# APPROPRIATE ASSESSMENT SCREENING REPORT

**FOR**

PROPOSED INDUSTRIAL DEVELOPMENT

**AT**

JOHN F. KENNEDY INDUSTRIAL ESTATE,
NAAS ROAD, DUBLIN 12.

**ON BEHALF OF**

JFK Environmental Ltd.


Prepared by
Enviroguide Consulting

*Dublin*
3D Core C, Block 71, The Plaza,
Park West, Dublin 12

*Kerry*
19 Henry Street
Kenmare, Co. Kerry

*Wexford*
M10 Wexford Enterprise
Centre, Strandfield Business
Park, Rosslare Road, Wexford

www.enviroguide.ie
info@enviroguide.ie
+353 1 565 4730

# DOCUMENT CONTROL SHEET

| | |
|---|---|
| **Client** | JFK Environmental Ltd. |
| **Project Title** | Proposed Industrial Development |
| **Document Title** | Appropriate Assessment Screening Report |

| Revision | Status | Author(s) | Reviewed | Approved | Issue Date |
|---|---|---|---|---|---|
| **1.0** | Draft for internal Review | *Dr Bryan Thompson Ecologist* | *Siobhán Atkinson Senior Ecologist* | | 19.09.2022 |
| **2.0** | Final | *Dr Bryan Thompson Ecologist* | *Siobhán Atkinson Senior Ecologist* | Jim Dowdall *Director* | 21.09.2022 |

## TABLE OF CONTENTS

## LIST OF TABLES



## LIST OF FIGURES

## REPORT LIMITATIONS

Synergy Environmental Ltd. t/a Enviroguide Consulting (hereafter referred to as "Enviroguide") has prepared this report for the sole use of JFK Environmental Ltd in accordance with the Agreement under which our services were performed. No other warranty, expressed or implied, is made as to the professional advice included in this Report or any other services provided by Enviroguide.

The information contained in this Report is based upon information provided by others and upon the assumption that all relevant information has been provided by those parties from whom it has been requested and that such information is accurate. Information obtained by Enviroguide has not been independently verified by Enviroguide, unless otherwise stated in the Report.

The methodology adopted and the sources of information used by Enviroguide in providing its services are outlined in this Report.

The work described in this Report is based on the conditions encountered and the information available during the said period of time. The scope of this Report and the services are accordingly factually limited by these circumstances.

All work carried out in preparing this report has used, and is based upon, Enviroguide's professional knowledge and understanding of the current relevant national legislation. Future changes in applicable legislation may cause the opinion, advice, recommendations or conclusions set-out in this report to become inappropriate or incorrect. However, in giving its opinions, advice, recommendations and conclusions, Enviroguide has considered pending changes to environmental legislation and regulations of which it is currently aware. Following delivery of this report, Enviroguide will have no obligation to advise the client of any such changes, or of their repercussions.

Enviroguide disclaim any undertaking or obligation to advise any person of any change in any matter affecting the Report, which may come or be brought to Enviroguide's attention after the date of the Report.

Certain statements made in the Report that are not historical facts may constitute estimates, projections or other forward-looking statements and even though they are based on reasonable assumptions as of the date of the Report, such forward-looking statements by their nature involve risks and uncertainties that could cause actual results to differ materially from the results predicted. Enviroguide specifically does not guarantee or warrant any estimate or projections contained in this Report.

Unless otherwise stated in this Report, the assessments made assume that the sites and facilities will continue to be used for their current purpose without significant changes.

The content of this report represents the professional opinion of experienced environmental consultants. Enviroguide does not provide legal advice or an accounting interpretation of liabilities, contingent liabilities or provisions.

If the scope of work includes borings, test pits or engineering interpretation of such information, attention is drawn to the fact that special risks occur whenever engineering 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. The environmental, 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.

# 1 INTRODUCTION

## 1.1 Background

Enviroguide Consulting was commissioned by JFK Environmental Ltd. to carry out an Appropriate Assessment Screening Report in relation to a Proposed Industrial Development (the "Proposed Development") located at John F. Kennedy Industrial Estate, Naas Road, Dublin 12. This report contains information to enable the competent authority to undertake Stage 1 Appropriate Assessment screening in respect of the proposed works.

## 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). The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011 (SI 477 of 2011).

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 an assessment required prior to the grant of planning permission to determine whether a plan or project, based on best scientific knowledge, will have an adverse effect on the integrity of a European site, either alone or in combination with other plans and projects. It is required for any plan or project not directly connected with or necessary to the management of a site but likely to have a significant effect on it. Accordingly, 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.

A competent authority must determine that an Appropriate Assessment is required in respect of any European site where, following screening, it cannot be excluded that the plan or project will have a significant effect on the European site, in view of its conservation objectives.

