

Huntstown Quarry, Finglas, Dublin 11

Application for Technical Amendment to Increase Waste Importation
at Existing Inert Soil Waste Recovery Facility at Huntstown Quarry
(Waste Licence Reference No. W0277-01)

Appropriate Assessment: Stage 1 Screening Report

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1.0 INTRODUCTION

1.1 Background

This report provides information to inform an Appropriate Assessment: Stage 1 Screening Assessment of any likely significant effects on Natura 2000 sites from a technical amendment of the existing Waste Licence W0277-01 under the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended) for the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry, Finglas, Dublin 11.

It has been prepared by SLR Consulting Ireland (SLR) on behalf of Roadstone Limited in support of their application for a technical amendment of its existing Waste Licence (Ref No. W0277-01) which provides for recovery of inert waste soils through deposition on land and backfilling of a worked out quarry void at Huntstown Quarry in North Dublin.

1.2 Appropriate Assessment Overview

The requirements for an Appropriate Assessment are set out under Article 6 of the EU Habitats Directive (92/34/EEC) transposed into Irish law through The European Communities (Birds and Natural Habitats) Regulations 2011 and 2013. These regulations require a Competent Authority to make an Appropriate Assessment of the implications for Natura 2000 sites in view of a site's conservation objectives, before deciding to undertake, or give consent, permission or other authorisation for, a plan or project which:

- i. is not directly connected with or necessary to the management of that site; and
- ii. is likely to have a significant effect thereon, either individually or in combination with other plans and projects in view of its conservation objectives.

The European Commission's methodological guidance¹ promotes a four stage process, as set out below, to complete an Appropriate Assessment:

- Stage 1 – Screening for Appropriate Assessment;
- Stage 2 – Appropriate Assessment;
- Stage 3 – Alternative Solutions; and
- Stage 4 – The 'IROPI Test' (Imperative Reasons of Overriding Public Interest).

A person applying for any such consent, permission or other authorisation must provide such information in Stage 1, as the Competent Authority may reasonably require, for the purposes of the assessment or to enable them to determine whether an Appropriate Assessment is required.

In considering whether a plan or project will adversely affect the integrity of any Natura 2000 site or sites, the Competent Authority should consider whether the effects of the proposal on the site or sites, either individually or in combination with other plans or projects, is likely to be significant in terms of the conservation objectives and in respect of each interest feature for which the site was designated a Special Area of Conservation (SAC) under the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), or classified a Special Protection Area (SPA) under Council Directive 2009/147/EC on the Conservation of Wild Birds (The Birds Directive) that codifies Directive 79/409/EEC.

¹ European Communities (2002). *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. European Communities, Luxembourg.

In the light of the conclusions of the assessment, and in consideration of Imperative Reasons of Overriding Public Interest (IROPI), the Competent Authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the Natura 2000 site.

1.3 Purpose of this Report

This report has been produced to provide a screening statement, as required under Stage 1 of the Appropriate Assessment process, and includes all relevant information to the Competent Authority (in this case the Environmental Protection Agency (EPA)) in order for them to determine whether the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry is likely to have a significant effect on the integrity of any Natura 2000 site, or sites, within its zone of influence and whether there is a requirement for an Appropriate Assessment (Stage 2 Assessment) to be undertaken.

1.4 Ecologist and Experience

The Screening Assessment has been conducted by Steve Judge whom is an Associate Ecologist with 15 years' experience in ecological consultancy and a member of the Chartered Institute of Ecology and Environmental Management (CIEEM). All work produced is subject to technical review and Quality Assurance.

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2.0 METHODOLOGY

2.1 Baseline Data Collection

Baseline information was gathered through a combination of desk-based study and technical assessments consistent with current standard methodologies and published best practice guidelines, in order to provide relevant data to allow an assessment of likely significant effects of the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry on any individual Natura 2000 site, or sites, within the zone of influence of this project.

