Baldoyle Bay SPA	None	None	None	None	None	None
Malahide Estuary SPA	None	None	None	None	None	None
Howth Head Coast SPA	None	None	None	None	None	None
South Dublin Bay and River Tolka Estuary SPA	None	None	None	None	None	None
Dalkey Island SPA	None	None	None	None	None	None
Ireland's Eye SPA	None	None	None	None	None	None
Wicklow Mountains SPA	None	None	None	None	None	None

2.4.4 Elements of the Plan Where the Impacts are Likely to be Significant

The development of these lands could potentially yield additional residential units within Blackrock, which may cause additional load on waste water treatment systems, water supply, surface water run off, etc. However, the level of growth in Blackrock will be managed in line with the ability of local services to cater for future growth. No development shall be permitted to proceed if the local services are not sufficient to cater for the development. Therefore, it is envisaged that no elements of the Draft LAP are likely to cause significant impacts on Natura 2000 sites.

In addition, the Council will have regard to its responsibilities in relation to the requirements of the Habitats Directive, and any development proposal within the vicinity of or potentially having an effect on the designated site will be subject to an Appropriate Assessment under the Habitats Directive in consultation with the National Parks and Wildlife Service (NPWS).

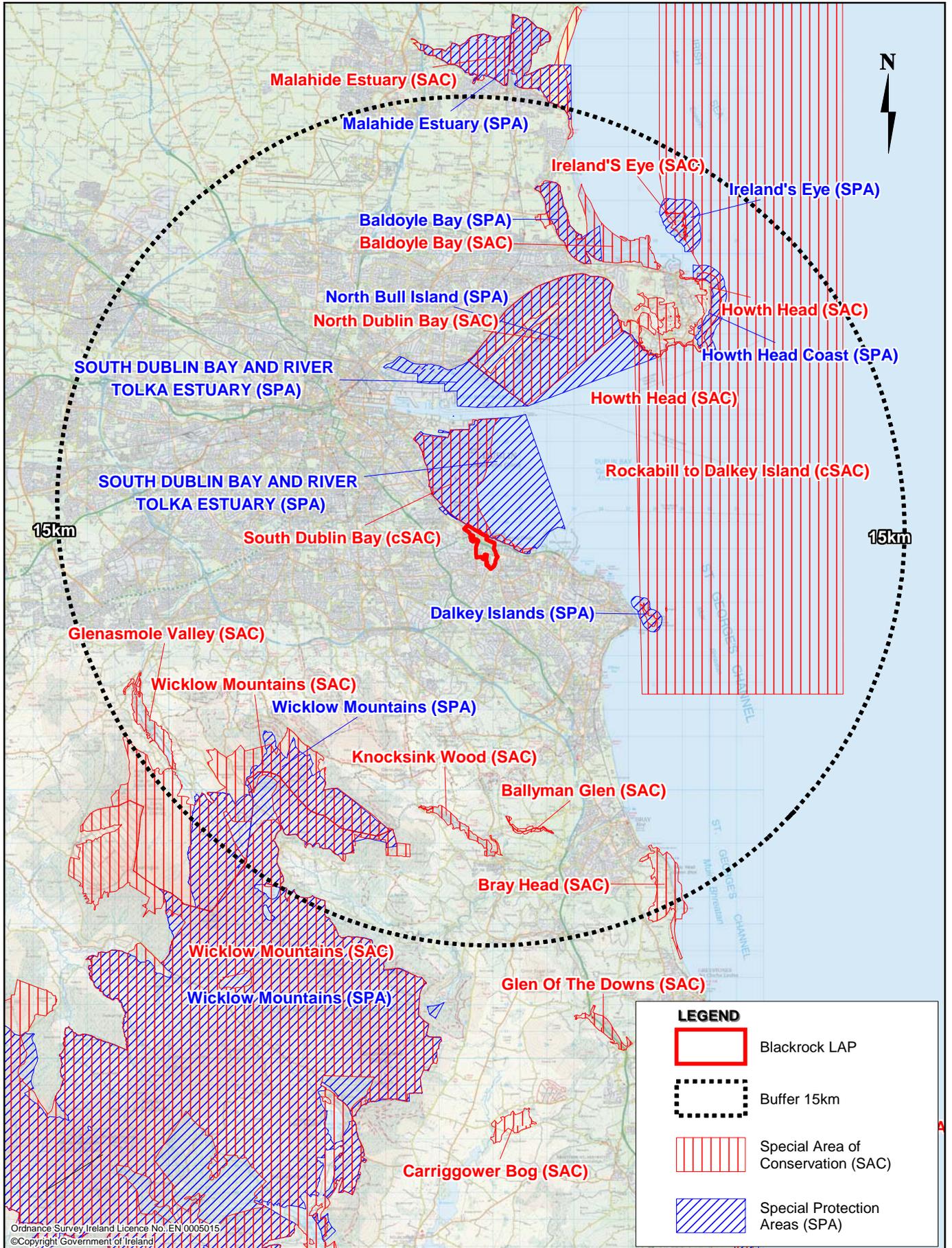


FIGURE 1 - BLACKROCK LAP APPROPRIATE ASSESSMENT - NATURA 2000 SITES

3 SCREENING CONCLUSION AND STATEMENT

The likely impacts that will arise from the Draft LAP have been examined in the context of a number of factors that could potentially affect the integrity of the Natura 2000 network. No Natura 2000 site within 15km of the Draft LAP area will be adversely affected. A Finding of No Significant Effects Matrix has been completed and is presented in Section 4 of this Screening Statement.

On the basis of the findings of this Screening for Appropriate Assessment of Natura 2000 sites, it is concluded that the proposed Draft LAP will not have a significant effect on the Natura 2000 network and a Stage 2 Appropriate Assessment is not required.

4 FINDING OF NO SIGNIFICANT EFFECTS REPORT MATRIX

Name of project or Plan	Draft Blackrock Local Area Plan
Name and location of Natura 2000 site	Baldoyle Bay SAC; Malahide Estuary SAC; Howth Head SAC; North Dublin Bay SAC; South Dublin Bay cSAC; Wicklow Mountains SAC; Bray Head SAC; Knocksink Wood SAC; Ballyman Glen SAC; Glen of The Downs SAC; Glenasmole Valley SAC; Rockabill to Dalkey Island cSAC; North Bull Island SPA; Baldoyle Bay SPA; Malahide Estuary SPA; Howth Head Coast SPA; South Dublin Bay and River Tolka Estuary SPA; Dalkey Island SPA; Irelands Eye SPA; Wicklow Mountains SPA.
