APPROPRIATE ASSESSMENT SCREENING REPORT

FOR

PROPOSED DEVELOPMENT

AT

SITE AT CALMOUNT ROAD AND
BALLYMOUNT AVENUE,
BALLYMOUNT INDUSTRIAL ESTATE,
DUBLIN 12

ON BEHALF OF

BLACKWIN LTD

Prepared by
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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned by Blackwin Ltd to undertake a screening for Appropriate Assessment (AA) in relation to the Proposed Development at the Site at Calmount Road and Ballymount Avenue, Ballymount Industrial Estate, Dublin 12. 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 questions 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, 2021);
- *Communication from the Commission on the precautionary principle* (European Commission, 2000); and,
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019).
- *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.gis.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 is currently comprised of a greenfield site, approximately 7.45ha, and is accessed via Ballymount Avenue, which abuts the east boundary of the Site. The south of the Site is bounded by Calmount Road, while the remaining boundaries are abutted by commercial units. The Site of the Proposed Development is located 0.5km north off of the M50, within Ballymount Industrial Estate. The surrounding environment is primarily urban in nature.

3.2.2 Description of Development

The Proposed Development consists of the following:

- Construction of 5 no. warehouse / logistics units (Units 1, 2 3, 4 and 6), including ancillary office use and entrance / reception areas over two levels, with maximum heights of c. 17.09 metres and a combined total gross floor area (GFA) of 20.158 sq.m;
- Each warehouse / logistics unit includes car parking to the front, and service yards, including HGV loading bays, to the rear of each unit. Signage zones are proposed for each unit. A total of 200 no. car parking spaces and 110 no. cycle spaces are provided for the 5 no. warehouse / logistics units:
- Construction of 3 no. 3 storey own-door office buildings (Block 5A, 5B and 5C) with maximum heights of c. 13.35 metres and a combined GFA of 4,194 sq.m. Signage zones are proposed at the entrances to the buildings. A total of 77 no. car parking spaces and 50 no. cycle parking spaces are provided for the proposed office buildings;
- Construction of a café/restaurant unit with a maximum height of c. 5.29m and a GFA of 213 sq.m to be located in the south western section of the site. The proposal includes signage for the unit, associated outdoor seating and a bin store. 14 no. car parking spaces and 10 no. cycle spaces are provided for the café/restaurant unit:
- The proposal includes 5 no. ESB substation buildings;
- The development is to be accessed off Ballymount Avenue and Calmount Road and includes for alterations and upgrades to the public footpaths and road. The development provides for vehicular and service access points, associated internal access roads, circulation areas and footpaths; and

- The proposal includes landscaping and planting, entrance signage, boundary treatments, lighting, PV panels, green roofs, underground foul and storm water drainage network, including connections to the foul and surface water drainage network on the public roads, attenuation areas and all associated site works and development.

