



Enviroguide
CONSULTING

APPROPRIATE ASSESSMENT SCREENING REPORT

FOR

PROPOSED MIXED-USE
DEVELOPMENT


AT

BELGARD SQUARE EAST, BELGARD
ROAD AND BLESSINGTON ROAD,
TALLAGHT, DUBLIN 24

ON BEHALF OF

Ravensbrook Ltd.

Prepared by
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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was commissioned to carry out an Appropriate Assessment Screening Report on behalf of Ravensbrook Ltd. in respect of a Proposed Development at the site at Belgard Square East, Belgard Road and Blessington Road, Tallaght, Dublin 24. This report contains information to enable the competent authority, in this case An Bord Pleanála, to undertake Stage 1 Appropriate Assessment screening in respect of the Proposed Development.

1.1. Quality assurance and competence

Synergy Environmental Ltd., T/A Enviroguide Consulting, is wholly Irish Owned multi-disciplinary consultancy specialising in the areas of the Environment, Waste Management and Planning. All of our consultants carry scientific or engineering qualifications and have a wealth of experience working within the Environmental Consultancy sectors, having undergone extensive training and continued professional development.

Enviroguide Consulting as a company remains fully briefed in European and Irish environmental policy and legislation. Enviroguide staff members are highly qualified in their field. Professional memberships include the Chartered Institution of Wastes Management (CIWM), the Irish Environmental Law Association and Chartered Institute of Ecology and Environmental Management (CIEEM).

Shannen O'Brien, Ecologist with Enviroguide undertook the desktop research for this report. Shannen O'Brien has a B.A. in Zoology from Trinity College Dublin and a M.Sc. Hons. in Wildlife Conservation and Management from University College Dublin, and has experience in desktop research, report writing, and literature scoping-review, as well as practical field and laboratory experience (Pollinator surveying, sampling and identification, habitat surveying, invasive species surveying, etc.). Shannen has prepared Stage I and Stage II Appropriate Assessment Reports, Invasive Species Surveys, Ecology Statements, and Ecological Impact Assessments (EclA).

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 whether the Proposed Development, either alone or in combination with other plans or projects, is likely to have a significant effect on any European Site in light of the relevant conservation objectives.

1.2.1 Legislative Context

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

"6(3) Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site, in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

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

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

(2)...

(3)...

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

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

1.2.2 Stages of AA

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

The AA process is a four-stage process, with issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

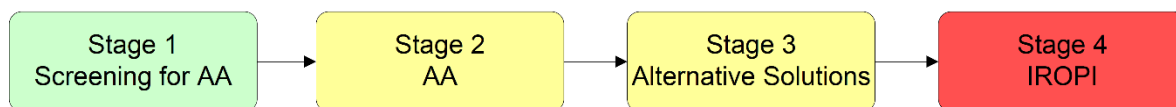


FIGURE 1. THE FOUR STAGES OF THE APPROPRIATE ASSESSMENT PROCESS (DEHLG, 2010).

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

- Stage 1 *Screening* addresses:
 - whether a plan or project is directly connected to or necessary for the management of the site, or
 - whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- Stage 2: *Natura Impact Statement (NIS)*. The second stage of the AA process assesses the impact of the project or plan (either alone or in combination with other projects or plans) on the integrity of the European site, having regard to the conservation objectives of the site and its ecological structure and function. A NIS must provide the objective scientific information to enable the competent authority to carry out an appropriate assessment of the proposed development. It should describe any mitigation measures to avoid and reduce significant negative impacts.
- Stage 3: *Assessment of alternative solutions*. If the outcome of Stage 2 is negative i.e., adverse impacts to the sites cannot be scientifically ruled out, despite mitigation, the plan or project should proceed to Stage 3 or be abandoned. This stage examines alternative solutions to the proposal.
- Stage 4: *Assessment where no alternative solutions exist and where adverse impacts remain*. The final stage is the main derogation process examining whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project to adversely affect a European site, where no less damaging solution exists.

2 METHODOLOGY

2.1 Guidance

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

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

2.2 Screening Steps

Screening for AA involves the following steps:

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

2.3 Desk Study

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

- Information on the network of European sites, boundaries, qualifying interests and conservation objectives, obtained from the National Parks and Wildlife Service (NPWS) at www.npws.ie;

- Text summaries of the relevant European sites taken from the respective Standard Data Forms and Site Synopses available at www.npws.ie;
- Information on species records and distributions, obtained from the National Biodiversity Data Centre (NBDC) at www.maps.biodiversityireland.ie;
- Information on waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at www.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 of the Proposed Development is approximately 1.25ha, located within a retail estate on Belgard Road, Tallaght, Co. Dublin. The Site is currently a vacant lot and is bounded on the east by the Belgard Road, on the north by Old Blessington Road, and the southern and western boundaries are abutted by retail units. The surrounding environment is predominantly urban in nature.

3.2.2 Description of Development

The Proposed Development will consist of the demolition of existing boundary wall and construction of:

1. 2,206 sqm of commercial floor area including retail, office (Class 2 financial/professional services and Class 3 office), café, licenced restaurant, and a 267sqm crèche at ground and first floor levels;
2. 318 no. build to rent residential apartments including 107 no. one bedroom units and 211 no. 2 bedroom units, within a part 6 to part 12 no. storey building over partial basement;
3. 2,222 sqm of communal external amenity space provided in the form of a ground floor garden and external terraces at fifth, sixth, seventh and eighth floor levels; 1,449 sqm of public open space provided in the form of a central courtyard and landscaped areas at site perimeters;
4. 1,553 sqm of resident support facilities and services and amenities provided at basement, ground and first floor levels;
5. Vehicular access to the basement development will be from a new access point from Belgard Square East;
6. A new tertiary access road will be provided at the south of the site linking Belgard Square East and Belgard Road with set down area;
7. Provision of 130 no. car parking spaces (8 no. club car spaces) at basement level and 5 no. set down spaces including 1 no. disabled access space at ground level, layby on Belgard Square East, 6 no. motorcycle spaces and 704 no. bicycle parking spaces;
8. Provision of 4 no. Ø0.3m microwave link dishes to be mounted on 2 no. steel support pole affixed to lift shaft overrun, all enclosed in radio friendly GRP shrouds, together with associated equipment at roof level at Block B;
9. Provision of 3 no. ESB substations with switch rooms and plant rooms at basement level, hard and soft landscaped areas, bin and bicycle stores, public lighting, attenuation, green roof, plant at roof level, service connections and all ancillary site development works.

