




APPROPRIATE ASSESSMENT SCREENING REPORT


FOR
PROPOSED WAREHOUSE
DEVELOPMENT


AT
MAGNA AVENUE,
MAGNA BUSINESS PARK,
DUBLIN 24

ON BEHALF OF
Rockface Developments Ltd.

Prepared by
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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Rockface Developments Ltd. to undertake a screening for Appropriate Assessment (AA) in relation to the Proposed Development at Magna Avenue, Magna Business Park, Dublin 24. This report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Development.

1.2 Legislative Background

The Habitats Directive (92/43/EEC) seeks to conserve natural habitats and wild fauna and flora by the designation of Special Areas of Conservation (SACs) and the Birds Directive (2009/147/EC) seeks to protect birds of special importance by the designation of Special Protection Areas (SPAs). SACs and SPAs are collectively known as Natura 2000 or European Sites. It is the responsibility of each member state to designate SPAs and SACs. SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and other regularly occurring migratory birds and their habitats. The annexed habitats and species for which each site is selected correspond to the qualifying interests of the sites; from these the conservation objectives of the site are derived.

An 'Appropriate Assessment' (AA) is a required assessment to determine the likelihood of significant impacts, based on best scientific knowledge, of any plans or projects on European Sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European Site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European Sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of such sites.

1.2.1 Legislative Context

An Appropriate Assessment is required under Article 6 of the Habitats Directive where a project or plan may give rise to significant effects upon a European Site. Paragraph 3 states that:

"6(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site, in view of the site's conservation objectives. In the 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."

These obligations in relation to Appropriate Assessment have been implemented in Ireland under Part XAB of the Planning and Development Act 2000, as amended ("the 2000 Act"), and in particular Section 177U and Section 177V thereof. The relevant provisions of Section 177U in relation to AA screening have been set out below:

"177U.— (1) A screening for appropriate assessment of a draft Land use plan or application for consent for proposed development shall be carried out by the competent authority to assess, in view of best scientific knowledge, if that Land use plan or proposed development, individually or in combination with another plan or project is likely to have a significant effect on the European Site.

(2) ...

(3) ...

(4) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is required if it cannot be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European Site.

(5) The competent authority shall determine that an appropriate assessment of a draft Land use plan or a proposed development, as the case may be, is not required if it can be excluded, on the basis of objective information, that the draft Land use plan or proposed development, individually or in combination with other plans or projects, will have a significant effect on a European Site."

1.2.2 Stages of AA

This Appropriate Assessment Screening Report (the "Screening Report") has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European Site and whether a Stage 2 Appropriate Assessment is required.

The AA process is a four-stage process, with 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.



FIGURE 1. THE FOUR STAGES OF THE APPROPRIATE ASSESSMENT PROCESS (DEHLG, 2010).

The four stages of an AA, can be summarised as follows:

- Stage 1 *Screening* addresses:
 - whether a plan or project is directly connected to or necessary for the management of the site, or

- whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European Site in view of its conservation objectives.
- **Stage 2: *Natura Impact Statement (NIS)*.** The second stage of the AA process assesses the impact of the project or plan (either alone or in combination with other projects or plans) on the integrity of the European Site, having regard to the conservation objectives of the site and its ecological structure and function. A NIS must provide the objective scientific information to enable the competent authority to carry out an appropriate assessment of the proposed development. It should describe any mitigation measures to avoid and reduce significant negative impacts.
- **Stage 3: *Assessment of alternative solutions*.** If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- **Stage 4: *Assessment where no alternative solutions exist and where adverse impacts remain*.** The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European Site, where no less damaging solution exists.

2 METHODOLOGY

2.1 Guidance

This AA Screening Report has been undertaken in accordance with the following guidance:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision),
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPW 1/10 & PSSP 2/10,
- *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* (European Commission, 2001),
- *Communication from the Commission on the precautionary principle* (European Commission, 2000),
- *Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2021), and,
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021.*

2.2 Screening Steps

Screening for AA involves the following steps:

- Establish whether the plan or project is directly connected with or necessary for the management of a European Site,
- Description of the plan or project and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the European Site,
- Identification of European Sites potentially affected,
- Identification and description of potential effects on the European Site,
- Assessment of the likely significance of the effects identified on the European Site, and
- Exclusion of sites where it can be objectively concluded that there will be no significant effects.

2.3 Desk Study

A desktop study was carried out to collate and review available information, datasets and documentation sources relevant for the completion of this Screening Report. The desktop study relied on the following sources:

- Information on the network of European Sites, boundaries, qualifying interests and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at www.npws.ie,
- Text summaries of the relevant European Sites taken from the respective Standard Data Forms and Site Synopses available at www.npws.ie,
- Information on species records and distributions, obtained from the National Biodiversity Data Centre (NBDC) at www.maps.biodiversityireland.ie,
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.qis.epa.ie,
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at www.gsi.ie,
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland,
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development available at the National Planning Application Database and South Dublin County Council.

