

**Appropriate Assessment
Screening Statement**

**Stage 3 LRD Application
Lands at 139-149 North King Street
Dublin 7**



Applicant:
Ringline Investments Limited

April 2025

1. Introduction

Special Areas of Conservation (SAC), designated under the EU Habitats Directive and Special Protection Areas (SPA), designated under the EU Birds Directive are collectively referred to as Natura 2000 sites (or European sites). The conservation objectives for these sites are derived from a combination of qualifying interests including the presence of Annex I habitats and Annex II species listed in the Habitats Directive and Annex I birds listed in the Birds Directive.

Part of the statutory protection measures under Articles 6(3) and 6(4) of the Habitats Directive includes the consideration of potential impacts of a plan or project, either alone or in combination with other plans and projects, on the conservation objectives of Natura 2000 sites through an Appropriate Assessment (AA) process. For the purposes of the application for permission in respect of the proposed project, the requirements of Article 6(3) have been transposed into Irish law by Part XAB of the Planning and Development Act 2000, as amended.

This report provides information on and assesses the potential for the proposed development to significantly affect Natura 2000 sites. The information can be used by the competent authority, Dublin City Council, in carrying out its statutory obligations under European and national legislation.

The report was prepared by Darran Quaile BA Mod. Environmental Science, MSc Biodiversity and Land Use Planning.

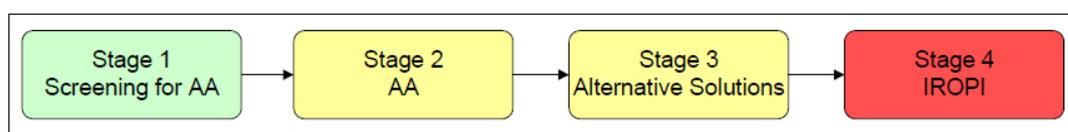
2. Methodology

This Screening Statement for Appropriate Assessment was prepared with regard to the following guidance documents:

- European Commission, 2001. *Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC*. Office for Official Publications of the European Communities, Brussels;
- European Commission, 2000a. *Communication from the Commission on the Precautionary Principle*. Office for Official Publications of the European Communities, Luxembourg;

- European Commission, 2018. *Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (Draft)*. Office for Official Publications of the European Communities, Luxembourg;
- European Commission 2000b. *Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*;
- European Commission, 2007. *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*;
- DoEHLG, 2010a. *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin;
- DoEHLG, 2010b. Department of Environment Heritage and Local Government Circular NPW 1/10 and PSSP 2/10 on Appropriate Assessment under Article 6 of the Habitats Directive – Guidance for Planning Authorities;
- European Commission, 2013. *Interpretation Manual of European Union Habitats. Version EUR 28. European Commission*;
- ABP, 2013. *Applications for approval for Local Authority Developments made to An Bord Pleanála under 177AE of the Planning and Development Act, 2000, as amended (Appropriate Assessment): Guidelines for Local Authorities*. An Bord Pleanála, Dublin;
- *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*
- *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*

The guidance promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.



The stages are as follows:

Stage One: Screening — the process which identifies any appreciable impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans and considers whether these impacts are likely to be significant.

Stage Two: Appropriate assessment — the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts.

Stage Three: Assessment of alternative solutions: The process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of imperative reasons of overriding public interest).

2.1 Desktop Study

A desktop review facilitates the identification of the baseline ecological conditions and key ecological issues relating to Natura 2000 sites and facilitates an evaluation assessment of potential in-combination impacts. The sources of information and relevant documentation utilised are as follows:

- National Parks & Wildlife Service (NPWS) - www.npws.ie including qualifying interests and conservation objectives for Natura 2000 sites.
- Environmental Protection Agency (EPA) – www.epa.ie
- BirdWatch Ireland - <http://www.birdwatchireland.ie/>
- National Biodiversity Data Centre – www.biodiversityireland.ie
- Information on the status of EU protected habitats and species in Ireland (National Parks & Wildlife Service, 2019a & 2019b)

3 Stage 1 Screening

The first step is to establish whether, in relation to a particular plan or project, appropriate assessment is required. Its purpose is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone or in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site's conservation objectives.