The principal source of information on Natura 2000 sites and key qualifying features has been data collected through information publically available on the National Parks and Wildlife Service (NPWS) website² and with other relevant sources used to provide data on current baseline conditions at the site of the proposed development and within its potential zone of influence.

2.2 Assessment Likely Significant Effects

Under the Habitats Directive, the first test that has to be considered is whether the development, either alone or in combination with other relevant projects and plans, would be likely to have a significant effect. Effects are judged to be significant where they affect the integrity of a Natura 2000 site with respect to the conservation objectives of the features for which a Natura 2000 site was designated / classified as being of European importance.

The purpose of Stage 1 is two parts, firstly to screen out those aspects of the proposal that can be considered not likely to have a significant effect, and secondly to screen the key qualifying features for which a site was designated / classified as being of European importance that are not likely to be significantly affected by the proposal.

A 'likely significant effect' (LSE) is one that cannot be ruled out on the basis of objective information³. Determining whether there will be a LSE does not imply that there will be such an effect or even that an effect is more likely than not. It would also not be correct to say that any effect is a likely significant effect, and the LSE test should be used to filter out effects that are clearly negligible or inconsequential.

In order to undertake an appropriate screening, the guidance produced by the NPWS in 2009⁴ has been followed in order to:

- characterise the potential impacts to the qualifying interests of any Natura 2000 site or sites that may result from the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry;
- assess the likely significance of potential impacts on the qualifying interests of any Natura 2000 site or sites within the zone of influence of the existing waste facility; and
- assess the risk of an adverse effect on the integrity of the site or occurring to a qualifying interest feature for which the site is of European interest.

² <http://www.npws.ie>

³ European Court of Justice (2004) Case C-127/02, ECR-I 7405 (Waddenzee case).

⁴ NPWS (2009 revised February 2010). *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities*. Department of the Environment, Heritage and Local Government, Dublin.

The methodology for the assessment of impacts is derived from the guidelines published by the CIEEM⁵. Impacts are characterised in terms of whether specific hazards emanating from the project are likely to have potential significant effects on the integrity of a defined ecosystem and/or conservation status of individual habitats or species for which a site is of European interest, and on site as a whole.

2.3 Ascertaining the Threat to Site Integrity

The Competent Authority will be required to determine whether the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry would adversely affect the integrity of any Natura 2000 site, or sites, in light of the conservation objectives for that particular site, or sites. The integrity of a site is defined as:

“The integrity of a site is the coherence of its ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated / classified.”

Further to the above, an adverse effect on integrity can also be defined as one that is likely to prevent the site from making the same contribution to favourable conservation status for the relevant features as it did at the time of its designation / classification.

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⁵ CIEEM (2016). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal* 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

3.0 DESCRIPTION OF THE PROJECT

3.1 Location and Setting

Huntstown Quarry is a large operational quarry that lies in the townlands of Cappoge, Grange, Johnstown, Kilshane and part of Huntstown approximately 6km west of Dublin Airport. The quarry comprises four main extraction areas (i.e. north quarry, central quarry, south quarry and west quarry) within a total landholding of 211 hectares (ha).

The application site covers 36.1ha and comprises an authorised (licensed) soil waste recovery facility within the worked out North Quarry along with associated perimeter screening and overburden mounds (refer to Drawing 1).

The licensed soil waste recovery facility utilises and shares established infrastructure associated with the adjoining quarrying and processing operations at Huntstown Quarry.

The surrounding land-use is a mixture of urban and commercial development with associated infrastructure including the M50, Dublin Airport and agricultural land and is a landscape typical of a rural-urban fringe.

3.2 Outline Description of the Project

Planning permission for the intake of inert soils and stones as part of the overall restoration scheme for the site at Huntstown Quarry was consented in August 2014 (Fingal County Council Ref. No. FW12A-0022 / An Bord Pleanála Ref. No. 06F.241693) and a waste licence for a soil recovery facility was granted on 13th February 2015 (Waste Licence W0277-01) by the EPA.