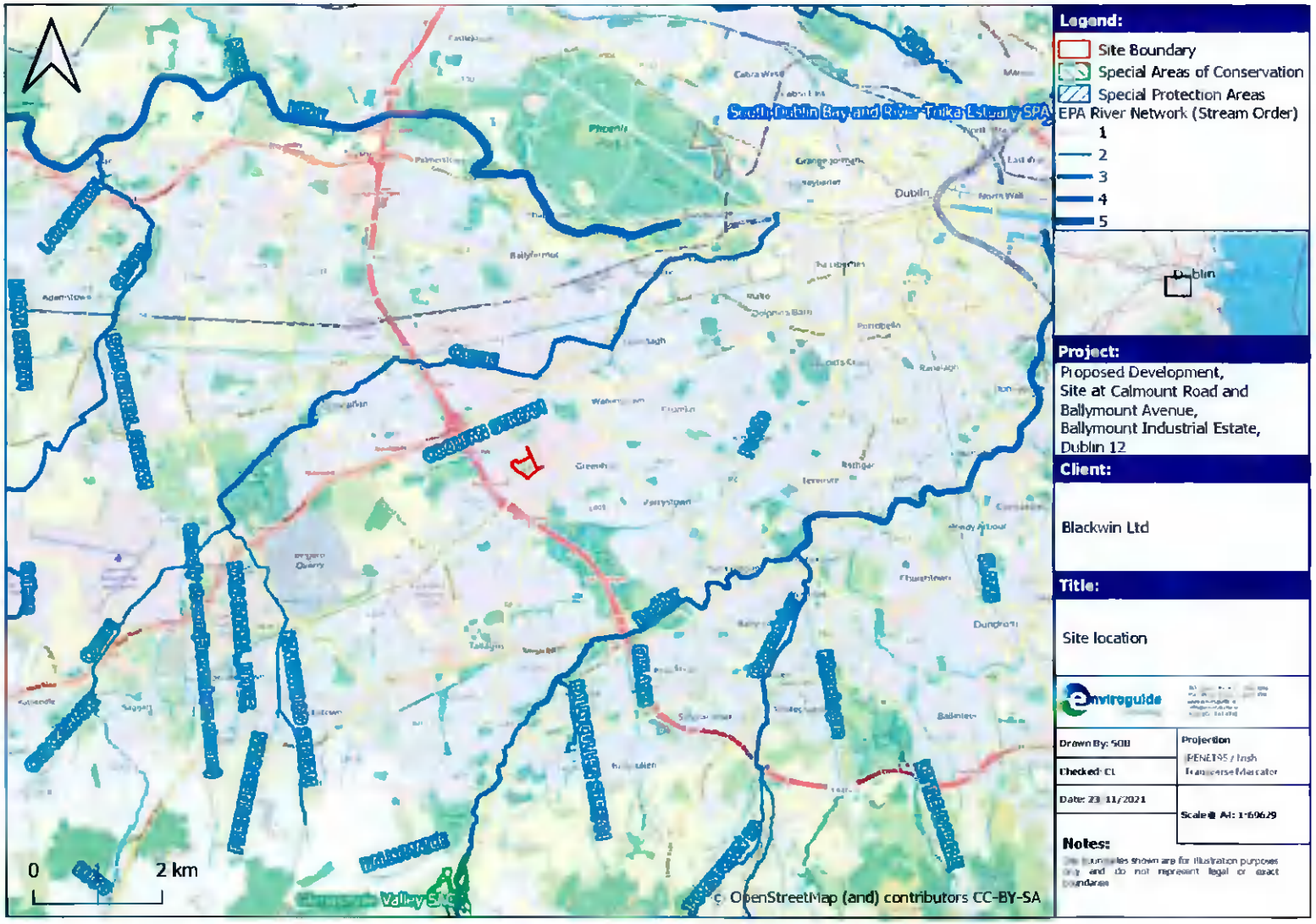

FIGURE 2. SITE LOCATION

FIGURE 3. PROPOSED SITE LAYOUT (TOT ARCHITECTS)

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is located primarily within the Liffey and Dublin Bay catchment and the Liffey_SC_090 sub-catchment. The closest watercourse to the Site is the Coolfan Stream, 300m northwest of the Site, which flows into the Camac River 1.2km north of the Site of the Proposed Development. The status of the Camac River was designated as *Poor* by the EPA in 2019 (station code: RS09C020500).

The Site is situated on the Dublin groundwater body, which is Not at Risk of not meeting its WFD objectives. The aquifer type within the Site boundary is a *Locally Important Aquifer* (Ll) aquifer on bedrock which is *Moderately Productive only in Local Zones*. The groundwater rock units underlying the aquifer are classified as *Dinantian Upper Impure Limestones* (GSI, 2021). The level of vulnerability of the Site to groundwater contamination via human activities is *High* in the northern half of the Site and *Extreme* in the southern area of the Site. The soil is classified as *Elton* (Fine loamy drift with limestones), and the subsoil is Limestone till (Carboniferous) (*TLs*) (EPA, 2021).