For a complete list of the specific documents consulted as part of this assessment, see *Section 5 References*.

2.4 Assessment of Significant Effects

The potential for significant effects that may arise from the Proposed Development were considered through the use of key indicators, namely:

- Habitat loss or alteration
- Habitat/species fragmentation
- Disturbance and/or displacement of species
- Changes in population density
- Changes in water quality and resource

In addition, information pertaining to the conservation objectives of the European Sites, the ecology of the designated habitats and species and known or perceived sensitivities of the habitats and species were considered.

3 STAGE 1 SCREENING

3.1 Management of European Sites

The Proposed Development is not directly connected with or necessary to the management of European Sites.

3.2 Description of Proposed Development

3.2.1 Site location

The Site of the Proposed Development, as shown in Figure 2, is 3.03Ha, located within Magna Business Park. The Site is currently comprised of a greenfield site which has been recently cleared, and is bounded on the north and west by Magna Drive, and along the south by Magna Avenue. The east of the Site is abutted by commercial units. The surrounding landscape is predominantly urban in nature.

3.2.2 Description of Development

Rockface Developments Limited intend to apply for permission for development at this 3.03 Ha site at Magna Avenue and Magna Drive, Citywest, Dublin 24. The lands are bounded to the south by Magna Avenue, to the north and west by Magna Drive and to the east by development within Magna Business Park. The building will have a maximum height of 15.5 m with a gross floor area of 13,604 sq m including a warehouse area (12,568 sq m), staff facilities (498 sq m) and ancillary office area (538 sq m).

The development will also include: a vehicular and pedestrian entrance to the site from Magna Avenue, a separate HGV entrance from Magna Drive; 69 No. ancillary car parking spaces; covered bicycle parking; HGV parking and yards; level access goods doors; dock levellers; access gates; signage; hard and soft landscaping; lighting; boundary treatments; ESB substation; sprinkler tank and pump house; and all associated site development works above and below ground.

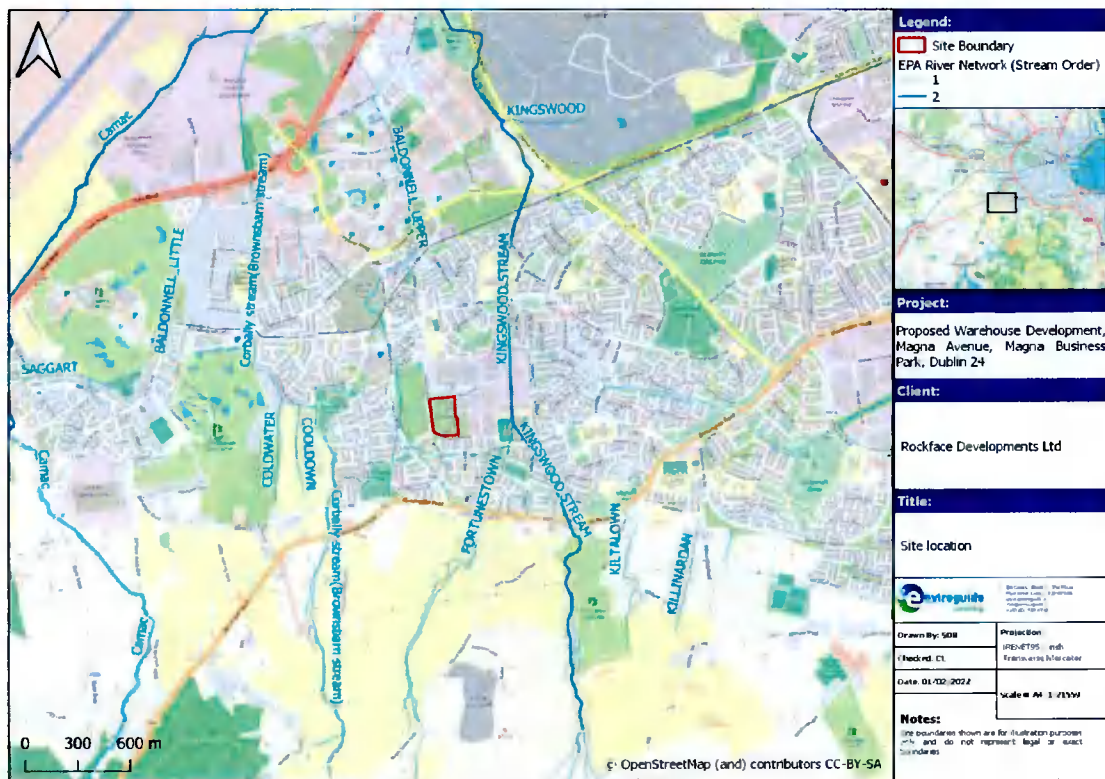


FIGURE 2. SITE LOCATION

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the *Liffey and Dublin Bay* catchment and *Liffey_SC_090* sub catchment. The closest watercourse to the Site is the Boherboy Stream approximately 120m to the southwest, which flows into the River Camac 2.6km north of the Site. The EPA station located at the point where these watercourses intersect designated the River Camac as *Moderate* by the EPA in 2019 (station code: RS09C020250). The River Camac flows into the River Liffey, and ultimately into Dublin Bay.