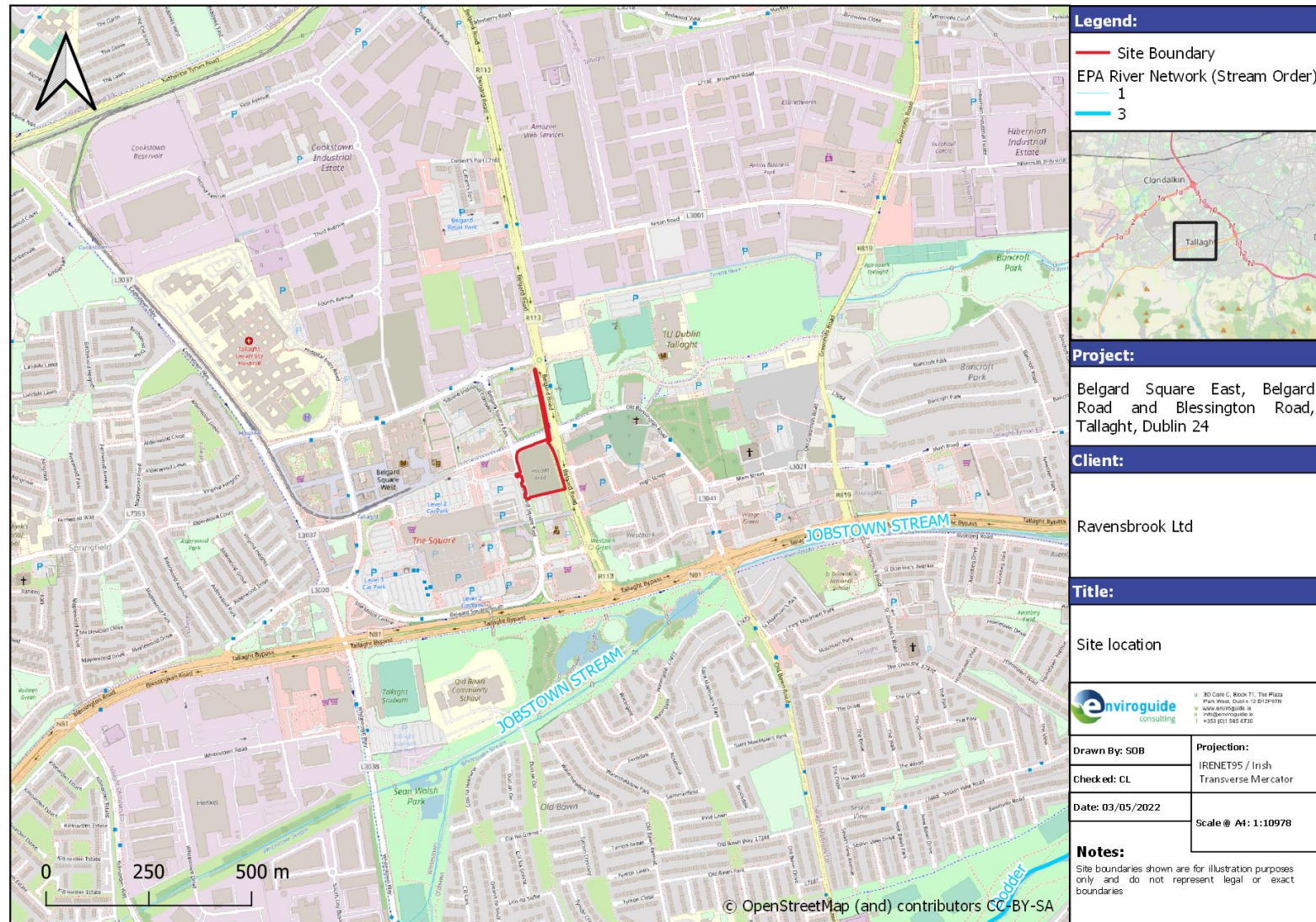


FIGURE 2. SITE LOCATION



FIGURE 3. PROPOSED SITE LAYOUT – GROUND FLOOR (HENRY J LYONS).

3.3 Existing Environment

3.3.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the Liffey and Dublin Bay catchment and Dodder_SC_010 sub catchment. The closest watercourse to the Site is Jobstown Stream approximately 411m to the southeast, which flows into the River Dodder almost 2km to the east of the Site, and ultimately into Dublin Bay. The status of the River Dodder was designated as *Moderate* by the EPA in 2019 (station code: RS09D010620).

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* (LI) 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 *Moderate*. The soil is classified as *Urban*, and the subsoil is made ground (*Made*) (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, and as such, there are no potential impacts on European sites located more than 15km from the Proposed Development.
- 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 seven SACs and four SPAs located within the ZOI of the Proposed Development Site. The distances to each site listed are taken from the nearest possible point of the Proposed Development Site boundary to the nearest possible point of each European site.

Potential pathways between the Proposed Development Site and four European site within the ZOI was 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 SAC (001209)	[6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites); [6410] Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>); [7220] Petrifying springs with tufa formation (Cratoneurion)	3.2 km	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 SAC arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.
Wicklow Mountains SAC (002122)	[3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>); [3160] Natural dystrophic lakes and ponds; [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ; [4030] European dry heaths; [4060] Alpine and Boreal heaths; [6130] Calaminarian grasslands of the <i>Violetalia calaminariae</i> ; [6230] Species-rich 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 (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>); [8210] Calcareous rocky slopes with chasmophytic vegetation; [8220] Siliceous rocky slopes with chasmophytic vegetation; [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; [1355] <i>Lutra lutra</i> (Otter)	5.6 km	
South Dublin Bay SAC (000210)	[1140] Mudflats and sandflats not covered by seawater at low tide; [1210] Annual vegetation of drift lines; [1310] <i>Salicornia</i> and other annuals colonising mud and sand; [2110] Embryonic shifting dunes	11.3 km	Yes – Weak hydrological pathway via discharges from Ringsend WwTP into Dublin Bay during the Construction and Operational Phases.
Rye Water Valley/Cartron SAC (001398)	[7220] Petrifying springs with tufa formation (Cratoneurion); [1014] <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail); [1016] <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail)	11.5 km	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 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
Knocksink Wood SAC (000725)	[7220] Petrifying springs with tufa formation (Cratoneurion) [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91E0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)	13.2 km	