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 no potential connectivity between the Proposed Development Site and 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 three 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 were identified. The European sites linked to the Proposed Development include:

- 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] *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae); [7220] Petrifying springs with tufa formation (Cratoneurion)*	5.9km	**None** – There is no hydrological connection. In addition, the intervening distances between the Site and the SAC are 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 (*Littorelletalia uniflorae*); [3160] Natural dystrophic lakes and ponds; [4010] Northern Atlantic wet heaths with *Erica tetralix;* [4030] European dry heaths; [4060] Alpine and Boreal heaths; [6130] Calaminarian grasslands of the *Violetalia calaminariae*; [6230] Species-rich Nardus 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 (*Androsacetalia alpinae* and *Galeopsietalia ladani*); [8210] Calcareous rocky slopes with chasmophytic vegetation; [8220] Siliceous rocky slopes with chasmophytic vegetation; [91A0] Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles; [1355] *Lutra lutra* (Otter)	8.3km	
South Dublin Bay SAC (000210)	[1140] Mudflats and sandflats not covered by seawater at low tide; [1210] Annual vegetation of drift lines; [1310] Salicornia and other annuals colonising mud and sand; [2110] Embryonic shifting dunes	9.4km	**Yes** – Weak hydrological pathway via contaminated surface water discharge into Coolfan Stream and River Camac during the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase
Rye Water Valley/Carton SAC (001398)	[7220] Petrifying springs with tufa formation (Cratoneurion); [1014] *Vertigo angustior* (Narrow-mouthed Whorl Snail); [1016] *Vertigo moulinsiana* (Desmoulin's Whorl Snail)	10.5km	**None** – There is no hydrological connection. In addition, the intervening distances between the Site and the SAC are 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

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			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.
North Dublin Bay SAC (000206)	[1140] Tidal Mudflats and Sandflats; [1210] Annual Vegetation of Drift Lines; [1310] Salicornia Mud; [1330] Atlantic Salt Meadows; [1410] Mediterranean Salt Meadows; [2110] Embryonic Shifting Dunes; [2120] Marram Dunes (White Dunes); [2130] Fixed Dunes (Grey Dunes)*; [2190] Humid Dune Slacks; [1395] Petalwort (*Petalophyllum ralfsii*)	12.4km	**Yes** – Weak hydrological pathway via contaminated surface water discharge into Coolfan Stream and River Camac during the Construction and Operational Phases and discharges from Ringsend WwTP into Dublin Bay during the Operational Phase
Knocksink Wood SAC (000725)	[7220] Petrifying Springs*; [91A0] Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles; [91E0] Alluvial Forests*	14.3km	**None** – There is no hydrological connection. In addition, the intervening distances between the Site and the SACs are sufficient to exclude the possibility of significant effects on the SACs 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.
Special Protected Area (SPA)			
Wicklow Mountains SPA (004040)	[A098] Merlin *Falco columbarius*; [A103] Peregrine *Falco peregrinus*	8.8km	**None** – This SPA is located in the mountains to the southwest of the Proposed Development. There is no hydrological connection. In addition, the intervening distance between the Site and the SPA is sufficient to exclude the possibility of significant effects on the SPA 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

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase. The Site does not provide significant *ex-situ* habitat for QI/SCI species within the Site of the Proposed Development.
South Dublin Bay and River Tolka Estuary SPA (004024)	[A046] Light-bellied Brent Goose *Branta bernicla hrota* ; [A130] Oystercatcher *Haematopus ostralegus* ; [A137] Ringed Plover *Charadrius hiaticula* ; [A141] Grey Plover *Pluvialis squatarola* ; [A143] Knot *Calidris canutus* ; [A144] Sanderling *Calidris alba* ; [A149] Dunlin *Calidris alpina alpina* ; [A157] Bar-tailed Godwit *Limosa lapponica* ; [A162] Redshank *Tringa tetanus* ; [A179] Black-headed Gull *Chroicocephalus ridibundus* ; [A192] Roseate Tern *Sterna dougallii* ; [A193] Common Tern *Sterna hirundo* ; [A194] Arctic Tern *Sterna paradisaea* ; [A999] Wetlands	9.4km	**Yes** – Weak hydrological pathway via contaminated surface water discharge into Coolfan Stream and River Camac during 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 *Branta bernicla hrota*; [A048] Shelduck *Tadorna tadorna*; [A052] Teal *Anas crecca*; [A054] Pintail *Anas acuta*; [A056] Shoveler *Anas clypeata*; [A130] Oystercatcher *Haematopus ostralegus*; [A140] Golden Plover *Pluvialis apricaria*; [A141] Grey Plover *Pluvialis squatarola*; [A143] Knot *Calidris canutus*; [A144] Sanderling *Calidris alba*; [A149] Dunlin *Calidris alpina alpine*; [A156] Black-tailed Godwit *Limosa limosa*; [A157] Bar-tailed Godwit *Limosa lapponica*; [A160] Curlew *Numenius arquata*; [A162] Redshank *Tringa tetanus*; [A169] Turnstone *Arenaria interpres*; [A179] Black-headed Gull *Chroicocephalus ridibundus*; [A999] Wetlands	12.4km	