The vast majority of the Site is situated on the Dublin groundwater body, which is *Not At Risk* of not meeting its WFD objectives, with the southern boundary lying on the Kilcullen groundwater body, which is *At Risk* of not meeting its WFD objectives. The predominant aquifer type within the Site boundary is a *Locally Important* (LI) aquifer on bedrock which is *Moderately Productive in Local Zones Only*. A small area in the southwest of the Site is *Poor* Aquifer (PI) on bedrock which is *Generally Unproductive except for Local Zones*. The primary groundwater rock units underlying the aquifer are classified as *Dinantian Upper Impure Limestones*, with *Ordovician Metasediments* along the southeast boundary and *Silurian Metasediments and Volcanics* along the southwest boundary of the Site (GSI, 2022). The level of vulnerability of the Site to groundwater contamination via human activities is *Low*. The main soil is classified as *Elton*, with an area of *Urban* in the southwest and the predominant subsoil is Sandstone and shale till (Lower Paleozoic) (*TLPSSs*), with a small area of made ground (*Made*) within the southwest of the Site (EPA, 2022).

3.4 Identification of Relevant European Sites

In order to identify the European Sites that potentially lie within the Zone of Influence (ZOI) of the Proposed Development, a Source-Path-Receptor method (S-P-R) was adopted, as described in 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021), a practice note produced by the Office of the Planning Regulator, Dublin. This note was published to provide guidance on screening for appropriate assessment (AA) during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Appropriate Assessment Screening Reports such as this.

The guidance document published by the Department of Housing, Planning and Local Government (then DEHLG) 'Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities' (2009) recommends an arbitrary distance of 15km as the precautionary ZOI for a plan or project being assessed for likely significant effects on European Sites, stating however that this should be evaluated on a case-by-case basis.

As such, the 15km ZOI is used in this report as an initial starting point for collating European Sites for AA screening.

The methodology used to identify relevant European Sites comprised the following:

- Use of up-to-date GIS spatial datasets for European designated sites and water catchments – downloaded from the NPWS website (www.npws.ie) and the EPA website

(www.epa.ie) to identify European Sites which could potentially be affected by the Proposed Development;

- The catchment data were used to establish or discount potential hydrological connectivity between the Project Boundary and any European Sites.
- All European Sites within the zone of influence (within 15km of the Proposed Development Site) were identified and are shown in Figure 4.
- The potential for connectivity with European Sites at distances greater than 15km from the Proposed Development was also considered in this initial assessment. In this case, there is potential connectivity between the Proposed Development Site and two European Sites located at a distance greater than 15km from the Proposed Development based on the S-P-R model.
- Table 1 provides details of all relevant European Sites as identified in the preceding steps. The potential for pathways between European Sites and the Proposed Development Site was assessed on a case-by-case basis using the Source-Pathway-Receptor framework as per the OPR Practice Note PN01 (March 2021). Those European Sites where a pathway has been identified are highlighted in green. Pathways considered included:
 - a. Direct pathways (e.g., proximity (i.e., location within the European Site), water bodies, air (for both air emissions and noise impacts).
 - b. Indirect pathways (e.g., disruption to migratory paths, 'Sightlines' where noisy or intrusive activities may result in disturbance to shy species).
- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report.
- There is absolutely no reliance placed in this Appropriate Assessment Screening Report on measures intended to avoid/reduce harmful effects on the European Sites.

The result of this preliminary screening concluded that there is a total of six SACs and four SPAs located within the ZOI of the Proposed Development Site. The distances to each site listed are taken from the nearest possible point of the Proposed Development Site boundary to the nearest possible point of each European Site.