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			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 (<i>Petalophyllum ralfsii</i>)	14.7 km	Yes – Weak hydrological pathway via discharges from Ringsend WwTP into Dublin Bay during the Construction and Operational Phases.
Red Bog, Kildare SAC (000397)	[7140] Transition mires and quaking bogs	14.8 km	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 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.
Special Protected Area (SPA)			
Wicklow Mountains SPA (004040)	[A098] Merlin (<i>Falco columbarius</i>); [A103] Peregrine (<i>Falco peregrinus</i>)	7.1 km	None – There is no hydrological connection. In addition, the intervening distances between the Site and the SPAs are sufficient to exclude the possibility of significant effects on the SPAs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Distance to Site	Connections (Source- Pathway- Receptor)
			The Site does not provide significant <i>ex-situ</i> 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 <i>Branta bernicla hrota</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A137] Ringed Plover <i>Charadrius hiaticula</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A192] Roseate Tern <i>Sterna dougallii</i> ; [A193] Common Tern <i>Sterna hirundo</i> ; [A194] Arctic Tern <i>Sterna paradisaea</i> ; [A999] Wetlands	11.3 km	Yes – Weak hydrological pathway via discharges from Ringsend WwTP into Dublin Bay during the Construction and Operational Phases.
Poulaphouca Reservoir SPA (004063)	[A043] Greylag Goose <i>Anser anser</i> ; [A183] Lesser Black-backed Gull <i>Larus fuscus</i>	14.1 km	None – There is no hydrological connection. In addition, the intervening distances between the Site and the SPAs are sufficient to exclude the possibility of significant effects on the SPAs arising from: emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.
North Bull Island SPA (004006)	[A046] Light-bellied Brent Goose <i>Branta bernicla hrota</i> ; [A048] Shelduck <i>Tadorna tadorna</i> ; [A052] Teal <i>Anas crecca</i> ; [A054] Pintail <i>Anas acuta</i> ; [A056] Shoveler <i>Anas clypeata</i> ; [A130] Oystercatcher <i>Haematopus ostralegus</i> ; [A140] Golden Plover <i>Pluvialis apricaria</i> ; [A141] Grey Plover <i>Pluvialis squatarola</i> ; [A143] Knot <i>Calidris canutus</i> ; [A144] Sanderling <i>Calidris alba</i> ; [A149] Dunlin <i>Calidris alpina alpina</i> ; [A156] Black-tailed Godwit <i>Limosa limosa</i> ; [A157] Bar-tailed Godwit <i>Limosa lapponica</i> ; [A160] Curlew <i>Numenius arquata</i> ; [A162] Redshank <i>Tringa tetanus</i> ; [A169] Turnstone <i>Arenaria interpres</i> ; [A179] Black-headed Gull <i>Chroicocephalus ridibundus</i> ; [A999] Wetlands	14.7 km	Yes – Weak hydrological pathway via discharges from Ringsend WwTP into Dublin Bay during the Construction and Operational Phases.