Screening for AA involves the following:

- Description of the project and its relevance to the management of a Natura site;
- 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 on site integrity.

3.1 Site Description

The site has an area of 0.33ha and is located on the south side of North King Street, with Bow Street forming the eastern boundary and Brown Street North wrapping around the western and southern boundaries. Nos.40-42 Bow Street, located within the block, do not form part of the site. The site accommodates 2-storey commercial buildings with a service yard accessed from Brown Street North located in the centre.



Figure 1: Site Location Map

As can be seen from the aerial map above, the site is entirely made up of buildings and hard surfaces. There are no habitats of ecological value on the site.

There are no watercourses within the site. The nearest watercourse is the River Liffey located c. 371m south of the site.

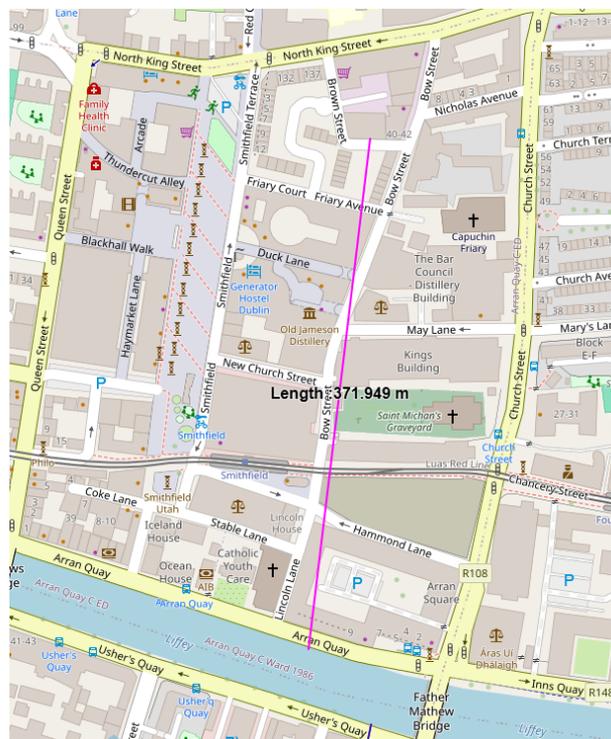


Figure 2: EPA Map extract

3.2 Description of Proposed Development

The development will consist of: -

- Demolition of the existing structures on site, with the exception of the protected structure facades on North King Street and Bow Street, which will be refurbished and integrated into the development;
- Construction of a mixed-use purpose-built student accommodation and retail development in a 7-storey building over a partial existing basement with a setback at the 5th floor and a further significant setback at the 6th floor level;
- The proposal includes 361 no. bedspaces comprising 62 no. studios, 291 no. single rooms and 8 no. accessible rooms;
- Internal communal amenity facilities include a library, gym, yoga studio, reception and exhibition space, laundry, games room, office/admin and luggage/parcel store;
- External amenity spaces include a central courtyard at ground level, a roof terrace at 5th floor level along Brown Street North to the south and a roof terrace at 6th floor level along North King Street;
- A retail unit with frontage to North King Street and Bow Street;
- Bicycle parking spaces for residents and visitors, accessed from Brown Street North and Bow Street;
- Public realm improvements include widening the carriageway on Brown Street North, providing drop-off/pick-up car parking and loading off-carriageway; a footpath on the eastern side of Brown Street North; pedestrian friendly junction threshold at both the Bow Street and North King Street junctions; and restoring/landscaping a fenced dumping area to the south;
- ESB substation, switch room and plant room at ground level accessed from Brown Street North and refuse store area accessed from Bow Street;
- Landscaping, PV panels at roof level and all associated site works and services.