The project relates to an application for a technical amendment of the existing Waste Licence (W0277-01) for a proposed increase in the rate of waste importation to the existing inert soil waste recovery facility at Huntstown. The technical amendment being sought by the Licensee is in respect of an increase in the maximum allowable inert soil waste intake from 750,000 tonnes per annum at the present time to 1.5 million tonnes per annum.

An Appropriate Assessment Screening Report was previously submitted to the EPA as part of the original Waste Licence Application (WLA) for the inert soil waste recovery facility at Huntstown Quarry. The EPA previously determined that an Appropriate Assessment was not required as the nature and scale of the original proposal, individually or in combination with other plans or projects, was not likely to have a significant effect on a Natura 2000 site(s).

4.0 NATURA 2000 SITES

There are eleven Natura 2000 sites within a 15km radius of Huntstown Quarry. These sites are listed in Table 1 and their locations in relation to the project site are shown in Drawing 1.

Table 1: Natura 2000 Sites within a 15km of the Proposed Project Site

Natura 2000 Site	Site Code	Location at Closest Point to Project Site
South Dublin Bay and River Tolka SPA	004024	8.4km south east
Malahide Estuary SAC	000205	10.0km north east
Malahide Estuary SPA	004025	10.0km north east
North Dublin Bay SAC	000206	10.9km south east
North Bull Island SPA and Ramsar Site	004006	10.9km south east
South Dublin Bay SAC	000210	11.0km south east
Rye Water Valley/Carlton SAC	001398	11.1km south west
Baldoyle Bay SAC	000199	12.0km east
Baldoyle Bay SPA and Ramsar Site	004016	12.1km east
Rogerstown Estuary SAC	000208	12.5 km north east
Rogerstown Estuary SPA	004015	13.2km north east

4.1 Potential Zone of Influence of Project and Screening of Natura 2000 Sites

Based on the size and nature of the inert soil waste recovery facility at Huntstown Quarry it is considered that the maximum distance for which the project should be evaluated in terms of Natura 2000 sites is up to a maximum radius of 2km from the application site, unless, there are any potential source-pathway-receptor links between the inert soil waste recovery facility and any Natura 2000 site(s) outside this distance.

At a distance greater than 2km and in the absence of any potential source-pathway-receptor link it is considered that no Natura 2000 sites would be affected by any direct loss of habitat or impacted upon by any effects arising from disturbance (i.e. noise, vibration and human and visual disturbance), the effects of dust deposition or traffic emissions.

Given the distances of the Natura 2000 sites, the only potential source-pathway-receptor link between the inert soil waste recovery facility at Huntstown Quarry and any of the Natura 2000 sites is via the hydrological pathways created through a discharge of treated wastewater from the North Quarry to the Ballystrahan Stream a tributary of the River Ward that eventually outflows into the Malahide Estuary.

However, based on the nature and volume of the discharge from Huntstown Quarry and the overall contribution from the inert soil waste recovery facility it is considered that in terms of water quality there is only a requirement to assess the potential implications of any such discharge up to a maximum of 5km downstream of the discharge point.

Given that the boundaries of the Malahide Estuary SAC and Malahide Estuary SPA are some 13.9km and 14.4km respectively downstream of the Huntstown Quarry discharge point and that the review of the waste licence will not require any changes or modifications to the existing discharge arrangements, it is considered that these designated sites can be screened out from any further assessment.

Based on the above, all the Natura 2000 sites within Table 1 are screened out from any further assessment as they lie outside the potential zone of influence of the existing inert soil waste recovery facility at Huntstown Quarry and there are no other obvious source-pathway-receptor links between the development and these Natura 2000 sites.

5.0 ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS OF PROJECT

Based on the screening of Natura 2000 sites in Section 4.1, it is assessed that the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry will not have any stand-alone effects on the integrity of any Natura 2000 site, or sites, or any of the qualifying habitats and/or species for which any such site has been designated / classified as being of European importance.