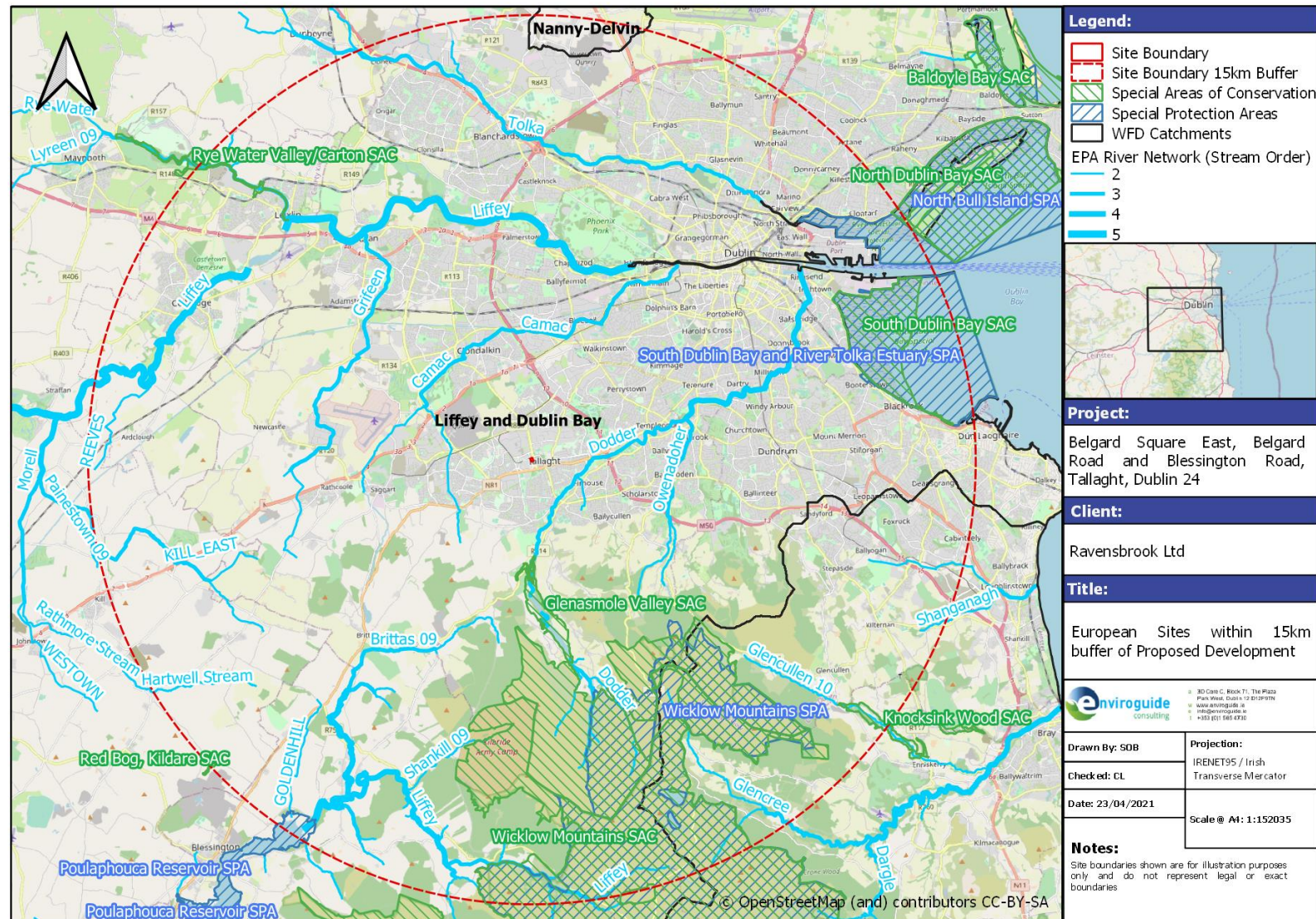


FIGURE 4. EUROPEAN SITES WITHIN 15KM OF THE PROPOSED DEVELOPMENT SITE.

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 site 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 site listed above.

The assessment framework is taken from the best practice guidelines issued by the European Commission (2021), 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** (estimated duration: 24 months)
 - 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** (estimated duration: indefinite)
 - 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 Site is located within the drainage network of the Dodder Owendoher River Storm, Level 2 Catchment (GDSDS, 2005) and will be connected to the existing storm sewer adjacent to the Site. Therefore, there is a weak hydrological link between the Site and South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and North Bull

Island SPA via surface water discharges from the Site during the Construction and Operational Phases.

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

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

- The distance and consequent potential for dilution in the River Dodder and Dublin Bay. Surface water discharges would have to travel almost 17km along the River Dodder before discharging into Dublin Bay.
- The potential for dilution in the surface water network during heavy rainfall events.

The Site will be served by a public foul sewer. 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 surface water and foul waters generated at the Site of the Proposed Development to reach European sites within Dublin Bay and cause significant effects, during both the Construction and Operational Phase, is negligible due to:

- The 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 3.5.2.7 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 3.5.2.7 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 maximum 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 the European Sites. In addition, upgrade works are currently on-going at Ringsend WwTP to increase the capacity of the facility from 1.6 million PE to 2.4 million PE. This plant upgrade will result in an overall reduction in the final effluent discharge of several parameters from the facility including BOD, suspended solids, ammonia, DIN and MRP (Irish Water, 2018).

Hydrological Risk Assessment

A Hydrological Qualitative Risk Assessment was carried out by AWN Consulting (AWN Consulting, 2022) to assess the potential for any likely significant impacts on receiving waters within protected areas, during both the Construction and Operational phases of the Proposed Development. It is noted that this assessment was carried out in the absence of any consideration of any measures intended to avoid or reduce harmful effects potentially caused as a result of the Proposed Development (i.e., mitigation measures). According to this assessment, *“there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat requirements of the Natura 2000 sites within Dublin Bay”*.

The risk assessment states:

“There is no direct open-water pathway between the site and South Dublin Bay. However, there is an indirect pathway through the stormwater drainage which discharges into the Dodder River. Should any silt-laden stormwater from construction or hydrocarbon-contaminated water from a construction vehicle leak/tank leak manage to enter into the surface water sewer, the suspended solids will naturally settle within the sewer; however, in the event of a worst case hydrocarbon leak of 1,000 litres this would be diluted to background levels (water quality objectives as outlined in S.I. No. 272 of 2009, S.I. No. 386 of 2015 and S.I. No. 77 of 2019) by the time the stormwater reaches the nearest Natura 2000 Sites (South Dublin Bay, c. 11 km downgradient.

During operation, the potential for a release is low as there is no bulk fuel/chemical storage and no silt laden run-off. Stormwater will be collected by a drainage system which includes SuDS measures, an attenuation system and oil/ petrol interceptors prior to discharge off-site (albeit these measures have been disregarded for this analysis). In addition, the potential for hydrocarbon discharge is quite minimal based on an individual vehicle (70 litres) leak being the only source for hydrocarbon release. However, even if the operation of the proposed SuDS and interceptor systems are excluded from consideration, there is no likely impact above water quality objectives as outlined in S.I. No. 272 of 2009, S.I. No. 386 of 2015 and S.I. No. 77 of 2019) in the worst case scenarios described above at section 3.2 and there will be no significant effect on any European site. The volume of contaminant release is low and combined with the significant attenuation within the stormwater drainage network, hydrocarbons will dilute to background levels with no likely impact above water quality objectives as outlined in S.I. No. 272 of 2009, S.I. No. 386 of 2015 and S.I. No. 77 of 2019 at any Natura 2000 sites.

Even without treatment at the Ringsend WWTP, the peak effluent discharge, calculated for the proposed development as 10.98 l/s (which would equate to 0.099% of the licensed discharge at Ringsend WWTP [peak hydraulic capacity]), would not have a measurable impact on the overall water quality within Dublin Bay and therefore would not have an impact on the current Water Body Status (as defined within the Water Framework Directive).”

3.5.2.4 Disturbance and / or Displacement of Species

As outlined in section 3.5.2.3, the hydrological link between the Site and the European sites in Dublin Bay assessed here will not result in significant effects on the water quality and resource indicator during both the Construction and Operational Phases. In addition, there is

no potential for negative impacts on this species due to the intervening distances between the Site of the Proposed Development and the SACs it is associated with.

