



D O W N E Y

Downey Planning & Architecture

Muldowney's Pub, Rathcoole

Appropriate Assessment Screening Report



PROJECT NAME: Muldowney's Pub, Rathcoole

REPORT NAME: Appropriate Assessment Screening Report

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1.0 INTRODUCTION

Downey Planning & Architecture is proposing to develop no. 23 apartment units on a 0.57ha site to the rear of Muldowney's Public House, in Rathcoole, Co. Dublin. The apartments will be comprised of No. 10 one bed apartments, No. 3 two bed apartments (three persons) and No. 10 two bed apartments (four persons). Surface car parking (No. 32 in total) will also be added to accommodate for the proposed apartment blocks and the existing public house. Existing outbuildings belonging to the Muldowney Pub will require demolition and relocation into the existing footprint of the pub.

This report forms an Appropriate Assessment (AA) Screening Report for the proposed development. The purpose of this report is to inform the AA process, which is carried out by the competent authority (in this case South Dublin County Council). Appropriate Assessment is an assessment of whether a plan or project, alone and/or in-combination with other plans or projects, may have likely significant effects on a European site, collectively known as the Natura 2000 network, in view of the site's conservation objectives.

The project design has sought to, in as far as possible, avoid impacts on European sites. This report considers the final design. It determines if direct, indirect, or in-combination effects could arise, or if there is uncertainty regarding potential effects.

This report provides information to assist the competent authority in undertaking a Screening Assessment of the proposed development and was informed by a desktop study and ecological field surveys undertaken by TOBIN Consulting Engineers (TOBIN) Project Ecologist John Sherry (B.Sc.), and senior reviewed by Project Ecologist Áine Sands (B.Sc.).

2.0 THE APPROPRIATE ASSESSMENT PROCESS

The AA process is an assessment of the potential for likely significant effects or negative effects of a plan or project, alone and/or in-combination with other plans or projects, on the conservation objectives of a European site(s). The Natura 2000 network is made up of European sites including Special Protection Areas (SPAs), established under the EU Birds Directive (2009/147/EC) (more generally referred to as the 'Birds Directive') and Special Areas of Conservation (SACs), established under the EU Habitats Directive (92/43/EEC) (more generally referred to as the 'Habitats Directive'). The Natura 2000 network helps provide for the protection and long-term survival of Europe's most valuable and threatened species and habitats.

The Screening Stage of the AA process identifies any likely significant effects upon European sites from the proposed development alone or in-combination with other projects or plans. A series of questions are asked during the Screening Stage of the AA process to determine:

- whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European site; and
- whether the project or plan will have a potentially significant effect on a European site, either alone or in-combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential impacts.

2.1 Legislative Context

The Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, better known as the 'Habitats Directive', provides legal protection for habitats and

species of European importance. Articles 3 to 9 provide the legislative means to protect habitats and species of community interest through the establishment and conservation of an EU-wide network of sites known as Natura 2000 network.

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

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

Article 6(4) states:

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

The provision for an AA is transposed into Irish law by Part XAB of the Planning and Development Act 2010 (as amended). Section 177U (4) of the said Acts provides for screening for Appropriate Assessment as follows:

'The competent authority shall determine that an appropriate assessment of [...] a proposed development [...] is required if it cannot be excluded, on the basis of objective information, that the [...] proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.'

Section 177U (5) provides as follows:

'The competent authority shall determine that an appropriate assessment of a [...] proposed development, [...], is not required if it can be excluded, on the basis of objective information, that the [...] proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site.'

An AA should be based on best scientific knowledge and the competent authority should ensure that expertise such as ecological, geological, and hydrological are utilised, where relevant.

The Court of Justice of the European Union (CJEU) has made a number of rulings in relation to AA, regarding when it is required, its purpose, and the standards it should meet. Consideration has been given to the evolution in interpretation and application of directives and national legislation arising from jurisprudence of the European and Irish courts, in respect of Article 6 of the Habitats Directive.

2.2 Stages Involved in the Appropriate Assessment Process

There are potentially four stages in the AA process; the result of each stage determines the requirement for assessment under the next.

Stage 1: Screening / Test of Significance

This process identifies the likely significant effects upon a European site from a proposed project or plan. Its purpose is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project which is not directly connected with or necessary to the management of the site as a European site, individually or in-combination with other plans or projects is likely to have a significant effect upon the European site, in view of its conservation objectives. A project may be 'screened-in' if there is a possibility or uncertainty of possible effects upon the European site, requiring a Stage Two AA. If there is no evidence to suggest significant effects due to the proposed plan or development the project is 'screened-out' from further assessment.

Stage 2: Appropriate Assessment

In this stage, consideration is given to ascertain whether the plan or project would adversely affect the integrity of a European site(s), either alone or in-combination with other plans or projects, with respect to the European site's structure and function and its conservation objectives. This stage of the assessment is carried out by the consenting authority and is informed by a Natura Impact Statement (NIS). A NIS is required where there is uncertainty as to whether or not an adverse effect arises, uncertainty of the effect itself, or a potential effect has been defined which requires further procedures/mitigation to remove uncertainty of a defined impact (i.e. significant effects cannot be excluded). Where there are adverse effects, an assessment of the potential mitigation to ameliorate those effects is required. If the assessment results in a negative conclusion, i.e., adverse effects on the integrity of a site cannot be excluded (by design or mitigation) or there is uncertainty as to whether an adverse impact arises, then the process must consider alternatives (Stage 3) or proceed to Stage 4.

Stage 3: Assessment of Alternatives

This stage of the potential process arises where adverse effects on the integrity of a European site cannot be excluded and examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the European site. However, in circumstances where there will not be any adverse effects on any European site, the developer places no reliance upon this third stage of the process in the context of this application for planning permission for the proposed development.

Stage 4: Assessment Where Adverse Effects Remain

This is the derogation process of Article 6(4), which examines whether there are imperative reasons of overriding public interest [IROPI] for allowing a project to proceed where adverse effects on the integrity of a European site have been predicted. Compensatory measures must be proposed and assessed as part of this stage and the EU Commission must be informed of the compensatory measures. Again, the developer places no reliance upon this stage of the process in the context of the application for planning permission for the proposed development.

2.3 Legislation and Guidance

This report has been carried out using the following guidance:

- Communication from the Commission on the Precautionary Principle. Office for Official Publications of the European Communities, Luxembourg (European Commission [EC] 2000)¹.
- Nature and Biodiversity Cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg (EC, 2006)².
- Managing Natura 2000 Sites – The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (EC, 2018)³.
- Interpretation Manual of European Union Habitats. Version EUR 28. European Commission (EC, 2013)⁴.
- Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government (DoEHLG, 2010)⁵.
- Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg (EC, 2007)⁶.
- 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, Office for Official Publications of the European Communities, Luxembourg (EC, 2001)⁷.
- Appropriate Assessment Screening for Development Management. Office of the Planning Regulator (OPR) Practice Note PN01 (OPR, 2021)⁸.