Description of the project or Plan	<p>Blackrock is a historic and well established urban village within Dún Laoghaire-Rathdown. It is a centre of employment as well as a focal point for the surrounding residential communities. Blackrock is located 8km south of Dublin City Centre and approximately 3km north-west of Dún Laoghaire. Blackrock lies adjacent to the coastline of Dublin Bay and east of the N11 National Road. Blackrock is serviced by the DART, with Blackrock DART station at the centre of the District Centre and quality bus routes along Rock Road and the N11.</p> <p>The core of Blackrock is zoned District Centre in the Dún Laoghaire-Rathdown County Development Plan 2010-2016, and is serviced by comparison and convenience shopping and other district centre uses.</p> <p>Blackrock is identified as an area for 'Development and Regeneration' in the County Development Plan 2010-2016 where it is the vision 'To encourage the renewal of existing built-up areas through sensitive regeneration and consolidation, and to establish new urban villages in well located Greenfield areas that will have their own quality 'sense of place' and community and that will be well served by existing or planned public transport networks'.</p> <p>The purpose of the Draft Blackrock Local Area Plan is to identify a clear and integrated vision for Blackrock which will</p>

provide for the delivery of a quality District Centre with a vibrant retail core, a comprehensive range of community facilities and recreational space, utilising the potential of the coastline and Blackrock Park, which is legible and easy to move around and generally a pleasant place to live, work and visit.

Development Strategy

The purpose of the draft Blackrock LAP is to set out the policies and objectives that when implemented, will provide for the delivery of a distinctive, coherent and vibrant urban village that is well connected with its surrounding hinterland and makes for an attractive place to live, work and visit. The essence of the Plan is based around improving the local environment, both physical and visual, for all users.

Key Objectives:

- To direct and co-ordinate future development in a manner that protects and builds on the village's existing character and qualities, and embraces development opportunities.
- To further develop Blackrock as a thriving and attractive urban village with a mix of uses and appropriate retail provision to animate and support daytime and evening activity.
- To improve access to and encourage uses which embrace the amenity of the Seafront at Blackrock.
- To consolidate the existing built environment in a manner that enhances the architectural fabric of the area.
- To implement a range of public realm improvement works to in particular, improve the environment for the pedestrian.
- To improve movement, connectivity and legibility within the area for users of all forms of transport particularly pedestrians and cyclists.
- To enhance the existing parks and open space and connections between them.