3.5.2.5 Changes in Population Density

For the same reasons outlined in section 3.5.2.4, 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 utilising the South Dublin County Council Planning Map are as follows:

Planning Application Reference: SD13A/0192/EP

Development to consist of the phased construction of two independent extensions to the existing shopping centre (The Square) with a total gross floor area of 21,490sq.m. (including floor area of car parking of 22,861sq.m.; the total development area is 44,351sq.m.) which will consist of the following: Plot A (North) - extension to the existing shopping centre with a total gross floor area of 15,806sq.m. and comprising an anchor retail unit (6,032sq.m.) and 8 no. retail units (ranging from 136sq.m. to 2,735sq.m. and totalling 7,456sq.m.) and associated ancillary accommodation and circulation areas over two levels accessed from a single level mall extending from the existing northern entrance (at Level 2) into the existing surface car park (removing 289 existing spaces); the northern extension ranges in height from 13.3 metres to 15.5 metres along the proposed new northern elevation; Plot A includes a six level multi-storey car park with 832 no. car spaces (22,861sq.m.) and ancillary accommodation ranging in height from 14.8 metres to 16.6 metres to the east of the site with access/egress from/to Belgard Square East with a revised road layout and circulation; the development on Plot A involves new and upgraded hard and soft landscaping which integrates with the existing public realm in the vicinity and which facilitates future proposals for a Transport Interchange by SDCC; service yards are proposed on the western portion of the site with access from realigned access road from Belgard Square West and on the eastern portion of the site with access from the entrance road which accesses the new multi-storey car park. Plot B (South) - Extension to the existing shopping centre at Level 3 with a total gross floor area of 5,684sq.m. and comprising a retail unit and associated ancillary accommodation; the proposed new retail unit will incorporate the existing units (U307 & U307A) totalling 415sq.m. to gain access to the existing mall at Level 3; the southern extension will result in the removal of 111 parking spaces and will have a parapet height of 12.3 metres to 13.5 metres above existing ground level at the southern elevation. Permission is also sought for all associated site and development works associated with the above developments including revisions to public realm, revisions to roads layout and footpaths, hard and soft landscaping, ESB substation and building mounted signage; the development proposed results in a net increase in parking associated with The Square of 432 spaces. **(Decision: Grant Extension of Duration of Permission. Decision Date: 21/11/2018).**

Planning Application Reference: SHD3ABP-303306-18

Development of 438 apartment units consisting of 158 no. 1 beds, 230 no. 2 beds and 50 no. 3 beds (total apartment units include 8 no. live/work units with a total c. 509 sqm work areas at ground floor) and c. 732 sqm of tenant/resident service amenities all within blocks A1, A2, A3 and B1. Block B2 to comprise a 403 bedspace student accommodation scheme and associated student amenity and staff facilities (c.815 sqm); childcare facility (c.380 sq.m) and external playing area (c. 242sq.m); 6 retail/commercial units (c. 632sq.m in total); security room (c.52sq.m); 107 car parking spaces below podium; 22 car parking spaces at surface level; 1227 bicycle parking spaces; 4 semi-private courtyards of c. 5,516sq.m; public plaza; public realm & landscaping (c.7,442sq.m). **(Decision: Grant Permission. Decision Date: 15/04/2019).**

Planning Application Reference: SD19A/0394

Mixed use commercial extension (9,956sq.m gross floor space) to the southern side of The Square Shopping Centre and a new public plaza and all associated site and development works including new signage; Level 1 - no changes; Level 2 - removal of southern mall entrance lobby and construction of new extension to existing Level 2 mall to include 6 retail units (2,611sq.m), a food hall/market hall area for multiple restaurant/food and beverage type uses with associated seating areas (2,041sq.m), a restaurant/cafe unit (67sq.m) and associated ancillary accommodation and circulation (1,534sq.m) and plant rooms (176sq.m) and introduction of new internal service corridor; Level 2 extension is replacing surface parking spaces (140) to the south of the shopping centre and an existing parking area (34 spaces) to the east of the proposed extension is to be reconfigured; creation of Level 3 entrance and creation of new public plaza to replace roof car park (111 spaces) and the new outdoor public plaza (0.74ha) will be used for multi-purpose events, civic and recreational uses and retail and food and beverage concessions involving temporary moveable structures erected on a seasonal basis; the creation of the new Level 3 entrance involves replacement of existing retail unit at Level 3 (Unit 307A) with mall area to include flexible kiosk type retail concession areas; 2 buildings accommodating 9 restaurant/bar units (3,324sq.m) and ancillary accommodation (175sq.m) and associated outdoor seating areas in the new plaza on south facing terraces; Level 4 - ancillary accommodation and service areas (28sq.m) on roof of 2 restaurants buildings within provision for screened plant areas and solar panels; the proposed extension has a maximum building height of 18 metres above existing ground levels; the extension is to replace and supersede the Plot B development previously permitted under Reg. Ref. SD13A/0192 (Bod Ref. PL06S.243280) which included a gross floor space of 5,684sq.m; the permitted northern extension (Plot A) remains unchanged. Permission is sought to amend Condition 3(a) of the Reg. Ref. SD13A/0132 (Bord Ref. PL06S.243280) to facilitate the construction of the proposed southern extension prior to the permitted northern extension (Plot A) subject to a phasing programme to be agreed. **(Decision: Grant Permission. Decision Date: 17/06/2020).**

Planning Application Reference: SD19A/0367

Demolition of existing commercial building (736sq.m) and construction of a single storey cafe/restaurant (79sq.m); single storey bicycle workshop building (32sq.m); improved public realm area to include seating; bicycle parking (60 spaces) and hard and soft landscaping and

all associated site and development works. **(Decision: Grant Permission. Decision Date: 27/01/2020).**

Planning Application Reference: SD208/0007

Construction of 133 affordable rental apartments with a community facility (c.12,918sq.m) in three blocks ranging from three to eight storeys with associated balconies/ terrace for each apartment and roof mounted solar panels linked by a single storey podium. • Block A (west-c. 5,162sq.m) accommodates 2 studios, 31 1-bed apartments and 28 2-bed apartments. • Block B (east – c 5,903sq.m) accommodates 1 studio, 33 1-bed apartments, 35 2-bed apartments, 1 3-bed apartment and the community facility. • Block C (south – 255sq.m) accommodates 2 3-bed, 3 storey maisonette apartments. • Podium (c.1598sq.m) accommodates 39 car parking spaces which includes 3 universal access spaces, 246 secure bicycle spaces, ESB substation and switch room, plant rooms, bins and other maintenance stores. • Ancillary site development works include the provision of pedestrian zip link/greenway, access roadway, footpaths, 24 bicycle spaces, hard and soft landscaping, new boundary treatments and a landscaped courtyard at podium level on SDCC lands west of the new link road connecting Fourth Avenue and Belgard Square North, Tallaght, Dublin 24. The proposal has undergone Appropriate Assessment Screening under the Habitats Directive (92/43/EEC) and screening for Environmental Impact Assessment under the EIA Directive 2014/52/EU, and the Planning Authority has concluded that there will be no real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required. **(Decision: Application Under Part 8. Application Date: 10/08/2020).**