This report has similarly been prepared with regard to relevant rulings by the Court of Justice of the European Union (CJEU), the High Court, and the Supreme Court.

Definitions of conservation status, integrity and significance used in this assessment are defined in accordance with '*Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC*' (EC, 2018):

- Favourable conservation status (FCS) can only be defined and achieved at the level of the natural range of a species or a habitat type. A broad conservation objective aiming at achieving FCS can therefore only be considered at an appropriate level, such as for example the national, biogeographical or European level. The conservation measures have to correspond to the ecological requirements of the natural habitat types in Annex

¹ Communication from the Commission on the Precautionary Principle: <https://op.europa.eu/en/publication-detail/-/publication/21676661-a79f-4153-b984-aeb28f07c80a/language-en>

² Nature and Biodiversity Cases: https://friendsoftheirishenvironment.org/images/EULaw/ecj_rulings_en.pdf

³ European Commission (2018)

https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/Provisions_Art_6_nov_2018_en.pdf

⁴ Interpretation Manual:

https://ec.europa.eu/environment/nature/legislation/habitatsdirective/docs/Int_Manual_EU28.pdf

⁵ Appropriate Assessment of Plans and Projects:

https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf

⁶ Guidance Document on Article 6 (4):

https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/guidance_art6_4_en.pdf

⁷ Assessment of plans and projects significantly affecting Natura 2000 sites:

https://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

⁸ Appropriate Assessment Screening for Development Management: [9729-Office-of-the-Planning-Regulator-Appropriate-Assessment-Screening-booklet-15.pdf](https://www.opr.ie/sites/default/files/9729-Office-of-the-Planning-Regulator-Appropriate-Assessment-Screening-booklet-15.pdf)

land and of the species in Annex II present on the site. The ecological requirements of those natural habitat types and species involve all the ecological needs which are deemed necessary to ensure the conservation of the habitat types and species. They can only be defined on a case-by-case basis and using scientific knowledge.

- The integrity of a European site is defined as the coherent sum of the site's ecological structure, function, and ecological processes, across its whole area, which enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is designated.
- Significant effect should be determined in relation to the specific features and environmental conditions of the protected site concerned by the plan or project, taking particular account of the site's conservation objectives and ecological characteristics.

2.4 Desktop Study and Information Sources

A desktop study was undertaken to inform this screening assessment. The desktop study comprised a review of the following key datasets and information sources:

- Identification of European sites within the Zone of Influence (Zoi) of the proposed development area through the identification of potential pathways/links from the proposed development area and European sites and/or supporting habitats.
- Review of the National Parks and Wildlife Service (NPWS) site synopsis, Natura 2000 data forms and Conservation Objectives for European sites identified through potential pathways from the proposed development (<https://www.npws.ie/protected-sites>).
- NPWS datasets on Annex I habitats and Annex II species.
- Review of available literature and web data. This included a detailed review of the NPWS and National Biodiversity Data Centre (NBDC) websites including mapping and available reports for relevant sites and in particular Qualifying Interests and Special Conservation Interests described and their Conservation Objectives.
- Review of Inland Fisheries Ireland (IFI) research data. This included reviewing research studies carried out for the Habitats Directive and Red Data Book Fish species within the receiving environment.
- Water Framework Directive (WFD) website: (<https://www.catchments.ie/guide-water-framework-directive/>).
- GIS Online mapping: (<http://dcnr.maps.arcgis.com/apps/MapSeries/index.html?appid=a30af518e87a4c0ab2fbde2aac3c228>).
- Environmental Protection Agency (EPA) Mapping database: (<https://gis.epa.ie/EPAMaps/AAGeoTool>).
- Review of previous ecological assessments undertaken within the area.

In addition, aerial photography (Google Maps, Bing Maps) and mapping (Ordnance Survey of Ireland, Geological Survey of Ireland) were used to identify non-designated habitats such as rivers, woodlands, and hedgerows of local ecological importance.