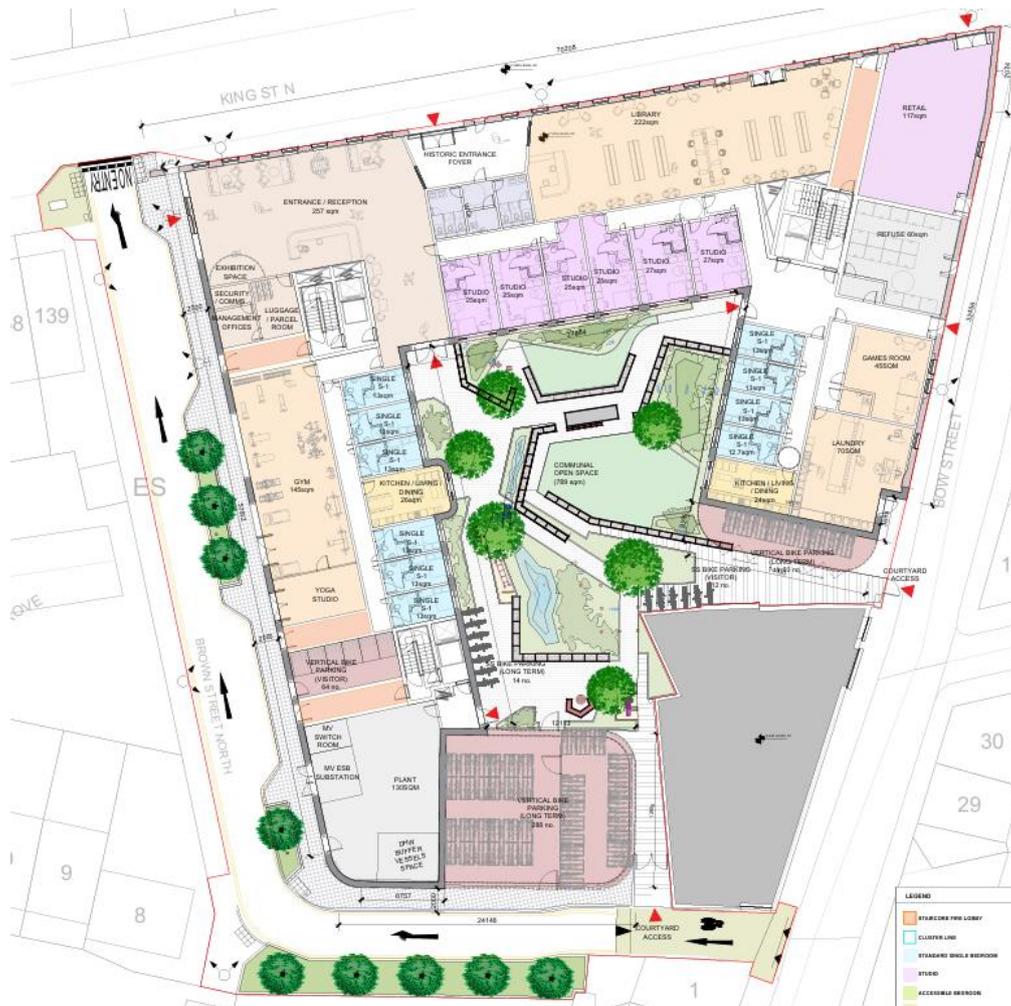


Figure 3: Proposed Site Layout Plan (MOLA Architects)

3.2.1 Foul & Surface Water Drainage

The application is supported by a *Water Supply and Wastewater Management Report* and associated drawings prepared by CORA Consulting Engineers.

3.2.2 Foul Drainage

The proposed foul sewer, fully separated from the storm water drainage, will discharge via a new connection to the existing combined foul sewer (Uisce Eireann Infrastructure) on Bow Street.

3.2.3 Stormwater Management Plan

The stormwater management plan proposes nature-based solutions to manage stormwater on the site. The integrated Landscaping and Stormwater strategy ensures a significant

improvement in the management of stormwater from the site in the private realm with all run off limited to 2.0l/s discharging to the DCC drainage infrastructure.