Planning Application Reference: SD19A/0397

Change of use of existing open plan 997sq.m shell and core retail unit to the use as a spa/recreational facility to include swimming pool area; relaxation areas; treatment rooms; associated office/administration areas; changing facilities; internal dining/restaurant area; associated kitchen facilities; plant areas; associated ducting/extraction vents with associated elevational changes; connections to all services and site development works; new internal mezzanine floor to provide additional 602sq.m at new first floor level and on-street bicycle parking outside the building for 18 bicycles at the corner of Abberley Square and Abberley Square East. **(Decision: Grant Permission. Decision Date: 20/02/2020).**

Planning Application Reference: SD18A/0399

Internal modifications/reconfiguration to the mall area and reconfiguration of existing retail units and kiosks/concessions at Levels 1-3 of the existing shopping centre; revisions/modifications are as follows on a level by level basis; (1) Level 1, reconfiguration of the existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (150sq.m); revisions to circulation areas involving the removal of stairs and escalator between Level 1 and Level 2 and provision of a new traveller between Level 1 and Level 2; (2) Level 2, reconfiguration of existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (1073sq.m); revisions to circulation areas involving the removal of escalators between Level 2 and Level 3; (3) Level 3 formation of a new retail unit (38sq.m) and associated mall floor space (9sq.m) in the area created by the removal of the escalator between Levels 2 and 3; the kiosk zones on Level 1 and Level 2 will be flexible in terms of layout and all individual kiosks will be subject to design parameters set out in the Planning Report. The proposed use

of any new kiosks within the kiosk zones will be shops (Class 1), professional/financial services (Class 2) and food and beverage uses (including any associated seating areas). There will be no net increase in floor area for the provision of food and beverage uses within the overall centre. The revisions/modifications proposed will result in an increase of c.106sq.m. of gross floor space within the overall shopping centre arising from the various changes to the mall circulation areas and creation of floor space in areas currently void. Permission is also sought for all associated site and development works. **(Decision: Grant Permission. Decision Date: 11/01/2019).**

Planning Application Reference: SD20A/0105

Revisions to previously permitted internal modifications as approved under Ref. SD18A/0399 resulting in the reductions in the kiosk zone at Level 2 only by 196sq.m (from 1073sq.m to 877sq.m) to accommodate a new partially enclosed restaurant/café unit (196sq.m) and associated setting; the new restaurant and seating area will correspond with the footprint of the existing Units 260/262 and 263 and will contain associated facilities including a kitchen, front and rear counters, condiment unit, dining tables, chairs, booths and benches; associated signage and development works. **(Decision: Grant Permission. Decision Date: 16/07/2020).**

Planning Application Reference: SD20A/0145

Subdivision of the existing retail department store (Unit 116 - 5,396sq.m. - formerly Debenhams) to comprise 2 retail units - 116A (2,431sq.m) and 116B (2,270sq.m) and new service corridor (176sq.m) to the rear of the proposed unit 116B to provide access to the existing service yard; associated modifications including the removal of the existing mezzanine floor within Unit 116 (497sq.m); creation of new retail frontage within the internal mall and associated signage; revisions to existing retail Unit 117 (113sq.m) and 118 (102sq.m) to form a single amalgamated unit (169sq.m) and creation of additional mall floor space (47sq.m) arising from the unit reconfiguration; all associated site and development works including minor revisions to the layout of the existing service yard. **(Decision: Grant Permission. Decision Date: 12/08/2020).**

Planning Application Reference: SD18A/0399

Internal modifications/reconfiguration to the mall area and reconfiguration of existing retail units and kiosks/concessions at Levels 1-3 of the existing shopping centre; revisions/modifications are as follows on a level by level basis; (1) Level 1, reconfiguration of the existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (150sq.m); revisions to circulation areas involving the removal of stairs and escalator between Level 1 and Level 2 and provision of a new traveller between Level 1 and Level 2; (2) Level 2, reconfiguration of existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (1073sq.m); revisions to circulation areas involving the removal of escalators between Level 2 and Level 3; (3) Level 3 formation of a new retail unit (38sq.m) and associated mall floor space (9sq.m) in the area created by the removal of the escalator between Levels 2 and 3; the kiosk zones on Level 1 and Level 2 will be flexible in terms of layout and all individual kiosks will be subject to design parameters set out in the Planning Report. The proposed use of any new kiosks within the kiosk zones will be shops (Class 1), professional/financial services (Class 2) and food and beverage uses (including any associated seating areas). There will be no net increase in floor area for the provision of food and beverage uses within

the overall centre. The revisions/modifications proposed will result in an increase of c.106sq.m. of gross floor space within the overall shopping centre arising from the various changes to the mall circulation areas and creation of floor space in areas currently void. Permission is also sought for all associated site and development works. **(Decision: Grant Permission. Decision Date: 11/01/2019).**

Planning Application Reference: SD20A/0105

Revisions to previously permitted internal modifications as approved under Ref. SD18A/0399 resulting in the reductions in the kiosk zone at Level 2 only by 196sq.m (from 1073sq.m to 877sq.m) to accommodate a new partially enclosed restaurant/café unit (196sq.m) and associated setting; the new restaurant and seating area will correspond with the footprint of the existing Units 260/262 and 263 and will contain associated facilities including a kitchen, front and rear counters, condiment unit, dining tables, chairs, booths and benches; associated signage and development works. **(Decision: Grant Permission. Decision Date: 16/07/2020).**

Planning Application Reference: SD19A/0367

Demolition of existing commercial building (736sq.m) and construction of a single storey cafe/restaurant (79sq.m); single storey bicycle workshop building (32sq.m); improved public realm area to include seating; bicycle parking (60 spaces) and hard and soft landscaping and all associated site and development works. **(Decision: Grant Permission. Decision Date: 16/07/2020).**

Planning Application Reference: SD20A/0083

Works to the existing roof including installation of 173sq.m of solar pv panels; the erection of a new guardrail on the existing parapet to the perimeter of the roof; alteration to a portion of the existing roof from a pitched roof to a flat roof, installation of roof access hatches and all associated site development works. **(Decision: Grant Permission. Decision Date: 13/07/2020).**