It is therefore considered that no further assessment is required for the waste licence review of the existing inert soil waste recovery facility at Huntstown Quarry as a stand-alone project.

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6.0 AVOIDANCE AND MITIGATION

As no effects are predicted on any Natura 2000 site or sites, no specific avoidance and mitigation measures are proposed in respect of the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry over and above the measures already carried out as part of the existing waste recovery operations and in respect to any conditions attached to the planning consent and existing Waste Licence.

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7.0 IN-COMBINATION ASSESSMENT

It is a requirement of The European Communities (Birds and Natural Habitats) Regulations 2011 that, when considering whether a plan or project will adversely affect the integrity of a Natura 2000 site that it must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

There is no single agreed method for addressing the issue of in-combination effects, however, current practice and available guidance suggests a staged approach which takes into account the following:

- i. if it can be clearly demonstrated that the plan or project will not result in any effects at all that are relevant to the integrity of a Natura 2000 site then the plan or project should proceed without considering the in-combination test, further; or
- ii. if there are identified effects arising from the plan or project even if they are perceived as minor and not likely to have a significant effect on the integrity of a Natura 2000 site alone, then these effects must be considered 'in-combination' with the effects arising from other plans and projects.

From the screening assessment undertaken here, it is considered that it can be demonstrated that the proposed increase of waste importation to the existing inert soil waste recovery facility at Huntstown Quarry will not have any effects on any Natura 2000 site or sites, as a stand-alone project. Therefore it is considered that there is not a requirement in this case to undertake any further assessment in-combination with other plans and projects.

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8.0 SUMMARY AND CONCLUSIONS

This assessment has considered the potential effects associated with the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry on Natura 2000 sites in line with the methodology set out in the '*Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites. Methodological Guidance on the Provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*'.

The assessment has concluded that the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry will have no effects on the integrity of any Natura 2000 site or sites, or on any of the qualifying habitats and/or species for which a site has been designated or classified as being of European importance, either as a stand-alone project or in-combination with other plans or projects.

Based in the findings from this assessment, it is considered there is not a requirement to proceed to a Stage 2 Natura Impact Assessment for the proposed increase of waste importation at the existing inert soil waste recovery facility at Huntstown Quarry under Article 6 of the Habitats Directive (92/43/EEC).