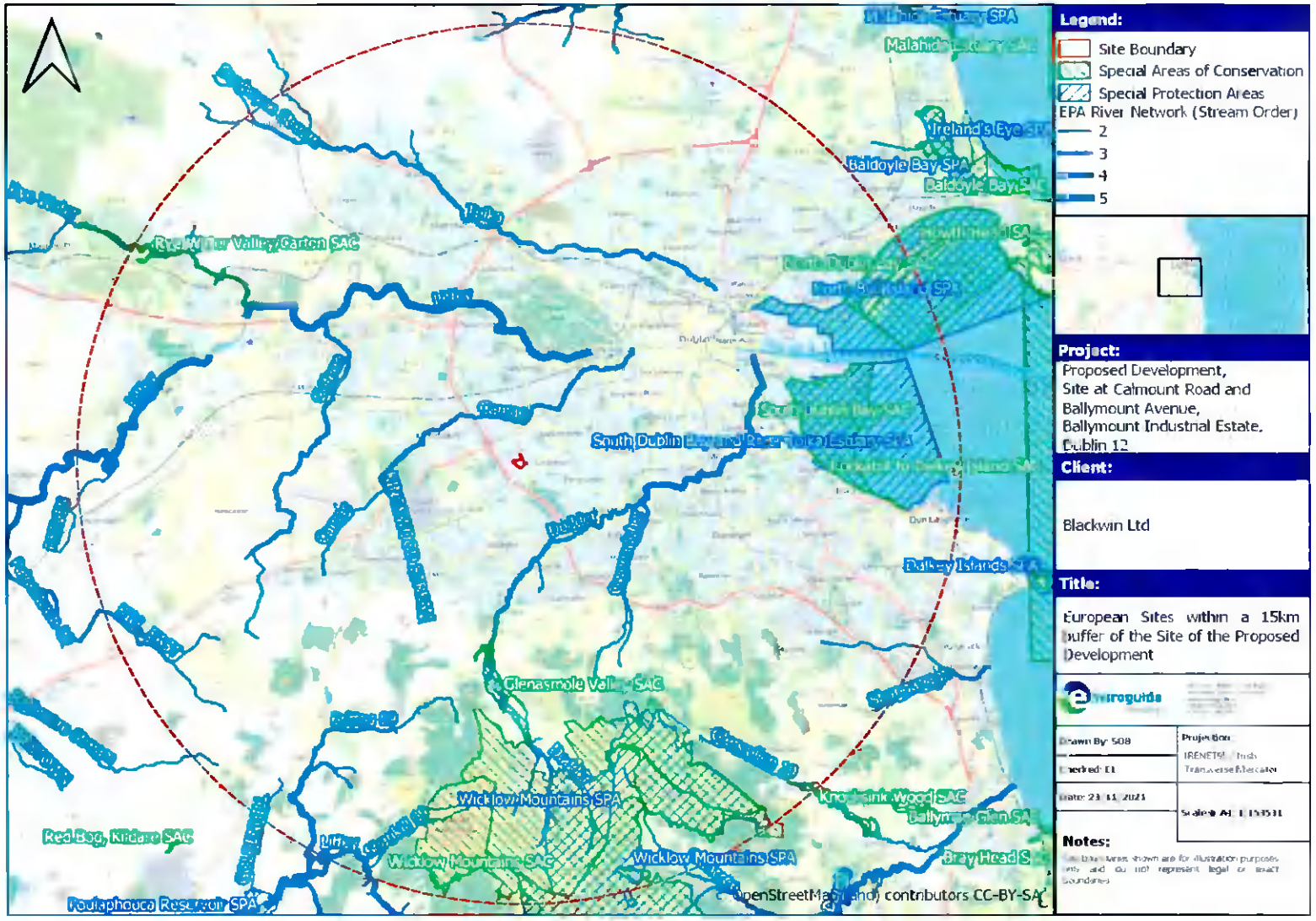

FIGURE 4. EUROPEAN SITES WITHIN 15KM OF THE PROPOSED DEVELOPMENT SITE.

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 SAC 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 in order 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 existing surface water network surrounding the Site of the Proposed Development discharges to the Coolfan Stream, which flows 300m north of the Site and connects to the River Camac, and then flows into the River Liffey. Therefore, there is a weak hydrological link between the Site and the European Sites located within Dublin Bay via surface water discharges 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 Objective 5) to "limit surface water run-off from new developments through the use of Sustainable Urban Drainage Systems (SuDS) and avoid the use of underground attenuation and storage tanks". 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 the European Sites located within Dublin Bay and cause significant effects, during both the Construction and Operational Phases, is negligible due to:

- The distance and consequent potential for dilution in the Coolfan Stream, River Camac, and River Liffey. Surface water discharges would have to travel over 15km along the Coolfan Stream, 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 the existing foul water sewer via a new 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 Operational Phase, 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 Population Equivalent (PE) 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. This potential 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 soils, 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. As such, aquatic species associated with these European Sites will not be affected by water quality impacts. In addition, there is no potential for negative impacts on these species due to the intervening distances between the Site of the Proposed Development and the corresponding European Sites.

3.5.2.5 *Changes in Population Density*

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 developments identified within the vicinity of the Proposed Development are as follows:

Planning Application Reference: SD21A/0213