3.0 SCREENING ASSESSMENT

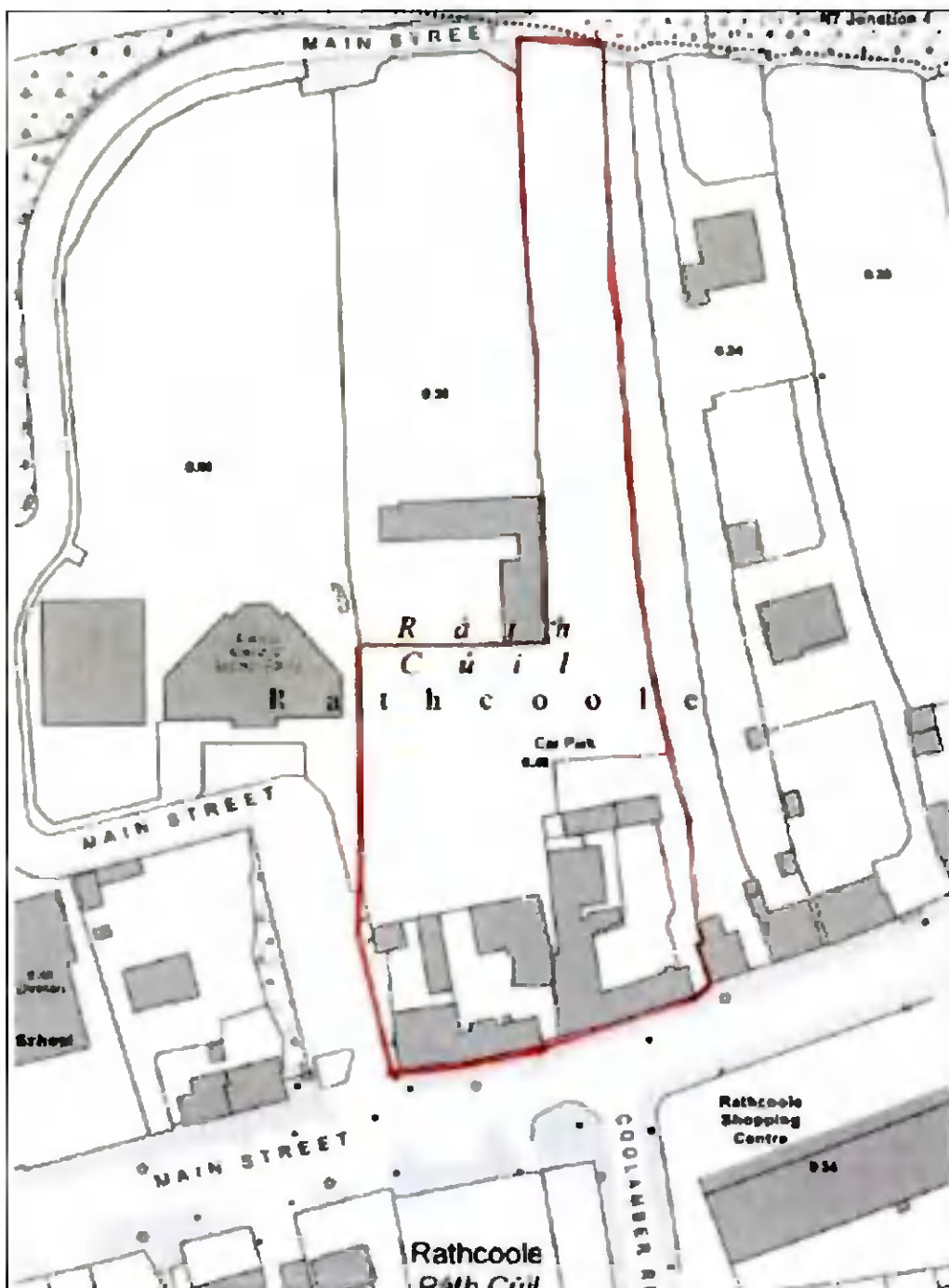
3.1 Site Location

The proposed development site is located immediately north/to the rear of the Muldowney Public house in Rathcoole, Co. Dublin (refer to Figure 3-1 below). The proposed development site, which is 0.54ha in size, is located approximately 15km south-west of Dublin City Centre.

The site is currently used as a commercial premises with existing outbuildings and car parking facilities to the rear.

The proposed development site has a long narrow aspect with a north-south orientation. The proposed development site is easily accessible from the major arterial roads in Dublin City including; the M50 and N7. Network Infrastructure associated with the proposed development will be located along the main street of Rathcoole.

Figure 3-1: Proposed Site Location



3.2 Description of the Proposed Development

Downey Planning & Architecture is proposing to develop no. 23 apartment units on a 0.57ha site to the rear of Muldowney's Public house, in Rathcoole, Co. Dublin.

The apartments will be comprised of No. 10 one bed apartments, No. 3 two bed apartments (three persons) and No. 10 two bed apartments (four persons). Surface car parking (No. 32 in total) will also be added to accommodate for the proposed apartment blocks and the existing public house. The proposed works will also include the upgrade of the existing access point located on the eastern boundary of the proposed development site. The new proposed entrance will have 23m visibility splays and a km kerb radius throat leading into a 5.5m wide carriageway. The proposed site layout plan is illustrated on Figure 3-2 below.

All new network infrastructure will connect to existing infrastructure systems located within the boundary of the proposed development site.

To facilitate the proposed works, existing outbuildings belonging to the Muldowney Pub will require demolition and relocation into the existing footprint of the pub. The proposed demolition plan is illustrated on Figure 3-3 below. The building proposed to be demolished will be relocated within the existing footprint of the of the Muldowney Pub. Clearance of some trees and undergrowth will also be carried out to facilitate the relocation and expansion of the car park and building development.

3.2.1 Construction Phase Activities

Normal works hours during the construction phase are expected to be Monday to Friday 08:00 to 18:00 hours. During certain stages of the construction phase there is potential that some work will have to be carried out outside of normal working hours, however, this will be kept to a minimum.

A construction compound and welfare facility will be located within the proposed development site boundary. Construction personnel will access the site through a new site entrance off the main street of Rathcoole village, to the west of the red line boundary. Machinery such as a tracked excavator, cement lorry and dumper truck are likely to be used during the proposed construction works.

The upgrade works are expected to have a duration of c. 36 months.

3.2.2 Operation Phase Activities

Surface Water Drainage

Surface water runoff will be generated from all surfaces within the facility that are exposed to rainwater or to which water is applied in order to clean. This includes all hardstanding surfaces, roofs, and other impermeable surfaces. All surface water will be discharged to the existing separate surface system on Main Street Rathcoole, this will be attenuated with sub-surface storage to contain a 1/100-year event.

In order to comply with the Arterial Drainage (Amendment) Act 1995 the proposed surface water system will be designed in accordance with the principles of Sustainability Urban Drainage System (SUDS).

Foul Wastewater Drainage

Domestic type wastewater effluent will be generated on site. It is proposed that a new 150mmø gravity sewer will be installed and will connect to the existing 300mmø foul drainage pipe located on Main Street. A pre-connection enquiry was issued to Irish Water.

Lighting

On street lighting will be provided in carparking areas and around the proposed constructed buildings

Emergency lighting will be provided throughout constructed buildings in accordance with BS 5266-1: Code of practice for the emergency lighting of premises. The escape lighting will be sited to provide an appropriate luminance near each exit door.

Drawn by: [Name]
 Checked by: [Name]
 Date: [Date]



MAIN STREET

N7

LEGEND:

BLOCK A 3 storey No. APARTMENTS 3 STOREYS
 BLOCK B 3 storey No. APARTMENTS 3 STOREYS
 COTTAGES 1 and 2 No. APARTMENTS 1 STOREY

SCHEDULE OF APARTMENTS:
 Apartment 3 BEDS No. 8
 Apartment 2 BEDS No. 14 (4 Flats)
 TOTAL NO. OF UNITS 83 UNITS

SITE OUTLINED RED (0.57 Hectares/1.40 Acres)
 EXISTING FOOTPRINT OF COTTAGES 988 m²
 EXISTING FOOTPRINT OF COMMERCIAL (PUBLIC HOUSE+SHEDS) 753 m²

EXISTING FOOTPRINT TO BE DEMOLISHED:
 RESIDENTIAL 48 m²
 COMMERCIAL 284 m²
 - TOTAL 332 m²

EXISTING FOOTPRINT TO BE RETAINED:
 RESIDENTIAL 147 m²
 COMMERCIAL 485 m²
 - TOTAL 632 m²

TOTAL FOOTPRINT AREA OF PROPOSED (BLOCKS A+B + COTTAGE EXTENSION) 811 m²
 TOTAL FOOTPRINT AREA OF RESIDENTIAL 893m² (RETAINED EXISTING + PROPOSED)
 TOTAL OPEN SPACE AREA 1292 m²
 % OF OPEN SPACE 23%
 SITE COVERAGE 26%
 PROPOSED DENSITY 40 UNITS PER HEC.
 PROPOSED ACCESSES ▲
 RESIDENTS PARKING SPACES 17
 PUB PARKING SPACES 16
 BICYCLE PARKING SPACE 44