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9.0 CLOSURE

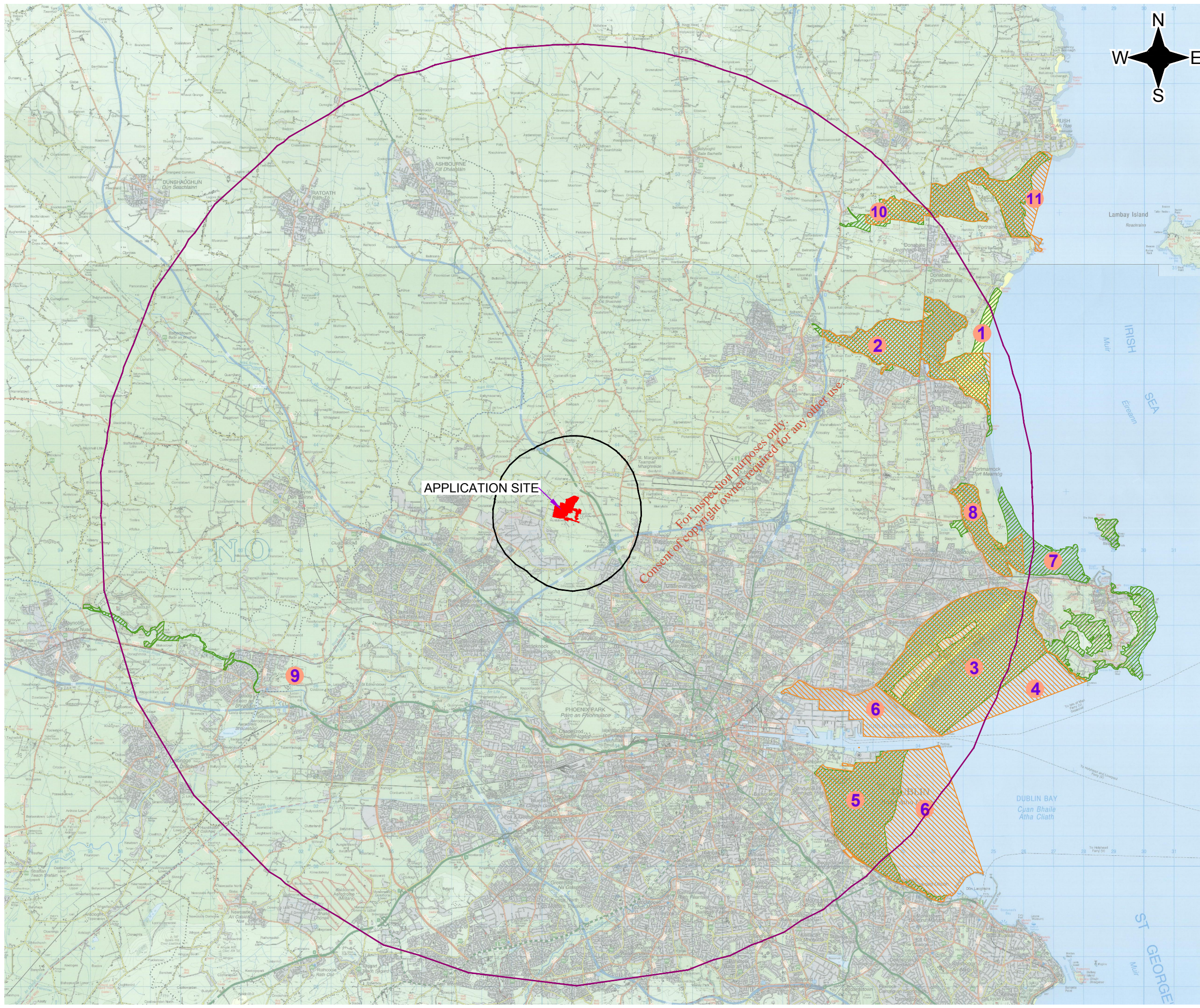
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NOTES

1. EXTRACT FROM 1:50,000 O.S DISCOVERY MAP NO. 50
2. ORDNANCE SURVEY IRELAND LICENCE NO. SU 0000716 (C) ORDNANCE SURVEY & GOVERNMENT OF IRELAND

LEGEND

-  EXISTING WASTE LICENCE FACILITY
-  2km RADIUS
-  15km RADIUS
-  SPECIAL AREA OF CONSERVATION (SAC)
-  SPECIAL PROTECTION AREA (SPA)

1. MALAHIDE ESTUARY SAC (000205)
2. MALAHIDE ESTUARY SPA (004025)
3. NORTH DUBLIN BAY SAC (000206)
4. NORTH BULL ISLAND SPA (004006)
5. SOUTH DUBLIN BAY SAC (000210)
6. SOUTH DUBLIN BAY & RIVER TOLKA SPA (004024)
7. BALDOYLE BAY SAC (000199)
8. BALDOYLE BAY SPA (004016)
9. RYE WATER VALLEY / CARTON SAC (001398)
10. ROGERSTOWN ESTUARY SAC (000208)
11. ROGERSTOWN ESTUARY SPA (004015)

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ROADSTONE LIMITED
WASTE LICENCE TECHNICAL AMENDMENT
 NORTH QUARRY, HUNTSTOWN,
 FINGLAS, DUBLIN 11
 LOCATION OF PROJECT /
 NATURA 2000 SITES

FIGURE 1

Scale: 1:125,000 @ A3 Date: MAY 2016

ABERDEEN

214 Union Street,
Aberdeen AB10 1TL, UK
T: +44 (0)1224 517405

AYLESBURY

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