Planning Application Reference: SD21A/0034

(i) Retention permission is sought for the mezzanine floor, stairwell and associated meeting room; (ii) (a) change of use of Unit F1 from cafe to car rental office and erection of partition walls to create a reception area, staff offices, staff mess area, wc, store room and staff canteen at ground floor; (b) upgrade works including replacement of mezzanine floor and stairwell; (c) installation of company signage to front of unit; and (ii) change of use from commercial car park to car rental and car share facility at basement level comprising of the following: (a) removal of 3 car parking spaces to provide for single storey car rental kiosk (28.82sq.m) comprising reception area; (b) redesignation of 30 commercial car parking spaces as car rental spaces (3 car club, 3 staff, 12 return and 12 rental spaces); (c) removal of 7 car parking spaces to provide circulation route, and car washing area (69.18sq.m) comprising 2 power washers, 1 wash pad connected to the existing petrol interceptor in the car park and car drying area. The car wash will connect to the mains water connection; (d) erection of company signage over entrance to car park from Belgard Square North; and (e) drainage and all associated site development and ancillary works necessary to facilitate development. **(Decision: Grant Permission & Grant Retention. Decision Date: 11/08/2021).**

Planning Application Reference: SD18A/0043

Sub-division and change of use of existing Unit F-05 from Hotel/Bar/Restaurant use at ground floor level (260sq.m) and mezzanine floor level (390sq.m) to office unit at ground floor level (225sq.m) and to NCBI Offices use and associated staff facilities at mezzanine floor level (390sq.m) through new access doors on the northern elevation of the existing building, new access stairs and existing lift to mezzanine floor level (35sq.m) at ground floor level, extend the mezzanine floor area (48sq.m) within the existing approved development Reg. Ref. No. SD02A/0392 and SD08A/0197. **(Decision: Grant Permission. Decision Date: 04/04/2018).**

Planning Application Reference: SD188/0010

A new Energy Centre to provide for a future district heating distribution network for the South Dublin District Heating Scheme Tallaght. The development will consist of: a new two storey Energy Centre building containing plant-rooms, office and welfare facilities, comprising an internal floor area of c.491sq.m incorporating an ESB substation. The site will be accessed using the existing vehicular entrance off Airton Road. The works also include 2 cylinder water tanks located to the west of the main centre both of which extend to c.5m diameter, and c.8m above FFL and 2 parking spaces for service vehicles along with general landscaping and site works. The preferred routes for Phase 1 of the underground distribution network of the South Dublin District Heating scheme is also set out in this proposal. **(Decision: Application Under Part 8. Application Date: 19/10/2018).**

Planning Application Reference: SD18A/0197

Construction of a new car park to provide 85 parking spaces, controlled taxi-rank, covered bicycle parking zone, new covered walkway located adjacent to the main hospital entrance together with alterations to the existing road, footpath, retaining wall & car park to provide an additional 5 disabled use bays including all associated site works. **(Decision: Grant Permission. Decision Date: 20/07/2018).**

Planning Application Reference: SHD3ABP-305763-19

Demolition of the existing industrial buildings on site (4,800sq.m) and the construction of 2 blocks comprising: 328 apartments (93 1-bed, 222 2-bed and 13 3-bed), ancillary residential support facilities and commercial floorspace measuring 31,147sq.m gross floor space above a single basement level measuring 5,861sq.m. Block A is a part-5 to part-7 storey (13,710sq.m) over basement block comprising 149 apartments with office space (222sq.m). Block B is a part-6 to part-9 storey (17,437sq.m) over basement block comprising 179 apartments, 2 double-height retail/commercial (Class 1/Class 2) units (354sq.m), a café/restaurant (313sq.m), a creche (360sq.m), internal residents amenity area (644sq.m) at ground floor including reception (37.7sq.m), residents lounge (91.3sq.m), private dining area (52.6sq.m), co-working space (45.5sq.m), games room (47.3sq.m), gym (80sq.m) and communal lounge (220sq.m) at 6th floor level. The development also consists of the provision of a landscaped courtyard; public plaza at the corner of Airton and Belgard Road; pedestrian access from Airton Road to the Technological University campus; balconies; landscaped roof terrace at 6th floor level (7th Storey) of Block B (671sq.m); 184 car parking spaces at basement level including 14 club car spaces, 10 disabled parking spaces and 4 creche parking spaces; 727 basement and surface bicycle parking spaces; 4 motorbike parking spaces; bin storage; boundary treatments; green roofs; hard and soft landscaping; plant; lighting;

Vodafone cabin sub-station; ESB sub-stations, switch rooms and generators; and all other associated site works above and below ground. **(Decision: Grant Permission. Decision Date: 20/02/2020).**

Planning Application Reference: SHD3ABP-308398-20

(i) Demolition of the existing industrial buildings, (ii) construction of: (a) 252 'build-to-rent' apartments in a two to nine storey development. Each apartment has associated private open space in the form of a ground floor terrace or a balcony and has access to 613sq.m of internal communal amenity space (including a concierge and management facilities, communal gym, flexible meeting rooms, library/co-working space, lounge, cinema/multimedia room and external covered game area); 1792sq.m of external communal amenity space at first and second floor levels; and a 65sq.m external covered communal amenity area at first floor level. The development is served by an under-croft carpark accessible from the south-western corner of the site providing a total of 73 parking spaces (including 58 standard spaces, 10 go-car spaces and 5 mobility impaired user parking spaces) and 500 bicycle spaces at ground floor level (372 resident spaces and 128 visitor spaces); and (b) 2 commercial units (comprising of a 95sq.m unit accommodating a café/restaurant and a 145sq.m unit accommodating Class 1, 2 and 8 uses as per the Planning and Development Regulations, 2001-2019, as amended) and a 275sq.m crèche, with associated 86sq.m play area, at ground floor level; (iii) road, junction and streetscape upgrade works along Fourth Avenue and Cookstown Road, including the installation a signalized junction at the intersection of Fourth Avenue and Cookstown Road; (iv) Construction of a temporary access road along the southern site boundary; and (v) associated site and infrastructural works are also proposed which include: foul and surface water drainage; attenuation tanks; lighting; landscaping; boundary treatment; plant areas; ESB substations; and all associated site development works. **(Decision: Grant Permission. Decision Date: 28/01/2021).**