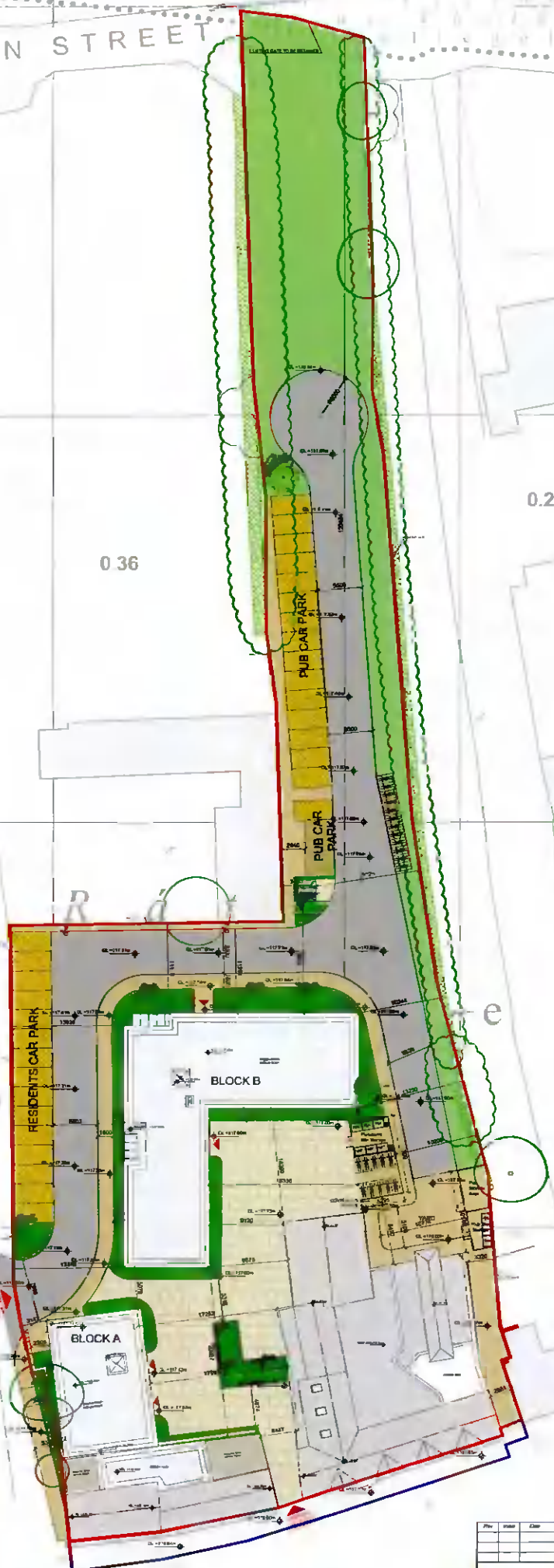
0.36

0.24

0.66

Catholic Church Of The Holy Family

STREET



PLANNING

PROPOSED SITE LAYOUT PLAN
 SCALE 1:250

■ SITE OUTLINED BLUE - (0.57 Hectares)
 ■ SITE OUTLINED RED - (0.57 Hectares)

01/AL/180488
 © Ordnance Survey Ireland/Government of Ireland

MAP SHEETS
 3.08-18
 3.08-10

Rev	Date	Desc	Author/Checker

DOWNNEY 20th Floor, 100, South Circular Road, Dublin 8, Ireland

CLIENT: LORRY TRAINING LTD
 PROJECT: PROPOSED DEVELOPMENT OF MAIN STREET RATHCOOL, CO DUBLIN
 DMD TITLE: PROPOSED SITE LAYOUT PLAN

Scale: 1:250
 Date: 18/03/2019
 Drawn by: [Name]
 Checked by: [Name]

MAIN STREET

N



Legend
- The area within the boundary
- Use of the site
- The area within the boundary
- Use of the site
- The area within the boundary
- Use of the site

LEGEND:

SITE OUTLINED RED
(0.57 Ha/ares/1.40 Acres)

EXISTING FOOTPRINT OF COTTAGES 188 m²

EXISTING FOOTPRINT OF COMMERCIAL (PUBLIC HOUSE & SHEDS) 783 m²

EXISTING FOOTPRINT TO BE DEMOLISHED:

RESIDENTIAL	48 m ²
COMMERCIAL	284 m ²
TOTAL	332 m²

EXISTING FOOTPRINT TO BE RETAINED:

RESIDENTIAL	141 m ²
COMMERCIAL	459 m ²
Total	600 m²

EXITING SITE ACCESS ▲

0.24

0.36

0.66

Catholic Church of The Holy Family

Rathcoole

Rathcoole

Car Park

0.48

STREET

PLANNING

DEMOLITION PLAN OF EXISTING SITE LAYOUT PLAN
SCALE 1:250

CYAL2180415
© Ordnance Survey / Ordnance Survey of Ireland

MAP SHEETS
3/85-10
3/85-10

DOWNEY

CLIENT: LORRY TRADING LTD

PROJECT: PROPOSED DEVELOPMENT OF MAIN STREET RATHCOOLE CO. DUBLIN

DATE: 17/07/2015

DWG: R1A

PLANNING

DATE: 17/07/2015

SCALE: 1:250

3.3 Description of the Existing Environment

3.3.1 Field Survey

Ecological field surveys were undertaken at the proposed development site on 29th July 2021, following best practice guidance methodologies (National Road Authority [NRA], 2009)⁹. The site was searched for evidence of Annex I habitats and Annex II species listed on the EU Habitats Directive (92/43/EEC) and Annex I species listed in the EU Birds Directive (79/409/EEC). The site was also searched for the presence of invasive plant species listed in Part 1 of the Third Schedule of S.I No. 477 of 2011, European Communities (Birds and Natural Habitats) Regulations (2011). Findings of the surveys were used to inform this AA Screening Report.

The survey area included lands within the zone of influence (Zol) of the proposed development. The current guidance on ecological assessments (CIEEM, 2018) states that:

"The 'zone of influence' for a project is the area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities. This is likely to extend beyond the project site, for example where there are ecological or hydrological links beyond the site boundaries" and that "The zone of influence will vary for different ecological features depending on their sensitivity to an environmental change."

The Zol was therefore defined through desk-based assessment with regard to the sensitivity of habitats and species likely to be present / previously recorded in the locality of the proposed development site, areas with connectivity (physical, hydrological or ecological) to the proposed development site boundary, potential impacts which may arise and reference to existing guidelines. The Zol was therefore established as the proposed development site plus 150m buffer.