Any developments within the Draft LAP boundary shall be done so in accordance with the requirements of the EU Directives and associated legislation, County Development Plan policy and shall have regard to national and regional guidelines. See Appendix A of the Draft Blackrock LAP for a full list of the relevant European Directives, National, Regional and County guidelines.

It is Council policy to protect, conserve and enhance the natural heritage and environment within and adjacent to Blackrock whilst utilising these natural assets in promoting Blackrock as a heritage destination. The Council is very much aware and committed to protecting the environment within and adjacent to the Draft LAP, and in that regard have a number of objectives focused on the implementation of relevant EU Directives and associated legislation. In particular, it is an objective of the Council to ensure that all plans and projects in the County which could, either individually or in combination with other plans and projects have significant effects on a Natura 2000 site(s) will be

subject to Appropriate Assessment Screening. Further, it is an objective of the Council to ensure the implementation of the European Communities Birds and Natural Habitats Regulations 2011 (S.I. No. 477 of 2011).

EXISTING ENVIRONMENT AT THE DRAFT LAP LANDS

Water quality

The Draft LAP is located within the Eastern River Basin District (ERBD). There are two streams within the Draft LAP boundary; these are the Carysfort Maretimo Stream and the Priors Stream. Both streams discharge to the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA.

The Carysfort Maretimo Stream starts in the Three Rock Mountain and flows across the heavily urbanised areas of Sandyford, Leopardstown and Stillorgan before finally discharging into the sea at Blackrock. The Environmental Report carried out as part of the Carysfort Maretimo Stream Improvement Scheme found that there was no evidence of fish or invertebrate species of conservation importance within the stream; all species found within the stream were identified as common. The river is not known for populations of salmon, trout or lamprey as significant culverting has not made it suitable for many fish species.

The Council is committed to protecting the watercourses within the boundaries of the Draft LAP. To this regard there are a number of objectives within the Draft LAP which focus on maintaining and protecting the natural character and ecological value of these watercourses. Development proposals will be required to provide a buffer zone a minimum of 10m each side of the waters edge.

Furthermore, it is an objective of the Council to facilitate compliance with the requirements of the EU Water Framework Directive and any relevant legislation. In this regard, the Council will facilitate compliance with the relevant objectives and measures for individual water bodies set out in the Eastern River Basin Management Plan and associated Programme of Measures, where relevant.

Water supply

The government has established Irish Water, a new public utility. Irish Water will make capital and investment decisions regarding the country's water infrastructure on a national basis. Irish Water is now responsible for the operation of public water services including management of national water assets, maintenance of the water system, investment planning, managing capital projects and customer care and billing. Dún Laoghaire-Rathdown County Council is committed to working with Irish Water to ensure that the provision of water services will not be a limiting factor in terms of allowing growth within the Blackrock LAP area.

Extensive rehabilitation of old watermains has been carried out in the Blackrock area in recent years but some old pipes remain. It is intended that these will be rehabilitated as opportunity and funding allow.

Existing and future populations within the Plan area should continue to have access to adequate high quality clean