Potential pathways between the Proposed Development Site and four European Sites within the ZOI was identified. The European Sites linked to the Proposed Development are:

- South Dublin Bay SAC
- North Dublin Bay SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

TABLE 1. EUROPEAN SITES WITHIN THE 15KM PRECAUTIONARY ZONE OF INFLUENCE OF THE PROPOSED DEVELOPMENT AND POTENTIAL PATHWAYS BETWEEN THEM. THOSE EUROPEAN SITES FOR WHICH A S-P-R LINK WAS IDENTIFIED ARE HIGHLIGHTED IN GREEN.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
Special Areas of Conservation (SAC)			
Glenasmole Valley SAC (001209)	[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (* important orchid sites)*; [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); [7220] Petrifying springs with tufa formation (Cratoneurion)*	3.7km	None – There is no hydrological connection. In addition, the intervening distance between the Site and the SAC is sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions, potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.
Wicklow Mountains SAC (002122)	[3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>); [3160] Natural dystrophic lakes and ponds; [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ; [4030] European dry heaths; [4060] Alpine and Boreal heaths; [6130] Calaminarian grasslands of the <i>Violetalia calaminariae</i> ; [6230] Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe); [7130] Blanket bogs (* if active bog); [8110] Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>); [8210] Calcareous rocky slopes with chasmophytic vegetation; [8220] Siliceous rocky slopes with chasmophytic vegetation; [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; [1355] <i>Lutra lutra</i> (Otter)	5.3km	
Rye Water Valley/Carion SAC (001398)	[7220] Petrifying springs with tufa formation (Cratoneurion); [1014] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail); [1016] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail)	8.4km	
Red Bog, Kildare SAC (000397)	[7140] Transition mires and quaking bogs	11.8km	
South Dublin Bay SAC (000210)	[1140] Mudflats and sandflats not covered by seawater at low tide; [1210] Annual vegetation of drift lines; [1310] <i>Salicornia</i> and other annuals colonising mud and sand; [2110] Embryonic shifting dunes	14.3km	Yes – Weak hydrological pathway via surface water discharges to the River Camac both the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase.
North Dublin Bay SAC (000206)	[1140] Tidal Mudflats and Sandflats; [1210] Annual Vegetation of Drift Lines; [1310] <i>Salicornia</i> Mud; [1330] Atlantic Salt Meadows; [1410] Mediterranean Salt Meadows; [2110] Embryonic Shifting Dunes; [2120] Marram Dunes (White Dunes); [2130] Fixed	>15km	

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
	Dunes (Grey Dunes)*: [2190] Humid Dune Slacks; [1395] Petalwort (<i>Petalophyllum ralfsii</i>)		
Special Protected Area (SPA)			
Wicklow Mountains SPA (004040)	[A098] Merlin <i>Falco columbarius</i> ; [A103] Peregrine <i>Falco peregrinus</i>	8.5km	None – There is no hydrological connection. In addition, the intervening distances between the Site and the SPA is sufficient to exclude the possibility of significant effects on the SPAs arising from emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase, increased traffic volumes during the Construction and Operational Phase and associated emissions, potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase. The Site does not provide significant <i>ex-situ</i> habitat for QI/SCI species within the Site of the Proposed Development.
Poulaphouca Reservoir SPA (004063)	[A043] Greylag Goose <i>Anser anser</i> ; [A183] Lesser Black-backed Gull <i>Larus fuscus</i>	11.8km	
South Dublin Bay and River Tolka Estuary SPA (004024)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A137] Ringed Plover <i>Charadrius hiaticula</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A192] Roseate Tern <i>Sterna dougallii</i> ; [A193] Common Tern <i>Sterna hirundo</i> ; [A194] Arctic Tern <i>Sterna paradisaea</i> ; [A999] Wetlands and Waterbirds	14.3km	Yes – Weak hydrological pathway via surface water discharges to the River Camac both the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase.
North Bull Island SPA (004006)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A048] Shelduck <i>Tadorna tadorna</i> ; [A052] Teal <i>Anas crecca</i> ; [A054] Pintail <i>Anas acuta</i> ; [A056] Shoveler <i>Anas clypeata</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A140] Golden Plover <i>Pluvialis apricaria</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A156] Black-tailed Godwit <i>Limosa limosa</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A160] Curlew <i>Numenius arquata</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A169] Turnstone	>15km	

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
	<i>Arenaria interpres</i> : [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> : [A999] Wetlands and Waterbirds		