Full details of the proposed development can be found in the plans and particulars submitted with the application.

3.3 Description of Natura 2000 Sites

Screening requires that European sites within the likely Zone of Influence (ZoI) are identified. A distance of 15km is currently recommended in the case of plans and derives from UK guidance. For projects, the distance may be much less than 15km and must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects.

Natura 2000 sites are only at risk from significant effects where a source-pathway-receptor link exists between a proposed development and a Natura 2000 site(s). This can take the form of a direct impact (e.g. where the proposed development and/or associated construction works are located within the boundary of the Natura 2000 site(s) or an indirect impact where impacts outside of the Natura 2000 site(s) affect ecological receptors within (e.g. impacts to water quality which can affect riparian habitats at a distance from the impact source). Considering the Natura 2000 sites present in the region, their Qualifying Interests (QIs) and conservation objectives, and any potential impact pathways that could link those sites to the proposed development area, a distance of 15 km was considered appropriate to encompass all Natura 2000 sites potentially within the Zone of Influence of the proposed development. Thus, any appreciable direct, indirect or cumulative impacts which could arise from the proposed development in relation to the designated sites within this zone were considered.

The proposed development is not located within a Natura 2000 site.

Natura 2000 sites within a 15 km radius of the proposed development site are listed below in Table 1. Potential pathways between the proposed development site and the Natura 2000 sites are also considered.