Extension of the existing depot to provide additional bus parking facilities comprising a total of 221 bus spaces (including 45 electric bus parking spaces), 33 car parking spaces (including 15 electric car parking spaces), 5 motorcycle parking spaces and 30 bicycle parking spaces; revisions to the layout and configuration of the existing bus and car parking areas; the installation of electric vehicle charging units and associated infrastructure; new vehicular entrance/egress arrangement (including barrier and ramp) to Ballymount Avenue on the north-eastern site boundary; the provision of 4 pedestrian entrances located on the south-eastern, south-western and north-eastern site boundaries; internal roads and pedestrian pathways; minor elevational amendments to the existing transport depot building (relocation and addition of roller shutter doors and relocation of signage); hard and soft landscaping; boundary treatments; changes in level; lighting; surface water drainage; piped infrastructure and ducting, and all associated site excavation and development works above and below ground. (The development will also include the underground diversion of the existing ESB power line traversing the south-eastern corner of the site). **(Decision: Grant Permission. Decision Date: 24/01/2022).**

Planning Application Reference: SD19A/0384

(i) Alterations to existing roofs to include increasing roof height of one bay to match adjoining bay; (ii) new wall & roof cladding including louvred ventilation panels and translucent panels over existing cladding and to altered areas of buildings and extensions; (iii) provision of new roller-shutter doors to three existing opes and three new opes; (iv) demolition of three ancillary structures attached to the north side of the building and provision of four new single storey pitched roof structures attached to the north side of the building; (v) demolition of some existing wall and roof structures to the eastern end of the building, and the provision of new walls &

roofs to form new areas of the high-bay plant/fabricating area with raised roof on parapet levels; (vi) demolition of a detached single storey plant building on the north-west of the site and storage buildings on the east of the site and construction of 3 new single storey detached plant and storage buildings; (vii) provision of new signage to the west facing elevation of the building at high level; (viii) all other associated siteworks & services to facilitate the development. **(Decision: Grant Permission. Decision Date: 12/02/2020).**