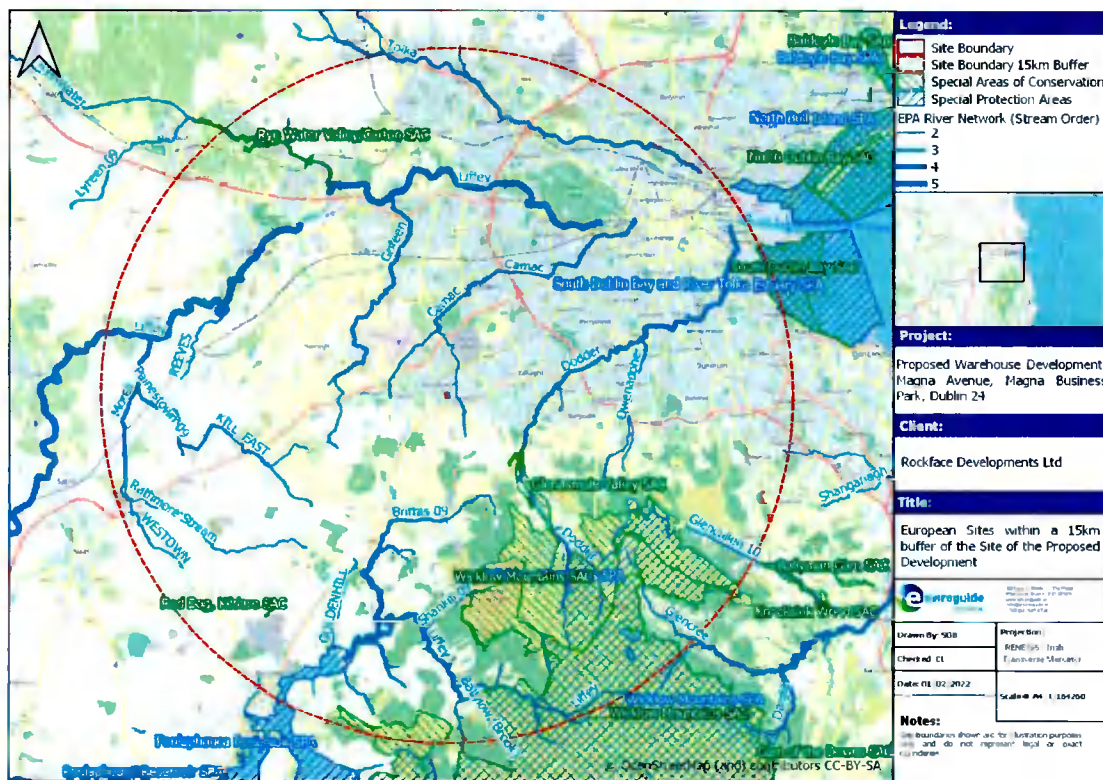


FIGURE 4. EUROPEAN SITES WITHIN 15KM OF THE PROPOSED DEVELOPMENT SITE.

3.5 Assessment of Likely Significant Effects

A European Site will only be at risk from likely significant effects where the Source-Pathway-Receptor link exists between the Proposed Development and the European Site. As such, the remainder of this AA Screening report will focus on the European Sites for which a S-P-R link was identified, namely:

- South Dublin Bay SAC
- North Dublin Bay SAC
- South Dublin Bay and River Tolka Estuary SPA
- North Bull Island SPA

3.5.1 Conservation objectives

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.

Site specific conservation objectives (SSCO) have been compiled for the European Sites listed above. Site-specific conservation objectives aim to define favourable conservation condition for habitats or species at a site.

The maintenance of habitats and species within European 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, are stable or increasing.
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future.
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats.
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future.
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

3.5.2 Identification and Assessment of Likely Significant Effects

The conservation objectives of the European Sites within the zone of influence were reviewed and assessed to establish whether the construction and operation of the Proposed Development has the potential to have a negative impact on any of the qualifying interests and/or conservation objectives of the European Sites listed above.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., "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 potential for significant effects resulting from the Proposed Development during the Construction and Operational Phases was determined based on a range of indicators, including:

- Habitat loss or alteration,
- Habitat/species fragmentation,
- Disturbance and/or displacement of species,
- Changes in population density, and
- Changes in water quality and resource.

The following elements of the Proposed Development were assessed for their potential for likely significant effects on European Sites.

- **Construction Phase**

- Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies.
- Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater.
- Waste generation during the Construction Phase comprising soils, construction and demolition wastes.
- Increased noise, dust and/or vibrations as a result of construction activity.
- Increased dust and air emissions from construction traffic.
- Increased lighting in the vicinity as a result of construction activity.

- **Operational Phase**

- Surface water drainage from the Site of the Proposed Development.
- Increased lighting in the vicinity emitted from the Proposed Development; and
- Increased human presence in the vicinity as a result of the Proposed Development.

3.5.2.1 Habitat Loss and Alteration

The project is not located within any European Site and therefore there will be no loss or alteration of habitat as a result of the Proposed Development.

3.5.2.2 Habitat / Species Fragmentation

As there will be no direct habitat loss within any European Sites, no habitat fragmentation will arise as a result of the Proposed Development.

3.5.2.3 Changes in Water Quality and Resource

The Proposed Development will be served by the existing surface water network via a new connection which discharges to the River Camac. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA via surface water discharges into the River Camac from the Site during the Construction and Operational Phases.