	<p>drinking water. The existing water network is generally adequate for current demand and small infill growth, however more detailed investigations would have to be carried out on the capacity of the network for any proposal which would generate significant water usage. Network improvements required to address any deficiency identified by these investigations shall be addressed by Irish Water.</p> <p>It is an objective of the Council to ensure the implementation of the surface water legislation Environmental Objectives (Surface Waters) Regulations 2009 S.I. No 272 of 2009 and the EPA report Water Quality in Ireland 2007-2009 in order to ensure that development permitted would not have an unacceptable impact on water quality and quantity including surface waters, ground water, river corridors, estuarine waters, bathing waters, coastal and transitional waters.</p> <p>Wastewater Facilities</p> <p>Blackrock is served by the Ringsend Waste Water Treatment Plant. The existing foul & surface water drainage network is generally adequate to satisfy current demand and small infill growth. More detailed investigations would, however, have to be carried out on the capacity of the network for any proposal which would have a significant impact on the drainage network. Any network improvements required to address deficiencies identified by these investigations shall be addressed by Irish Water.</p> <p>It is an objective of the Council to facilitate Irish Water in ensuring that all wastewater generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance.</p> <p>Flood Protection</p> <p>Blackrock lies within the Eastern Catchment Flood Risk Assessment and Management (ECFRAM). CFRAM is a national programme for the medium to long-term strategy for the reduction and management of flood risk in Ireland. It will deliver on core components of the National Flood Policy and on the requirements of the EU Flood Directive. The Office of Public Works is the lead agency for flood risk management in Ireland and is working in partnership with all the local authorities to deliver the objectives of this programme. These CFRAM studies will produce Flood Risk Management Plans along with a strategy for implementation.</p> <p>One of the main issues in the Blackrock area in the past has been the flooding incidences caused by the Carysfort Maretimo Stream. However, the Carysfort Maretimo Stream Improvement Scheme, designated to deliver solutions to flooding by enhancing channel capacity and dealing with other deficiencies in the stream is now complete.</p> <p>The Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) introduce mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. Planning applications for development in areas where flood risk may be present will be assessed in accordance with the provisions of these Guidelines. Where flood risk is potentially considered to be an issue, a flood risk</p>
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	<p>assessment should be carried out.</p> <p>All new development shall comply with the Greater Dublin Strategic Drainage Study in terms of sustainable drainage system (SUDS). It is imperative that stringent SUDS measures are applied throughout the area on all new developments.</p> <p>Sutton to Sandycove Pedestrian / Cycle Route (S2S)</p> <p>The current County Development Plan identified a Specific Local Objective SL093, 'To promote the development of the Sutton to Sandycove (S2S) Promenade and Cycleway'. The Sutton to Sandycove initiative involves the development of a continuous 22 km cycleway and promenade around the coastal edge of Dublin Bay and linking into existing and proposed cycle and walking routes. The indicative route shown on Map 2 'Extract from the County Development Plan' runs along the seafront at Blackrock.</p> <p>The biodiversity and habitat of Dublin Bay is of national and international importance and large sections are designated as SAC's, SPA's and pNHA's. The indicative S2S route, as shown in the County Development Plan 2010-2016, traverses sections of these designated areas, and therefore feasibility studies of this coastal route shall be carried out, including an assessment of route options.</p> <p>It is an objective of the Council to promote the development of the S2S promenade and cycleway in accordance with the objectives of the County Development Plan 2010-2016. It should be noted that this coastal route will be subject to a feasibility study, including an assessment of the route options. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SAC's, SPA's and pNHA's in Dublin Bay and the surrounding area.</p>
Is the project or Plan directly connected with or necessary to the management of the site (provide details)?	No
Are there other projects or Plans that together with the project or Plan being assessed could affect the site (provide details)?	No
The Assessment of Significance of Effects	
Describe how the project or Plan (alone or in combination) is likely to affect the Natura 2000 site.	The proposed development is not likely to affect Natura 2000 sites.
Explain why these effects are not considered significant.	It is Council policy to protect, conserve and enhance the natural heritage and environment within and adjacent to Blackrock whilst utilising these natural assets in promoting Blackrock as a heritage destination. The Council is committed to protecting and enhancing the conservation status of these SACs and SPAs, and have specific policies relating to their protection and maintenance, as appropriate. In particular, it is an objective of the Council to ensure that all plans and projects in the County which could, either individually or in combination with other plans and projects