3.3.2 Existing Environment

As noted, the proposed development site is located to the rear of Muldowney's Public house, off main street Rathcoole Co. Dublin. The proposed development site is approximately 0.57ha in size. The southern section of the proposed development site comprises existing buildings and artificial surfacing (concrete and tarmac). The northern section, which comprises a long narrow aspect, consists of loose gravel and two treelines along the western and eastern boundary. The treelines comprise hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), ash (*Fraxinus excelsior*), elder (*Sambucus nigra*), sycamore (*Acer pseudoplatanus*) and bramble (*Rubus fruticosus*).

No waterbodies were recorded on or directly adjacent to the proposed development site during the ecological walkover survey. A review of the EPA Map Viewer¹⁰ indicated that the nearest streams to the proposed development site are the Jordanstown (EPA Code: 09J06), located approximately 370m north of the site boundary and the Coolmine (EPA Code: 09C59), located approximately 380m south-east the site boundary. There is no hydrological connectivity between the above mentioned watercourses and the proposed development site.

During the ecological surveys, no Annex I habitats or protected flora were identified within the footprint of the proposed development site. In addition, no invasive plant species listed under

⁹ National Roads Authority (NRA; now known as Transport Infrastructure Ireland) (2009). Guidelines for Assessment of Ecological Impacts of National Road Schemes.

¹⁰ <https://gis.epa.ie/EPAMaps/>

Part 1 of the Third Schedule of the European Communities Regulations 2011 (S.I. 477 of 2015) were recorded within the proposed development site. In addition, no evidence of Annex II species protected under the Habitat Directive were recorded during the surveys.

3.4 Overview of Potential Impacts

The proposed development site is not located within or directly adjacent to any designated European site. Therefore, there will be no direct impact on any European sites as a result of the proposed development.

There are several elements associated with the proposed development however that may give rise to indirect impacts that have the potential to result in likely significant effects. The significance of these impacts depends on the scale of the impact as well as the ecological condition and the sensitivities of the qualifying interests/special conservation interests. Elements of the proposed development that may give rise to impacts which have been considered with regards to potential effects on European sites are discussed hereunder.

3.4.1 Construction Phase

Potential construction phase impacts associated with the proposed development are discussed hereunder.

3.4.1.1 Loss of Habitat

The proposed development will require the clearance of a small number of trees and hedgerow. Other habitats to be removed includes artificial surfaces and built structures. No Annex I habitats were identified within the footprint of the proposed development site.

3.4.1.2 Runoff of Sediment and/or Construction Pollution

Site clearance, excavation activities, and the stockpiling of material have the potential to result in sediment laden runoff if not appropriately managed. Such runoff could result in the sedimentation of nearby watercourses. Increased silt loading in watercourses can stunt aquatic plant growth, limit dissolved oxygen capacity and overall reduce the ecological quality of watercourses, with the most critical period associated with low flow conditions.

The pouring of concrete will be required to facilitate the foundation works associated with the development. Surface water runoff can be contaminated by leaks and spills of fuel, oil or other construction material from construction vehicles/machinery if not properly managed. The runoff of contaminated surface water can result in the degradation of water quality and impacts to aquatic fauna and flora, particularly if concrete is present.

No surface water features were located onsite during the site visit or via desktop research, therefore runoff pollution is not envisaged to occur.

3.4.1.3 Dust

Excavation activities may also result in the temporary generation of dust in the locality of the works area. The Institute of Air Quality Management provide guidelines; *'Guidance on the*

Assessment of Dust from Demolition and Construction' (Holman *et al.*, 2014)¹¹, which prescribes potential dust emission risk classes to ecological receptors. Following the guidelines and considering the size of the proposed development, the scale of the earthworks was considered small for demolition (total building volume <20,000m²) and small for construction (total building volume <25,000m²). The guidelines specify that receptor sensitivity is 'High' up to 20m from the source and reduces to 'Medium' at 50m. Dust may also be generated from trackout due to heavy duty vehicle (HDV) movements from the site entrance. It is anticipated that HDV movement will range between 5 to 10 outward movements a day which equates to 'Small' trackout movement. The guidelines indicate that Small trackout equates to dust occurring up to 50m from the site. Dust deposition on vegetation can inhibit growth.

3.4.1.4 Noise and Disturbance

The proposed construction works will result in an increase in noise levels during the works due to the presence of construction vehicles and machinery. The construction works will also result in an increase in personnel and traffic movement to and from the site. There is potential that rock breaking will be required during the construction works. However, no blasting will be undertaken. A temporary increase in noise levels within the site may result in disturbance to wildlife within the immediate vicinity of the site.

It is likely that construction lighting will be required during the construction works. Fugitive lighting could deter movement of species in the area.

3.4.1.5 Invasive Species

No invasive plant species were recorded within the proposed development site during the ecological surveys. There is potential however that the movement of construction vehicles and material to and from the site may result in the introduction of invasive species if not appropriately managed. The establishment of invasive species can inhibit growth and crowd out native plant species.

3.4.2 Operational Phase

Potential operational phase impacts associated with the proposed development are discussed hereunder.

3.4.2.1 Noise and Disturbance

During operation phase, the proposed development will increase the noise and disturbance to the area, from cars parking to ambient noise caused by residents in apartments. This increase in noise and disturbance will not be out of place for the area, due to its close proximity to the village or Rathcoole and the N7 roadway. Therefore, disturbance during the operational phase will be limited and will not result in significant effects on the receiving environment.

3.4.2.2 Pollution

Pollution Arising from Wastewater Discharge

¹¹ Holman, C., Barrowcliffe, R., Birkenshaw, D., Dalton, H., Gray, G., Harker, G., ... & Vining, L. (2014). IAQM Guidance on the Assessment of Dust from Demolition and Construction. Institute of Air Quality Management, London (accessed Oct 2021). http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf.

During operation, foul water generated by the proposed development comprising 57 Population Equivalent (P.E.) will ultimately discharge to the Tay Lane Wastewater Treatment Plant which is proposed to be upgraded and will have sufficient capacity. The Wastewater Treatment Plan will operate in accordance with its license conditions. No operational impacts are anticipated.

Pollution Arising from Surface Water

Surface water runoff will be generated from all surfaces within the proposed development that are exposed to rainwater or to which water is applied in order to clean. In order to comply with the Arterial Drainage (Amendment) Act 1995 the proposed surface water system will be designed in accordance with the principles of Sustainability Urban Drainage System (SUDS). The surface water system will also include flow control devices to limit the surface water runoff from the site to be similar to the Greenfield runoff as per the requirements of the Great Dublin Strategic Drainage Study. All surface water will discharge to the existing separate system on Main Street Rathcoole, this will be attenuated with sub-surface storage to contain a 1/100 year event. No operational impacts are anticipated.