- SuDS Measures are included in the Project Design however, they **are not** being relied upon in any way to mitigate against likely significant effects on a European Site:
 - It is a policy of South Dublin County Council (IE2 Obj-4) to “incorporate Sustainable Urban Drainage Systems (SuDS) as part of Local Area Plans, Planning Schemes, Framework Plans and Design Statements”. As such, the Proposed Development design will entail a suite of SuDS measures that will be incorporated into the Proposed Development.

The potential for surface water generated at the Site of the Proposed Development to reach European Sites within Dublin Bay and cause significant effects, during both the Construction and Operational Phase, is negligible due to:

- The distance and consequent potential for dilution in the River Camac, River Liffey and Dublin Bay. Surface water discharges would have to travel over 22km along the River Camac and River Liffey before discharging into Dublin Bay.
- The potential for dilution in the surface water network during heavy rainfall events.

The Site will be served by a public foul sewer via a newly constructed connection. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA via discharges from Ringsend WwTP during the Operational Phase.

The potential for foul waters generated at the Site of the Proposed Development to reach European Sites within Dublin Bay and cause significant effects, during the Construction and Operational Phases, is negligible due to:

- The potential for dilution in the surface water network during heavy rainfall events.
- The upgrade works to Ringsend WWTP which will increase the capacity of the facility from 1.6 million PE to 2.4 million PE (see section 3.5.2.6 below for more details).
- It is considered that effects on marine biodiversity and the European Sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely (see section 3.5.2.6 for more details).
- The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).
- The increase of the Population Equivalent (PE) load at the facility as a result of the Proposed Development, assuming each PE unit was not previously supported by the WwTP, is considered to be an insignificant increase in terms of the overall scale of the facility. The increased load does not have the capacity to alter the effluent released from the WwTP to such an extent as to result in likely significant effects on this SAC. In addition, upgrade works are currently on-going at Ringsend WwTP to increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from

the facility including BOD, suspended solids, ammonia, DIN and MRP (Irish Water, 2018).

3.5.2.4 Disturbance and / or Displacement of Species

As outlined in section 3.5.2.3 above, the hydrological link between the Site and the European Sites in Dublin Bay assessed here will not result in significant effects on the water quality and resource indicator during both the Construction and Operational Phases. In addition, there is no potential for negative impacts on the species within the European Sites associated with the Proposed Development due to the intervening distances between them.

3.5.2.5 Changes in Population Density

For the same reasons outlined in section 3.5.2.4 above, the Proposed Development does not have the capacity to cause any significant changes in the population density of any species within any European Site.

3.5.2.6 Potential for In-combination Effects

Existing Planning Permissions

There are several existing planning permissions on record in the area ranging from small-scale extensions and alterations to existing residential properties to some larger-scale developments. The larger-scale development identified within the vicinity of the Proposed Development are as follows:

Planning Application Reference: SD21A/0238.

Change of use of the existing warehouse/distribution facility (2,390sq.m) to a light industrial use facility for the production, assembly and distribution of plastic assemblies for healthcare and biopharmaceutical industries; provision of additional floor area at first floor mezzanine level (290sq.m) resulting in a total floor area of 2,680sq.m comprising 910sq.m of ancillary floorspace, including ancillary office areas (263sq.m), staff changing facilities, staff canteen, toilets and plant rooms; external works to the existing building including the installation of a secure gated enclosure to the rear of the building containing air handling equipment, a new escape doorway in the side (east) elevation of the building, a new access footpath; 10 new car parking spaces (including 2 disabled spaces and 4 EV spaces with charging points) (resulting in a total of 38 spaces); new bin store; new bicycle parking provision; removal of existing sign; erection of new illuminated sign (3.6sq.m); all associated soft and hard landscaping works; solar panels; all piped infrastructure; plant and any other works above and below ground associated with the proposed development. **(Decision: Grant Permission. Decision Date: 21/10/2021).**

Planning Application Reference: SHD3ABP-306602-20.

Construction of a residential development of 463 dwellings comprising 353 apartments, 89 houses and 21 duplex apartments, creche (c.587.8sq.m) and community building (c.141sq.m) as follows: (A) 353 apartments in 7 apartment buildings (with balconies or terraces [including communal terraces] as follows: Block 1 (6 storeys with a part 7 storey level) of 57 apartments; Block 2(6 storeys with a part 7 storey level) of 47 apartments; Block 3 (6 storeys over undercroft/semi-basement with a part 7 storey level) of 56 apartments with car parking and ancillary plant/storage at basement level; Block 4 (6 storeys over undercroft/semi-basement with a part 7 storey level) of 56 apartments with car parking and ancillary plant/storage at basement level; Block 5 (6 storeys with a part 7 storey level) of 47 apartments; Block 6 (6