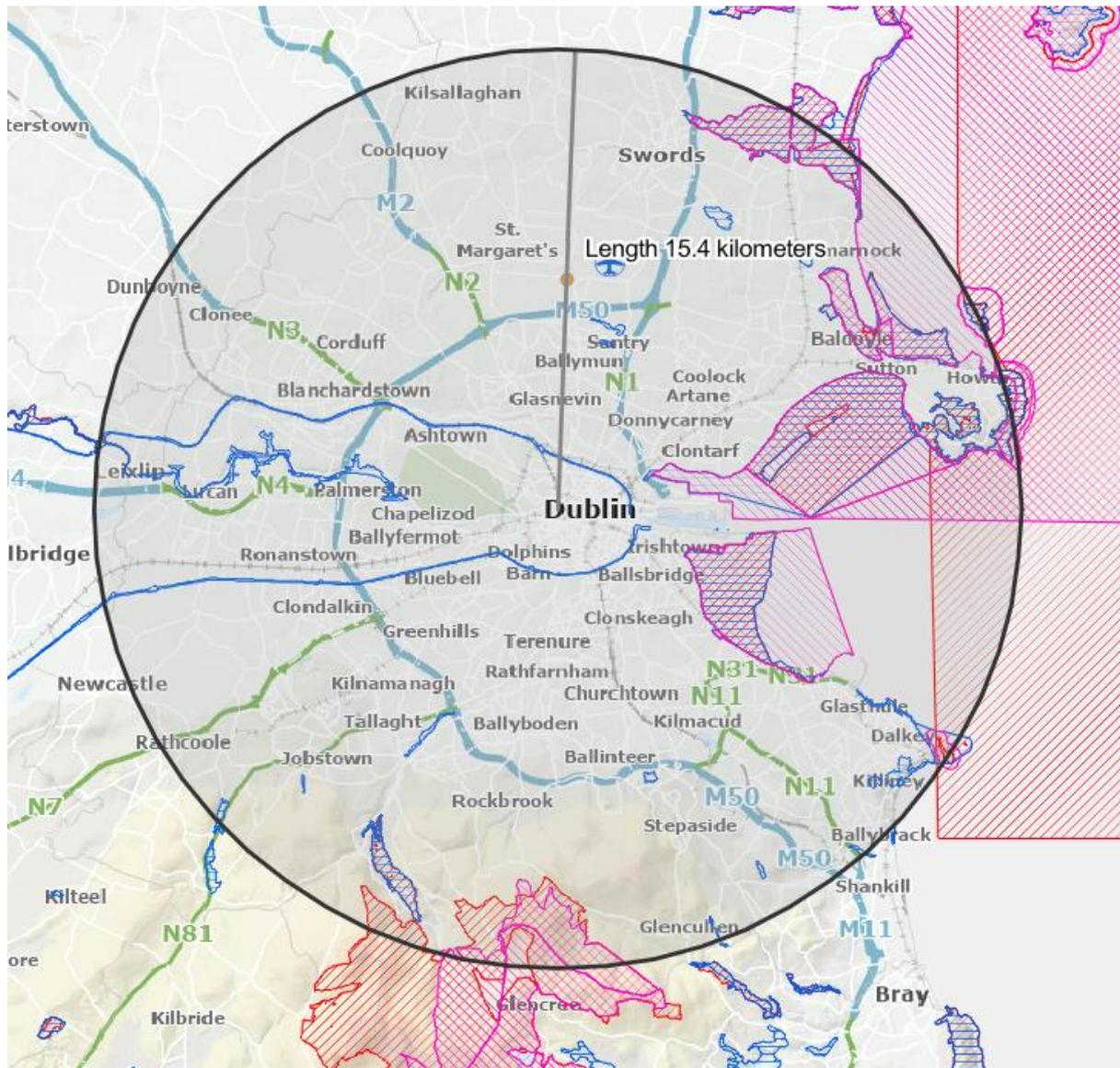


Figure 4: NPWS Context Map

The 15km zone of potential impact includes the following: -

➤ **Special Areas of Conservation**

- South Dublin Bay
- North Dublin Bay
- Howth Head
- Baldoyle Bay
- Rockabill to Dalkey Island
- Ireland's Eye
- Malahide Estuary
- Glensmole Valley

- Wicklow Mountains

➤ **Special Protection Areas**

- South Dublin Bay & River Tolka
- North Bull Island
- Howth Head Coast
- Ireland's Eye
- North-west Irish Sea
- Baldoyle Bay
- Malahide Estuary
- Dalkey Island
- Wicklow Mountains

3.4 Qualifying Interests and Conservation Objectives

The EU Habitats Directive contains a list of habitats (Annex I) and species (Annex II) for which SACs must be established by Member States. Similarly, the EU Birds Directive contains lists of important bird species (Annex I) and other migratory bird species for which SPAs must be established. Those that are known to occur at a site are referred to as 'qualifying interests' and are listed in the Natura 2000 forms which are lodged with the EU Commission by each Member State. A 'qualifying interest' is one of the factors (such as the species or habitat that is present) for which the site merits designation. The National Parks and Wildlife Service (NPWS) are responsible for the designation of SACs and SPAs in Ireland.

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network. European and national legislation places a collective obligation on Ireland and its citizens to maintain at favourable conservation status sites designated as Special Areas of Conservation and Special Protection Areas. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level. Favourable conservation status of a habitat is achieved when its natural range, and area it covers within that range, is stable or increasing, and the ecological factors that are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when population data on the species concerned indicate that it is maintaining itself, and the natural range of the species is neither being reduced or likely to be reduced for the foreseeable future, and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term.

The South Dublin Bay SAC is of conservation significance for the occurrence of good examples of habitats that are listed on Annex I of the E.U. Habitats Directive. The South Dublin Bay & River Tolka Estuary SPA is recognised under the E.U. Birds Directive as being of international importance by regularly supporting in excess of 20,000 wintering waterfowl, including Annex I listed species under the E.U. Birds Directive.

Tables 1(a) and 1(b) outline the Qualifying Interests, Conservation Objectives, Conservation Status and threats of medium and high importance to the species or habitats based on information derived from Article 12 and Article 17 Reports on the status of protected habitats and species in Ireland.