	<p>have significant effects on a Natura 2000 site(s) will be subject to Appropriate Assessment Screening. Further, it is an objective of the Council to ensure the implementation of the European Communities Birds and Natural Habitats Regulations 2011 (S.I. No. 477 of 2011).</p> <p>No Natura 2000 site lies within the boundaries of the Draft LAP lands, therefore no direct impacts will occur through land take or fragmentation of habitats.</p> <p>Increased development and construction of residential and commercial units will lead to increased demand for potable water and increased pressure on existing and future waste water treatment systems. Water for Blackrock comes from the Sandyford High Level Water Supply Scheme and this is capable of catering for future developments in the area. There are no particular constraints in terms of supplying water to future development within the Draft LAP lands. Any medium to large scale development in the area may be required to upgrade sections of the existing network to ensure adequate security of supply as deemed necessary by Irish Water, which will not result in any direct or indirect impacts on the Natura 2000 sites.</p> <p>Increased development will lead to more sewage, which will be treated at the Ringsend Waste Water Treatment Plant. It is an objective of the Council to facilitate Irish Water in ensuring that all wastewater generated is collected, treated and discharged after treatment in a safe and sustainable manner, having regard to the standards and requirements set out in EU and national legislation and guidance. Complying with the standards and requirements set out in EU and national legislation will ensure that sewage will be treated to an appropriate standard such that it will not impact on receiving waters, and therefore, will not result in any indirect impacts on the Natura 2000 sites.</p> <p>There are two streams within the Draft LAP boundary; these are the Carysfort Maretimo Stream and the Priory Stream, both of which discharge to the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA. The Council is committed to protecting the watercourses within the boundaries of the Draft LAP. To this regard there are a number of objectives within the Draft LAP which focus on maintaining and protecting the natural character and ecological value of these watercourses. Development proposals will be required to provide a buffer zone a minimum of 10m each side of the waters edge. Furthermore, it is an objective of the Council to facilitate compliance with the requirements of the EU Water Framework Directive and any relevant legislation. In this regard, the Council will facilitate compliance with the relevant objectives and measures for individual water bodies set out in the Eastern River Basin Management Plan and associated Programme of Measures, where relevant. These policies to protect the natural character and ecological value of these watercourses will also ensure that the receiving South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA are also protected, and therefore, will not result in any indirect impacts on these Natura 2000 sites.</p> <p>The current County Development Plan identified a Specific Local Objective SL093, 'To promote the development of the</p>
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	<p>Sutton to Sandycove (S2S) Promenade and Cycleway'. The Sutton to Sandycove initiative involves the development of a continuous 22 km cycleway and promenade around the coastal edge of Dublin Bay and linking into existing and proposed cycle and walking routes. The indicative route shown on Map 2 'Extract from the County Development Plan' runs along the seafront at Blackrock. It is an objective of the Council to promote the development of the S2S promenade and cycleway in accordance with the objectives of the County Development Plan 2010-2016. It should be noted that this coastal route will be subject to a feasibility study, including an assessment of the route options. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SAC's, SPA's and pNHA's in Dublin Bay and the surrounding area.</p> <p>Furthermore, it is an objective of the Council to ensure the protection and preservation of the ecological integrity of the SPA, SAC and pNHA within and abutting the Draft Blackrock Local Area Plan boundary in the consideration and implementation of development within Blackrock in accordance with their designation. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SPA's and SACs of Dublin Bay and the surrounding area.</p>
List of agencies consulted: provide contact name and telephone or e-mail address.	N/A
Response to consultation.	N/A
Data Collected to Carry Out the Assessment	
Who carried out the assessment?	RPS
Sources of data	NPWS database Information from Dún Laoghaire-Rathdown Water Services
Level of assessment completed	Desktop
Where can the full results of the assessment be accessed and viewed?	Dún Laoghaire-Rathdown County Council Planning Department
Overall Conclusion	Stage 1 Screening indicates that the proposed Draft LAP will not have a significant negative impact on the Natura 2000 network. Therefore, a Stage 2 'Appropriate Assessment' under Article 6(3) of the Habitats Directive 92/43/EEC is not required.

5 AA SCREENING CONCLUSION OF FINAL LAP

5.1 BACKGROUND

The Draft Blackrock Local Area Plan was put on public display on the 3rd September 2014 accompanied by the Appropriate Assessment Screening Statement and the SEA Screening Report. Written submissions and/or observations were invited for a 6 week period ending the 15th October 2014.

During the 6-week consultation period a total of 25 no. submissions were received by the Planning Authority. A Chief Executive's Report was compiled which outlined the response and recommendations based on the submissions received. All of the changes recommended to the draft LAP were screened under the AA process.

Prior to the meeting with the Elected Members on the 8th December the proposed motions and amendments were screened by the AA process. One material alteration was proposed at the Council meeting along with a few minor amendments which were then screened by the AA process. The material amendment was put out on public display from the 22nd December 2014 to the 29th January 2015.

A second Chief Executive's Report was prepared on the 7 submissions received, 3 of which related to the material alteration. This alteration related to Map 12 within Section 3.4, Building Height of the LAP. The proposal was to amend the height restrictions on the site shaded pink (per map key 4 storeys) at St Teresa's/Dunardagh, to a graduated height restriction starting at three stories on the section adjacent to St Vincent's Park, rising to four stories elsewhere. Submissions on the material amendment were both for the alteration and against the alteration, however it was recommended in the Chief Executives response that there would be no change to this proposed material alterations. All recommendations, including the material alteration presented in the Chief Executives report were screened by the AA process.

5.2 SCREENING OF MATERIAL ALTERATION FOR APPROPRIATE ASSESSMENT

The Blackrock LAP and proposed material alteration was made by the elected members of Dún Laoghaire-Rathdown County Council on 9 March 2015 following consideration of the Draft Blackrock LAP and the Chief Executive's Report on submissions received during the public consultation process. The material alteration has been screened for Appropriate Assessment under the EU Habitats Directive. The proposed material alteration will not result in additional impacts to those already identified in the Appropriate Assessment Screening Document. Therefore, the proposed material alteration will not have a significant negative impact on the Natura 2000 network.