storeys over undercroft/semi-basement with a part 7 storey level) of 58 apartments with car parking and ancillary plant/storage at basement level; Block 7 is 6 storeys of 32 apartments (creche at ground and first floor) with outdoor play area. (B) 89 houses; House types 1A, 2A, 4, 4A- 3 storey to front [2 storey to rear] remainder of house types 2 storey. (C) 21 duplex apartments in 2 3-storey buildings. (D) Single storey community building including management office, 3 single storey ESB substations, single storey bicycle and bin stores. (E) 401 car parking spaces (including 3 car sharing spaces) to serve overall development and 364 bicycle spaces ([for apartments] with apartment bicycle storage provided internally at ground floor level for apartment blocks 1-7). (F) Provision of public open space areas within the development (including playground areas and communal open space areas); all ancillary landscape works, public lighting, planting and boundary treatments including regrading/re-profiling of site where required as well as provision of footpaths and cycle paths. (G) Vehicular access to the proposed development will be from the Citywest Road (N82) and will include pedestrian crossings and works to facilitate access (including vehicular and footpath/bridges over stream/ditch), secondary vehicular and pedestrian access to boundary to lands to north (currently under construction) and pedestrian to boundary to Magna Drive. (H) Provision of surface water and underground attenuation and all ancillary site development work. The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant SDCC Development Plan. **(Decision: Grant Permission. Decision Date: 26/05/2020).**

Planning Application Reference: SHD3ABP-305556-19.

Mixed use residential scheme (total GFA 26,929sq.m) comprising 6 blocks with balconies/terraces to be provided on all elevations at all levels for each block, to provide 290 apartment units and associated residential amenity facilities, a childcare facility, 4 retail units and 2 café/restaurant units. A total of 153 car parking spaces (including 2 car club spaces) are proposed at surface level and existing basement level of the Citywest Shopping Centre to serve the development to include the reallocation of 37 existing surface level spaces; 67 new surface level spaces and the reallocation of 49 spaces from commercial to residential use at existing basement level of the Citywest Shopping Centre. **(Decision: Grant Permission. Decision Date: 21/01/2020).**

Planning Application Reference: SD20A/0232.

Demolition of existing Public House building and of existing incomplete buildings on the east side of the site; construction of a three storey hotel comprising of 129 bedrooms, reception and ancillary bar (136sq.m) at ground floor, restaurant (311sq.m) in single storey building; associated waste storage to the west of the site; 3 three storey Aparthotel buildings comprising 15 units each (45 units in total) comprising of studios, one bed, two bed and three bed units to the south and south east; 3 small balconies with small terraces under on the north façade of the Aparthotel Block A & B and the west façade of Block C; new vehicular and pedestrian entrance at Boherboy/Saggart Road (L2008); new footpath along the Boherboy/Saggart Road (L2008); parking area for 120 cars and 30 bicycles; extensive tree planting throughout; substation together with all associated site works, boundary treatments and landscaping; total floor area of buildings is 8,313sq.m; existing vehicular entrance to the site on the Blessington Road will remain for emergency use only; An Ecological Impact Assessment is submitted as part of this application. **(Decision: Grant Permission. Decision Date: 24/05/2021).**

Planning Application Reference: SD15A/0127/EP.

A residential/mixed use development on a site area of 12.45ha consisting of 400 dwellings comprised of 340 no. 2 storey detached, semi-detached and terraced houses, i.e. 3 no. 2 bed houses, 323 no. 3 bed houses & 14 no. 4 bed houses along with 60 no. 1 and 2 bed apartments in 4 no. 3 & 4/5 storey buildings. The development also provides for a creche (615sq.m), kiosk (56.6sq.m) and retail unit (237sq.m). The proposed development includes all associated site development and infrastructural works, car parking, open spaces and landscaping, ESB substation and 4 associated kiosks. Access to the development will be via two proposed new vehicular entrances from Citywest Avenue and Fortunestown Lane respectively and will also provide for two new vehicular crossing points over the Luas line. The development also includes for the demolition of an existing dwelling in the southwest corner of the site at the junction of Citywest Road and Fortunestown Lane. The site is bounded to the north by Citywest Avenue, to the west by the N82 Citywest Road, to the south by Fortunestown Lane, to the east by Ard Mor residential estate and is adjacent to the Luas Red Line. **(Decision: Grant Extension of Duration of Permission. Decision Date: 06/07/2020).**

These sites lie within 500m Proposed Development Site. The distance between the Proposed Development Site, the permitted development sites above and the closest European Site is approximately 3.2km. This distance, in addition to the significant urban buffer between the sites and European Sites, is sufficient to exclude the possibility of significant effects on the European Site arising from combined emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.

At the time of writing, there are no proposed or permitted forestry operations (thinning, clear felling, road construction) in close proximity to the Site of the Proposed Development¹.