Table 1(a): South Dublin Bay SAC

Qualifying Interests	Conservation Objective	Conservation Status / Population Trend	Threats to Habitat / Species (see Table 3)
Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain	Deteriorating	- F20 - A28 - G16
Annual vegetation of drift lines [1210]	Maintain/Restore	Deteriorating	- F08 - C01 - F01 - F06 - F07
Salicornia and other annuals colonising mud and sand [1310]	Maintain/Restore	Stable	- I02 - A09

Embryonic dunes [2110]	shifting	Maintain/Restore	Stable	- F07 - F08 - L01 - C01 - E03 - F01 - F06 - L02
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Restore = Restore favourable conservation condition, Maintain = Maintain favourable conservation condition

Table 1(b): South Dublin Bay & River Tolka SPA

Qualifying Interests	Conservation Objective	Conservation Status / Population Trend	Threats to Habitat / Species
Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)	Maintain	Increasing	- Outdoor sports and leisure activities, recreational activities - Utility and service lines - Renewable abiotic energy use - Modification of cultivation practices
Oystercatcher (<i>Haematopus ostralegus</i>)	Maintain	Stable	- Fishing and harvesting aquatic resources
Ringed Plover (<i>Charadrius hiaticula</i>)	Maintain	Stable	- Outdoor sports and leisure activities, recreational activities - Marine and freshwater aquaculture -Changes in abiotic conditions
Grey Plover (<i>Pluvialis squatarola</i>)	Maintain	Decreasing	- Outdoor sports and leisure activities, recreational activities - Fishing and harvesting aquatic resources - Marine and freshwater aquaculture -Changes in abiotic conditions
Knot (<i>Calidris canutus</i>)	Maintain	Increasing	- Outdoor sports and leisure activities, recreational activities - Fishing and harvesting aquatic resources - Marine and freshwater aquaculture -Changes in abiotic conditions
Sanderling (<i>Calidris alba</i>)	Maintain	Increasing	- Outdoor sports and leisure activities, recreational activities

			<ul style="list-style-type: none"> - Marine and freshwater aquaculture -Changes in abiotic conditions
Dunlin (<i>Calidris alpina</i>)	Maintain	Decreasing	<ul style="list-style-type: none"> - Outdoor sports and leisure activities, recreational activities - Fishing and harvesting aquatic resources - Marine and freshwater aquaculture -Changes in abiotic conditions - Modification of cultivation practices - Mining and quarrying - Mowing of grassland - Forest planting on open ground - Fertilisation - Fire and fire suppression -Grazing - Interspecific faunal relations
Bar-tailed Godwit (<i>Limosa lapponica</i>)	Maintain	Increasing	<ul style="list-style-type: none"> - Marine and freshwater aquaculture -Changes in abiotic conditions
Redshank (<i>Tringa totanus</i>)	Maintain	Stable	<ul style="list-style-type: none"> - Outdoor sports and leisure activities, recreational activities -Changes in abiotic conditions
Black-headed gull (<i>Larus ridibundus</i>)	Maintain	Unknown	No threats were identified as being of high or medium importance nationally

Restore = Restore favourable conservation condition, Maintain = Maintain favourable conservation condition

3.5 Assessment of Likely Significant Effects

As part of the assessment the potential for impacts associated with the development were reviewed as outlined below:

Threats to Qualifying Interests

Table 1 identifies the most significant threats to the conservation status of the qualifying interests of the Natura 2000 sites. The next step is to consider whether the proposed development is likely to give rise to such threats (Table 2). In making these judgements, each Natura 2000 site is examined for a potential source-pathway-receptor link.