Planning Application Reference: SD19A/0222

Construction of new 1269sq.m warehouse extension with ancillary trading area; offices; staff site entrance; reconfiguration of existing car park and other associated minor site works to existing 4569sq.m warehouse with existing ancillary showrooms and offices (including limited telemarketing use). **(Decision: Grant Permission. Decision Date: 10/12/2019).**

Planning Application Reference: SD19A/0404

Construction of a two storey motorcar retail showroom (c. 904sq.m); 2 floors of ancillary offices and associated uses; access to be provided from existing entrance the internal circulation road to the west; provision of 19 visitor and staff surface car parking (1 disabled access space, 2 electric vehicle charging spaces and 4 bicycle parking spaces); 89 spaces for the display and valet of vehicles, including display area; signage comprising 3 totem signs (2 x 6m and 1 x 7.5m in height) and 5 elevational signs (c. 20.19sq.m of signage in total); single storey substation and bin store as well as all associated infrastructure, landscaping and associated site development works including plant and PV panels at roof level all on a site of c. 0.59ha. **(Decision: Grant Permission. Decision Date: 23/04/2020).**

Planning Application Reference: SD21A/0214

Retention for as constructed extended floor areas to ground floor level reception area (approx. 38sq.m) and first floor level office areas (approx. 49sq.m). Permission to construct a new extension to the north-eastern corner of a permitted storage warehouse building together with associated external signage, site development works; provide additional storage space at second floor level only (approx. 2,198sq.m) and form an undercroft to the permitted access/entrance areas. **(Decision: Request Additional Information. Decision Date: 05/10/2021).**

Planning Application Reference: SD19A/0130

Retention for change of use from light industry/warehousing to office (Class 3, of Schedule 2, Part 4 of the Planning and Development Regulations 2000-2019); ancillary security call centre; storage area for the provision of security monitoring and surveillance services; staff canteen; office and meeting rooms; stair core; lift; reception area; lobby; business identification signage and ancillary internal changes and site works; physical subdivision of Unit G9 into two separate levels (Ground Level and Level 1) and amalgamation of Unit G9 (Level 1) with G10 to create a single commercial unit; construction of an internal concrete floor at Unit G10 to create a full mezzanine floor within the unit (and additional floorspace area of 161sq.m approximately). **(Decision: Grant Permission for Retention. Decision Date: 11/06/2019).**

Planning Application Reference: SD15A/0173/EP

Detached industrial unit comprising 960sq.m of workshop area plus 720sq.m stores/offices/staff facilities on two floors totalling 1680sq.m together with hardstanding area,

diesel storage tanks, wash bay facilities, site boundary walls/fencing and all associated site development works. **(Decision: Grant Extension of Duration of Permission. Decision Date: 17/05/2021).**

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 Development[1].

Given the distance between abovementioned permitted developments/forestry Operations and the European Sites within the zone of influence, it is concluded that there is no potential for in-combination effects to arise as a result of the Proposed Development.

Relevant Policies and Plans

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

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

The South Dublin County Council County Development Plan 2016 – 2022 has directly addressed the protection of European Sites through specific policies (HCL12 Objective 1 - 2). The relevant recommendations and mitigation measures have been integrated into the plan. The Draft Biodiversity Action Plan for South Dublin County 2020-2026is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development.

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.

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 soils, 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

[1] https://forestry-maps.apps.rhos.agriculture.gov.ie/

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
South Dublin Bay SAC (000210)	No	No	No	None	None	None	NO
Rye Water Valley/Carton SAC (001398)	No	No	No	None	None	None	NO
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
Knocksink Wood SAC (000725)	No	No	No	None	None	None	NO
SPA							
Wicklow Mountains SPA (004040)	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 Lands at the Site north of Calmount Road and west of Ballymount Avenue, Ballymount Industrial Estate, Dublin 12 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)

South Dublin Bay SAC (000210)

Rye Water Valley/Carton SAC (001398)

North Dublin Bay SAC (000206)

Knocksink Wood SAC (000725)

Wicklow Mountains SPA (004040)

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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