Planning Application Reference: SD20A/0088

Replacement of a portion of the facade; removal of escalators and infill of voids at first floor (ex. mezzanine 93.5sq.m and second floor (ex. food courts 64sq.m); change of use of the mezzanine floor of the previously approved and constructed retail known as C4 to a Primary Care Centre (Class 8); change of use for ground floor, first floor and second floor of the previously approved and constructed retail unit known as Food Court, to a Primary Care Centre (Class 8); 6 external signage locations: (1) at unit C5 entrance (8.17sq.m); (2) at unit C4 entrance (9.36sq.m); (3) above first/second floors entrance (11.4sq.m); (4) to east elevation (6,25sq.m); (5) above unit C5 entrance (1.5sq.m); (6) above unit C4 entrance (0.75sq.m); the change of use area when completed will form an integral part of the previously approved Academic & Primary Care Centre (SD14A/0041, SD14A/0227, SD15A/0147, SD16A/0046 and SD19A/0158 at Tallaght Cross West, Tallaght, Dublin 24. **(Decision: Grant Permission. Decision Date: 16/07/2020).**

Planning Application Reference: SD18A/0219

(1) The construction of a new two storey c.23,283sq.m building for use as data storage facilities containing: data storage rooms, electrical & mechanical plant rooms and support areas including offices and welfare facilities, loading bays, back-up generators and water storage tanks, mechanical plant at roof level is screened from view on all sides by permanent screens; (2) 27 car parking spaces; (3) amendment to previously permitted site landscaping,

boundary treatment and associated site infrastructure (planning permission Reg. Ref. SD16A/0093) and (4) the demolition of a single storey building (floor area of 310sq.m). **(Decision: Grant Permission. Decision Date: 07/08/2018).**

Planning Application Reference: SD18A/0435

(1) A Sport Science, Health and Recreation Building containing a single storey sports hall and teaching accommodation and associated facilities arranged over two storey plus roof plant areas with a total floor area 3,175sq.m; grass playing pitch 140 x 90m with flood lighting; score boards; 1m high spectator barrier; 12m high x 25m wide ball catch nets behind goal posts and spectator seating; (2) external landscaped quadrangle; pedestrian areas; footpaths and landscaping; linking existing facilities with the development; building signage; 56 covered bicycle parking spaces; covered walkways and demolition of 46 existing car parking spaces and associated site works; (3) enhanced pedestrian crossing facilities at Greenhills Road access, comprising new raised entry treatment across access and pedestrian refuge island on Greenhills Road with associated road markings and traffic signs. The application site is centrally located within the ITT campus which is bounded by Belgard Road to the west, industrial buildings accessed off Airton Road to the north, Greenhills Road to the east and to the south by Old Blessington Road and the grounds of the Old Priory, Tallaght. **(Decision: Grant Permission. Decision Date: 08/02/2019).**

Planning Application Reference: SD19A/0152

(A) Construction of a 4 storey general teaching building (c.5,211sq.m) comprising teaching spaces, class kitchens and restaurant, lecture theatres, labs and computer rooms, breakout spaces and ancillary service area with roof level plant; (B) landscaping works including the provision of a kitchen garden, orchard and wildflower meadow with beehives; (C) 28 covered cycle parking spaces; (D) all associated site development, site services, landscaping and boundary treatment works. **(Decision: Grant Permission. Decision Date: 27/06/2019).**

These sites lie within approximately 500m of the Proposed Development Site. The distance between the Proposed Development Site, the permitted development sites above and the closest European site is approximately 2.9km. This distance, in addition to the significant urban buffer between the sites and European sites, is sufficient to exclude the possibility of significant effects on the European site arising from *combined* emissions of noise, dust, pollutants and/or vibrations emitted from the Site during the Construction Phase; increased traffic volumes during the Construction and Operational Phase and associated emissions; potential increased lighting emitted from the Site during Construction and Operational Phase; and increased human presence at the Site during Construction and Operational Phase.

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

Relevant Policies and Plans

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

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

- Connecting with Nature – Draft Biodiversity Action Plan for South Dublin County 2020-2026
- South Dublin County Council Development Plan 2016-2022
- Draft South Dublin County Development Plan 2022-2028

The Connecting with Nature – Draft Biodiversity Action Plan for South Dublin County 2020-2026 is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development. The South Dublin County Council Development Plan 2016-2022 has directly addressed the protection of European Sites through specific policies (HCL12 Obj1-Obj2, HCL13 Obj1-Obj2), as will the South Dublin County Development Plan 2022-2028 (NCBH3). The relevant recommendations and mitigation measures have been integrated into the plan.

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

3.5.2.7 Operation of Ringsend WWTP

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

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

found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay.”

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

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

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

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
Glenasmole 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
Knocksink Wood SAC (000725)	No	No	No	None	None	None	NO
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
Red Bog, Kildare SAC (000397)	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
Poulaphouca Reservoir SPA (004063)	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 Belgard Square East, Belgard Road and Blessington Road, Tallaght, Dublin 24, has been assessed taking into account:

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

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

Glenasmole SAC (001209)

Wicklow Mountains SAC (002122)

South Dublin Bay SAC (000210)

Rye Water Valley/Carton SAC (001398)

Knocksink Wood SAC (000725)

North Dublin Bay SAC (000206)

Red Bog, Kildare SAC (000397)

Wicklow Mountains SPA (004040)

South Dublin Bay and River Tolka Estuary SPA (004024)

Poulaphouca Reservoir SPA (004063)

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, 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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If the scope of work includes subsurface investigation such as boreholes, trial pits and laboratory testing of samples collected from the subsurface or other areas of the site, and environmental or engineering interpretation of such information, attention is drawn to the fact that special risks occur whenever engineering, environmental and related disciplines are applied to identify subsurface conditions. Even a comprehensive sampling and testing programme implemented in accordance with best practice and a professional standard of care may fail to detect certain conditions. Laboratory testing results are not independently verified by Enviroguide and have been assumed to be accurate. The environmental, ecological, geological, geotechnical, geochemical and hydrogeological conditions that Enviroguide interprets to exist between sampling points may differ from those that actually exist. Passage of time, natural occurrences and activities on and/or near the site may substantially alter encountered conditions.

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