Table 2(a): Relationship between proposed development and key threats to the SAC

Code	Threat	Risk of threat arising from development of Project
F20	Residential or recreational activities and structures generating marine pollution (excl. marine macro- and micro- particular pollution) (H)	No risk
A28	Agricultural activities generation marine pollution (H)	No risk
G16	Marine aquaculture generating marine pollution (H)	No risk
I02	Other invasive alien species (other than species of Union concern) (M)	No risk
A09	Intensive grazing or overgrazing by livestock (M)	No risk
F07	Sports, tourism and leisure activities (H)	No risk
A33	Modification of hydrological flow or physical alternation of water bodies for agriculture (excluding development and operation of dams) (M)	No risk
A36	Agriculture activities not referred to above (M)	No risk
F08	Modification of coastline, estuary and coastal conditions for development, use and protection of residential, commercial, industrial and recreational infrastructure and areas (including sea defence or coast protection works and infrastructures) (M)	No risk
A10	Extensive grazing or undergrazing by livestock (M)	No risk
L01	Abiotic natural processes (e.g. erosion, silting up, drying out, submersion, salinization) (H)	No risk
E01	Roads, paths, railroads and related infrastructure (e.g. bridges, viaducts, tunnels) (M)	No risk
E03	(Shipping lanes, ferry lanes and anchorage infrastructure e.g. canalisation, dredging) (M)	No risk
F01	Conversion from other land uses to housing, settlement or recreational areas (excluding drainage and modification of coastline, estuary and coastal conditions) (M)	No risk
F06	Development and maintenance of beach areas for tourism and recreation incl. beach nourishment and beach cleaning (M)	No risk
A02	Conversion from one type of agricultural land use to another (excluding drainage and burning) (M)	No risk

L02	Natural succession resulting in species composition change (other than by direct changes of agricultural or forestry practices) (M)	No risk
C01	Extraction of minerals (e.g. rock, metal ores, gravel, sand, shell) (M)	No risk
E03	Shipping lanes, ferry lanes and anchorage infrastructure (e.g. canalisation, dredging) (M)	No risk
A19	Application of natural fertilisers on agricultural land (M)	No risk
A31	Drainage for use as agricultural land (M)	No risk
N03	Increases or changes in precipitation due to climate change (M)	No risk
N04	Sea-level and wave exposure changes due to climate change (M)	No risk
A11	Burning for Agriculture (H)	No risk
B01	Conversion to forest from other land uses, or afforestation (excluding drainage) (M)	No risk
D01	Wind, wave and tidal power, including infrastructure (M)	No risk
N01	Temperature changes (e.g. rise of temperature & extremes) due to climate change (M)	No risk
N02	Droughts and decreases in precipitation due to climate change (M)	No risk
F09	Deposition and treatment of waste/garbage from household/recreational facilities (M)	No risk
G01	Marine fishing and shellfish harvesting (professional, recreational) causing reduction of species/prey populations and disturbance of species (H)	No risk
G03	Marine fish and shellfish harvesting (professional, recreational) activities causing physical loss and disturbance of seafloor habitats (H)	No risk
C09	Geotechnical surveying (M)	No risk

Table 2(b): Relationship between proposed development and key threats to SPA

Threat	Risk of threat arising from Construction or Operation of Project
Outdoor sports and leisure activities, recreational activities	No risk
Fertilisation	No risk
Utility and Service lines	No risk
Renewable abiotic energy use	No risk

Modification of cultivation practices	No risk
Marine and Freshwater Aquaculture	No risk
Fishing and harvesting aquatic resources	No risk
Changes in abiotic conditions	No risk
Grazing	No risk
Fire and fire suppression	No risk
Forest planting on open ground	No risk
Mining and quarrying	No risk
Mowing of grassland	No risk
Interspecific faunal relations	No risk

It is concluded that the proposed development, as described in section 3.1 and 3.2 above, will not give rise to threats/pressures on the qualifying interests of the Natura 2000 sites, as identified in the Article 12 and Article 17 reports on the status of protected habitats and species in Ireland.

4. Screening Conclusion

On the basis of the findings of this Screening Statement for Appropriate Assessment, it is concluded that there is no likelihood of significant effects on Natura 2000 sites arising from the proposed development, either alone or in combination with other plans or projects. It is considered that Stage 2 Appropriate Assessment is not required.

Darran Quaile

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