3.4.2.3 Lighting

The proposed development will result in an increase in artificial lighting in the immediate vicinity of the proposed development site, from on street lighting and emergency exit signage.

3.5 Determining the Likely Zone of Influence

Guidance in AA of plans and projects in Ireland notes that a distance of 15km is recommended for the identification of relevant European sites¹². For some projects the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in-combination effects.

Using the source-pathway-receptor model^{13, 14} an examination of the potential effects of the proposed development was undertaken (alone and / or in-combination) to identify what European sites, and which of their qualifying interests or special conservation interest species were potentially at risk. This was required to determine the Zol for the proposed development. This conceptual model is a standard tool in environmental assessment. In order for an effect to occur, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism means there is no likelihood for the effect to occur. In the context of the proposed development, the model comprises:

- Source (s) – potential impacts from the proposed development, e.g. the runoff of sediment/construction pollution;
- Pathway (s) – hydrological, physical or ecological connectivity between the proposed development and the European site; and
- Receptor (s) – qualifying interests and/or special conservation interests of the European sites.

¹² Department of the Environment, Heritage and Local Government DEHLG (2010). *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities.*

¹³ Cooper, L. M. (2004). *Guidelines for Cumulative Effects Assessment in SEA of plans.* EPMG Occasional Paper 04/LMC/CEA, Imperial College London.

¹⁴ OPW (2012), *Arterial Drainage Maintenance categories, Source » Pathway » Receptor Chains for Appropriate Assessment.* OPW, Galway

The Chartered Institute of Ecology and Environmental Management (CIEEM) defines the Zol of a project as the area(s) over which ecological features may be affected by the biophysical changes caused by the proposed project and associated activities.

In order to establish the Zol of the proposed development works, the likely key biophysical changes associated with the works were determined having regard to the project characteristics set out in Section 3.2 of this report. The Zol of the proposed development is described hereunder.

Impacts associated with the loss of habitats will be confined to within the proposed development site boundary. The Zol was therefore defined as all lands within the Planning Application Boundary. Consideration was also made to the proposed grid connection and gas line which are both proposed along existing roads. Both developments will be contained wholly within the road carriageways.

With regards potential habitat degradation effects associated with the release of sediment and other pollutants to surface water, the Zol of the proposed development is considered to include receiving waterbodies adjacent to or downstream of the proposed development site during the construction phase. The distance downstream is associated with the current biological condition of the receiving waterbody and its capacity to accept and assimilate sediment and other pollutants.

The spatial limit of dust impacts was established as 50m from the site entrance. The Zol for dust impacts was therefore established as 50m from the proposed development site boundary.

Noise from the construction activity has the potential to cause disturbance to resting, foraging and commuting qualifying and special conservation interest species. Individual species will elicit differing behavioural responses to disturbance at different distances from the source of disturbance. Below is a summary of the documented zones of influence for varying species.

- Transport Infrastructure Ireland (formally the National Roads Authority) has produced a series of best practice planning and construction guidelines¹⁵ for the treatment of certain protected mammal species (i.e. otter), which indicate that disturbance to terrestrial mammals would not extend beyond 150m.
- Cutts *et al.* (2013)¹⁶ notes that different types of disturbance stimuli are characterised by different avifaunal reactions, however as a general rule of thumb, a distance of 300m can be used to represent the maximum likely disturbance distance for waterfowl.

The Zol for noise/disturbance was therefore established as the proposed development site plus a 300m buffer.

3.6 Identification of Relevant European Sites

As mentioned above, the source-pathway-receptor conceptual model was used to identify a list of 'relevant' European sites (i.e. those which could be potentially affected). Nine European sites (six SAC's and three SPA's) which were identified within the 15km buffer, or had hydrological connectivity to the proposed development, are listed in

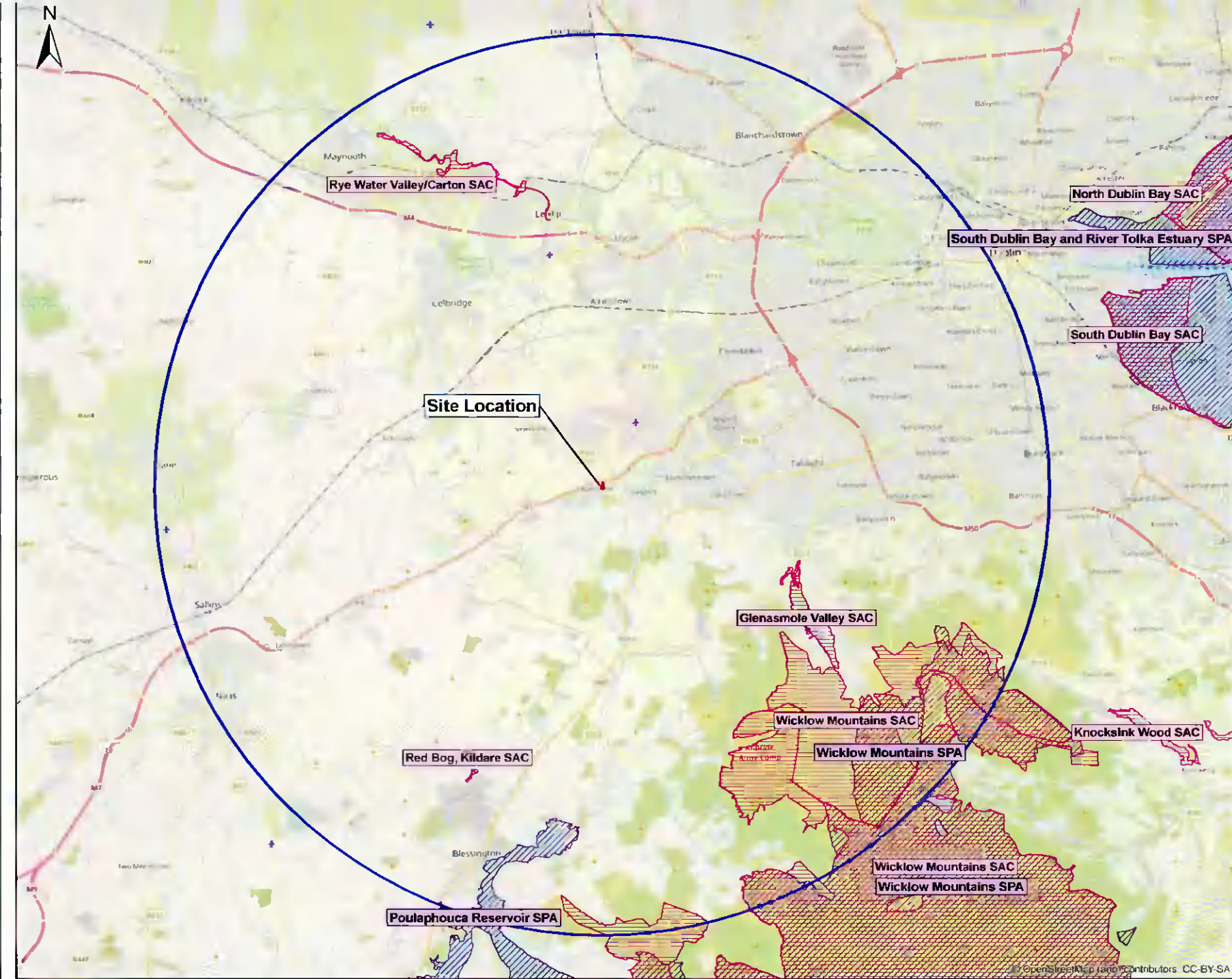
¹⁵ Ref: <http://www.tii.ie/technical-services/environment/>