Relevant Policies and Plans

The following policies and plans were reviewed and considered for possible in-combination effects with the Proposed Development.

- Connecting with Nature – Draft Biodiversity Action Plan for South Dublin County 2020-2026
- South Dublin County Council Development Plan 2016-2022

The Connecting with Nature – Draft Biodiversity Action Plan for South Dublin County 2020-2026 is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development. The South Dublin County Council Development Plan 2016-2022 has directly addressed the protection of European Sites through specific policies (HCL12 Obj1-Obj2, HCL13 Obj1-Obj2). The relevant recommendations and mitigation measures have been integrated into the plan.

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European Sites.

¹ <https://forestry-maps.apps.rhos.agriculture.gov.ie/>

Operation of Ringsend WWTP

In June 2018 Irish Water applied for and subsequently received planning permission in 2019 for upgrade works to the Ringsend WwTP facility. There are already on-going upgrading works taking place, which were the subject of a prior permission which are expected to be complete in 2021. These works, together with the further works permitted in 2019 will increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended solids, ammonia, DIN and MRP. An Environmental Impact Assessment Report (EIAR) was submitted by Irish Water as part of this application. The EIAR contains sections relating to Marine Biodiversity and Terrestrial Biodiversity, and each contains a section on the 'do-nothing scenario'. These review the effects of the WwTP on biodiversity in Dublin Bay *in the absence of the upgrade works* and so are relevant to this report.

The EIAR report acknowledges that under the do-nothing scenario *"the areas in the Tolka Estuary and North Bull Island channel will continue to be affected by the cumulative nutrient loads from the river Liffey and Tolka and the effluent from the Ringsend WwTP"*, which could result in a decline in biodiversity and the deterioration of the biological status of Dublin Bay (Irish Water, 2018). Nevertheless, these negative impacts of nutrient over-enrichment are considered *"unlikely"* (Irish Water, 2018). This is because historical data suggests that pollution in Dublin Bay has had little or no effect on the composition and richness of the benthic macroinvertebrate fauna. The EIAR notes that *"although a localised decline could occur, it is not envisaged to be to a scale that could pose a threat to the shellfish, fish, bird or marine mammal populations that occur in the area."* Indeed, the results of the marine macroinvertebrate studies undertaken for the EIAR show that *"the Inner Tolka Basin is host to macroinvertebrate communities as rich (if not richer) than those found in the north Dublin Bay and south Dublin Bay mudflats and sandflats"*. Furthermore, the EIAR notes that significant impacts on waterbird populations foraging on invertebrates in Dublin Bay due to nutrient over-enrichment are *"unlikely"* to occur (Irish Water, 2018). What is important in the context of this AA screening report is that the do-nothing scenario predicts that nutrient and suspended solid loads from the WwTP will *"continue at the same levels and the impact of these loadings should maintain the same level of effects on marine biodiversity"* and that *"if the status quo is maintained there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay."*

Therefore, it can be concluded that significant effects on marine biodiversity and the European Sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely. Importantly, this conclusion is not dependent upon any future works to be undertaken at Ringsend. Thus, in the absence of any upgrading works, significant effects to European Sites are not likely to arise.

On examination of the above it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any European Sites.

TABLE 2. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
Glenasmole Valley SAC (001209)	No	No	No	None	None	None	NO
Wicklow Mountains SAC (002122)	No	No	No	None	None	None	NO
Rye Water Valley/Carlton SAC (001398)	No	No	No	None	None	None	NO
Red Bog, Kildare SAC (000397)	No	No	No	None	None	None	NO
South Dublin Bay SAC (000210)	No	No	No	None	None	None	NO
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
SPA							
Wicklow Mountains SPA (004040)	No	No	No	None	None	None	NO
Poulaphuca Reservoir SPA (004063)	No	No	No	None	None	None	NO
South Dublin Bay and River Tolka Estuary SPA (004024)	No	No	No	None	None	None	NO
North Bull Island SPA (004006)	No	No	No	None	None	None	NO

4 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Development at Magna Avenue, Magna Business Park, Dublin 24 has been assessed taking into account:

- the nature, size and location of the proposed works and possible impacts arising from the construction works.
- the qualifying interests and conservation objectives of the European Sites
- the potential for in-combination effects arising from other plans and projects.

In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European Sites listed below:

Glenasmole Valley SAC (001209)

Wicklow Mountains SAC (002122)

Rye Water Valley/Carton SAC (001398)

Red Bog, Kildare SAC (000397)

South Dublin Bay SAC (000210)

North Dublin Bay SAC (000206)

Wicklow Mountains SPA (004040)

Poulaphouca Reservoir SPA (004063)

South Dublin Bay and River Tolka Estuary SPA (004024)

North Bull Island SPA (004006)

In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a Natura Impact Statement (NIS) is not required.

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