¹⁶ Cutts, N., Hemingway, K., Spencer, J., (2013). Waterbird Disturbance Mitigation Toolkit Informing Estuarine Planning and Construction Projects.

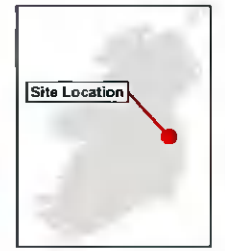
Table 3-1 below and illustrated in Figure 3-4. In addition, the nine European sites and the potential for source-pathway-receptor links for effect are outlined in Table 3-2.

Table 3-1: European Sites within the 15km Buffer or with Hydrological Connectivity

Designated Sites	Approximate Distance from Proposed Development
Glenasmole Valley SAC (Site Code: 001209)	Ca. 6.7km south-east of the proposed development site
Wicklow Mountain SAC (Site Code: 002122)	Ca. 7.6km south-east of the proposed development site
Wicklow Mountain SPA (Site Code: 004040)	Ca. 11.1km south-east of the proposed development site
Rye Water Valley/Carton SAC (Site Code: 001398)	Ca. 9.1km north of the proposed development site
Red Bog, Kildare SAC (Site Code: 000397)	Ca. 10.3km south-west of the proposed development site
Poulaphouca Reservoir SPA (Site Code: 004063)	Ca. 11.2km south-west of the proposed development site



- Legend**
- Site Boundary
 - 15km Buffer from Site Boundary
 - Special Area of Conservation (SAC)
 - Special Protection Areas (SPA)



0 2.5 5 Km

2	North	East	SP	JS
3	100	100	100	100

Client
DCWNEY

Project
Muldowney's Pub
Rathcoole -
AA Screening & Bat Survey

Title
European Sites

Scale @ A3 1:10 450,000

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Scale No. Figure 3-4 **A**

OpenStreetMap and Contributors CC-BY-SA

Table 3-2: European Sites within 15 km and Assessment of Likely Significant Effects

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
Glenasmole Valley SAC (001209)	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410] • Petrifying springs with tufa formation (Cratoneurion) [7220] 	<p>The SAC is located approximately 6.7km from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no hydrological connectivity between the proposed development and the SAC.</p> <p>The SAC is designated for groundwater dependant species. The SAC is situated within the <i>Kilcullen</i> groundwater body (European Code: IE_EA_G_003) while the proposed development site is situated within the <i>Dublin</i> groundwater body (European Code: IE_EA_G_008). There is therefore no hydrogeological connectivity between the SAC and the proposed development.</p> <p>No source-pathway-receptor link exists between the proposed development site and the SAC.</p>	No potential for likely significant effects
Wicklow Mountain SAC (002122)	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) [3110] 	The SAC is located approximately 7.6km from the proposed development site and thus occurs outside the Zol of direct	No potential for likely significant effects

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
	<ul style="list-style-type: none"> • Natural dystrophic lakes and ponds [3160] • Northern Atlantic wet heaths with <i>Erica tetralix</i> [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Calaminarian grasslands of the <i>Violetalia calaminariae</i> [6130] • Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] • Blanket bogs (* if active bog) [7130] • Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladanii</i>) [8110] • Calcareous rocky slopes with chasmophytic vegetation [8210] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] • <i>Lutra lutra</i> (Otter) [1355] 	<p>habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no hydrological connectivity between the proposed development site and the SAC.</p> <p>The SAC is designated for otter. Considering the distance between the proposed development site and the SAC (ca. 9.5km) there is no potential for disturbance impacts.</p> <p>No source-pathway-receptor link exists between the proposed development site and the SAC.</p>	
Wicklow Mountain SPA (004040)	<ul style="list-style-type: none"> • Merlin (<i>Falco columbarius</i>) [A098] • Peregrine (<i>Falco peregrinus</i>) [A103] 	<p>The SPA is located approximately 11.1km from the proposed development site and thus occurs outside the ZoI of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SPA.</p>	No potential for likely significant effects

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
		<p>There is no hydrological connectivity between the proposed development site and the SPA.</p> <p>Considering the distance between the proposed development site and the SPA (ca. 11.1km) there is no potential for the disturbance of the SCI species. In addition, there is no suitable habitat within the proposed development site to support the SCI species.</p> <p>No source-pathway-receptor link exists between the proposed development site and the SAC.</p>	
<p>Rye Water Valley / Carton SAC (001398)</p>	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (Cratoneurion) [7220] • <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014] • <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016] 	<p>The SAC is located approximately 9.1km from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no surface water hydrological connectivity between the proposed development site and the SAC.</p> <p>The SAC is designated for groundwater dependant habitat and species. Both the SAC and the proposed development site</p>	<p>No potential for likely significant effects</p>

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
		<p>are located within the <i>Dublin</i> groundwater body (European Code: IE_EA_G_008). However, a review of the GSI website¹⁷ indicates that the groundwater flow is towards the coast. The proposed development therefore occurs downstream of the SAC. There is no hydrogeological connectivity between the SAC and the proposed development.</p> <p>No source-pathway-receptor link exists between the proposed development site and the SAC.</p>	
<p>Red Bog, Kildare SAC (000397)</p>	<ul style="list-style-type: none"> Transition mires and quaking bogs [7140] 	<p>The SAC is located approximately 10.3km from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SAC.</p> <p>There is no hydrological connectivity between the proposed development site and the SAC.</p> <p>The SAC is located within the groundwater body 'Red Bog of Kildare' (European Code: IE_EA_G_085), while</p>	<p>No potential for likely significant effects</p>

¹⁷ <https://www.gsi.ie/en-ie/data-and-maps/Pages/default.aspx>

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
		<p>the proposed development site is located the <i>Dublin</i> groundwater body (European Code: IE_EA_G_008). There is therefore no hydrogeological connectivity between the SAC and the proposed development.</p> <p>No source-pathway-receptor link exists between the proposed development site and the SAC.</p>	
<p>Poulaphouca Reservoir SPA (004063)</p>	<ul style="list-style-type: none"> • Greylag Goose (<i>Anser anser</i>) [A043] • Lesser Black-backed Gull (<i>Larus fuscus</i>) [A183] 	<p>The SPA is located approximately 11.2km from the proposed development site and thus occurs outside the Zol of direct habitat impacts and dusts effects. Similarly, due to the distance there is no potential for the introduction of invasive plant species within the SPA.</p> <p>There is no hydrological connectivity between the proposed development site and the SPA.</p> <p>Considering the distance between the proposed development site and the SPA (ca. 11.2km) there is no potential for the disturbance of the SCI species. In addition, there is no suitable habitat within the proposed development site to support the SCI species.</p>	<p>No potential for likely significant effects</p>

European Site	Qualifying Interests / Special Conservation Interests	Source-Pathway-Receptor Link	Possibility of Likely Significant Effects
		No source-pathway-receptor link exists between the proposed development site and the SAC.	

4.0 IDENTIFICATION OF LIKELY SIGNIFICANT EFFECTS

4.1 Potential for Likely Significant Effects

As outlined in Table 3-2, no source-pathway-receptor link exists between the proposed development site and any European site. As no source-pathway-receptor links were identified there is no potential for likely significant effects on any European site in view of their conservation objectives, as a result of the proposed development.

4.2 Potential for In-Combination Effects

Article 6(3) of the Habitats Directive requires that:

“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.”

It is therefore required that the potential impacts of the proposed development are considered in-combination with any other relevant plans or projects.

4.2.1 Projects

A search of the South Dublin planning portal¹⁸ and the EIA portal¹⁹ was undertaken.

Waste Metal Facility (Planning Ref: SD19A/0065)

Electrical Waste Management Ltd. Was granted permission for the development of a waste metal facility including waste electrical and electronic equipment (WEEE), located approx. 980m north-west of the proposed development site. An AA Screening of the granted waste metal facility was undertaken by Jeromy Benn Associates (JBA) Consulting in 2019 (JBA, 2019)²⁰. The AA screening report concluded that there is no potential for the development of the proposed waste metal facility to result in impacts on the receiving environment and consequently do not have the potential to affect the conservation objectives supporting the qualifying interests/special conservation interests of any European sites. There is therefore no potential for the in-combination of effects with the proposed development under appraisal In this report.

Large scale construction of logistic/warehouse units (Planning Refs: SD19A/0370, SD20A/0215 and SD21A/0230)

MLEU Dublin 3 Limited are proposing the development of several logistic/warehouse units, with associated parking and office buildings located ca. 1.2km north-east of the proposed development site. At least three planning submission have been applied for from 2019 till 2021, two has been granted approval (SD19A/0370, SD20A/0215) with the third (SD21A/0230) decision due on the 19th of October 2021. AA Screenings for all the proposed logistic/warehouse units was undertaken by Openfield Ecological Services in 2019, 2020 and 2021 (Openfield,

¹⁸ <https://www.sdcc.ie/en/services/planning/planning-applications/search-and-view/>

¹⁹ <https://www.gov.ie/en/publication/9f9e7-eia-portal/>

²⁰ JBA (2019) Appropriate Assessment Screening Report for a Waste Material Transfer Facility including Waste Electrical and Electronic Equipment (WEEE), Greenogue, Dublin. (Unpublished Report).

2019, Openfield 2020 and Openfield 2021)^{21,22,23}. These reports stated that potential impacts associated with the development do not have the potential to affect the receiving environment and consequently, do not have the potential to affect the conservation objectives supporting the qualifying interests/special conservation interests of any European sites and concluded that the proposed logistic/warehouse units have no potential in likely significant effects on any European site. Thus, there is no potential for in-combination effects with the proposed development under appraisal In this report.

Construction of a new school, Scoil Chrónáin (Planning Ref: SD21A/0231)

The Department of Education are proposing the construction of a new 16 classroom part three storey, part two storey primary school, including car parking, ball courts, landscaping and all other associated site works, located immediately adjacent to the proposed development. An AA screening report was prepared for the proposed school by Moore Group – Environmental Services in June 2021 (Moore Group, 2021)²⁴. The AA screening report concluded that there is no potential for the development of the proposed school to result in impacts on the receiving environment and consequently do not have the potential to affect the conservation objectives supporting the qualifying interests/special conservation interests of any European sites. There is therefore no potential for the in-combination of effects with the proposed development.

4.2.2 Plans

The South Dublin Development Plan 2016-2022²⁵ indicates that the proposed development site is located within Existing Residential (R2) zoned lands. The development plan indicates that projects should protect and/or improve residential amenity.

The County Development Plan also indicates policies and objectives associated with the protection of biodiversity and European sites (Objectives: HCL12, HCL15, IE2 etc.). All new plans and projects proposed within the local administrative area must adhere to the above-mentioned objectives. Adherence to the Council's policies and objectives will therefore ensure that all plans and projects proposed within the area are subjected to the tests of Appropriate Assessment which will assess the potential for likely significant effects to European Sites, and where deemed necessary, the potential for an adverse effect on European Site integrity, either alone or in-combination with other plans and projects.

5.0 SCREENING ASSESSMENT CONCLUSION

It was determined, using best scientific knowledge, that potential impacts associated with the proposed development will not result in likely significant effects on the qualifying interests/special conservation interests of any European sites within the Zol of the proposed development, in view of their conservation objectives. A Stage 2 Appropriate Assessment is therefore not required.

²¹ Openfield (2019) Screening Report for Appropriate Assessment of proposed warehousing/logistics development at Mountpark Baldonnell Phase 2, Baldonnell Business Park, Dublin (Unpublished Report).

²² Openfield (2020) Screening Report for Appropriate Assessment of proposed warehousing/logistics development at Mountpark Baldonnell Phase 2 Unit E, Baldonnell Business Park, Dublin (Unpublished Report).

²³ Openfield (2021) Screening Report for Appropriate Assessment of proposed warehousing/logistics development at Mountpark Baldonnell Phase 2 Unit F and G, Baldonnell Business Park, Dublin (Unpublished Report).

²⁴ Moore Group (2021) Appropriate screening report for Scoil Chrónáin Rathcoole, Dublin (Unpublished report)

²⁵ <https://sdcc.ie/en/download-it/publications/south-dublin-county-council-development-plan-2016-2022-written-statement.pdf>

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