This AA Screening Report has been prepared to determine whether the Proposed Development is likely to have a significant effect, alone or in combination with other plans and projects, on any European site, in view of their 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 application 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. Each stage requires different considerations, assessments and tests to ultimately arrive at the relevant conclusion for 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.

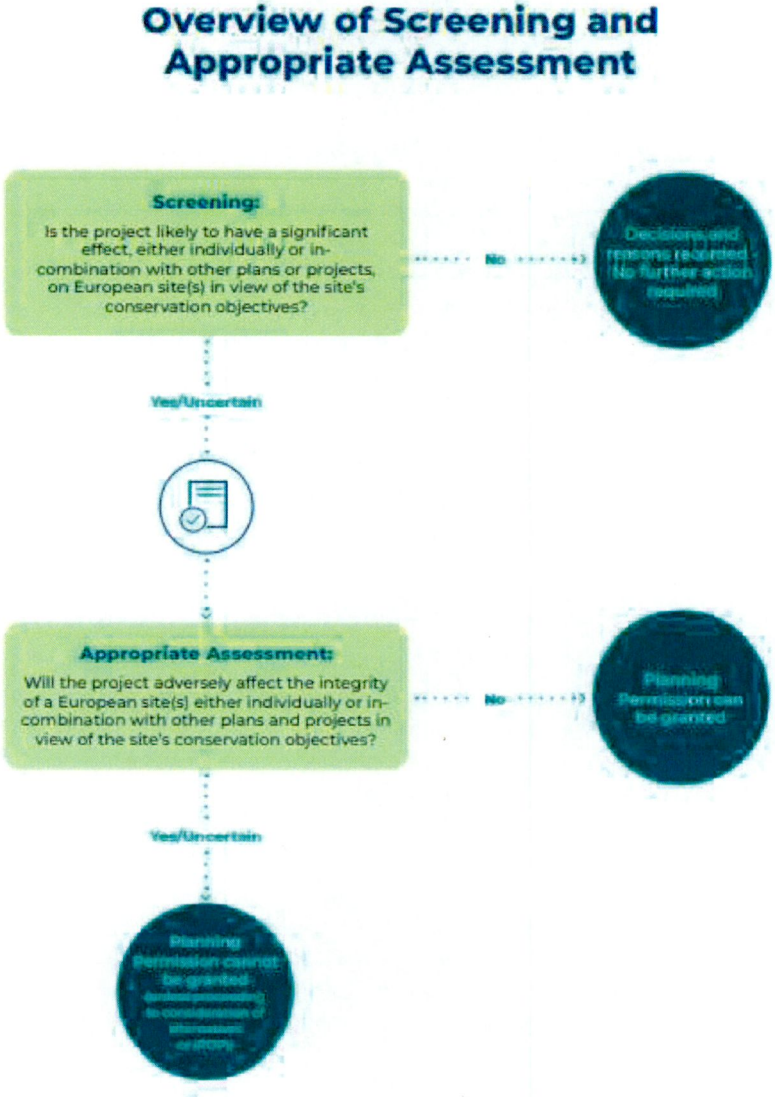


**FIGURE 1. OVERVIEW OF SCREENING AND APPROPRIATE ASSESSMENT (OPR, 2021).**

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: **Appropriate Assessment (AA).** The second stage of the AA requires the competent authority to determine whether the project or plan (either alone or in combination with other projects or plans) will have an adverse effect on the integrity of the European Site, having regard to the conservation objectives of the site and its

ecological structure and function. The applicant must provide a Natura Impact Statement (NIS) to the competent authority to inform the AA, which is a statement, for the purposes of Article 6 of the Habitats Directive of the implications of a proposed development, on its own or in combination with other plans or projects, for one or more than one European Site, in view of the conservation objectives of the Site or Sites. It must include a report of a scientific examination of evidence and data, carried out by competent persons to identify and classify any implications for one or more than one European Site in view of the conservation objectives of the Site or Sites. The competent authority must consult with the public in relation to any plan or project that requires AA. If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European Site, it can only grant consent after proceeding through steps 3 and 4.

- 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

## 1.1 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;
- *Communication from the Commission on the precautionary principle* (European Commission, 2000); and,
- *Managing European Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2019).
- *Assessment of plans and projects in relation to European Sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC Brussels, 28.9.2021 C (European Commission, 2021);* and,
- *Appropriate Assessment Screening for Development Management, OPR Practice Note PN01, Office of the Planning Regulator March 2021(updated 2022).*

## 2.1 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.

## 2.2 Desk Study

A desktop study was carried out in September 2022 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 surface water, storm water and sewage infrastructure within and surround the Site provided by the applicant and their design team.
- 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 from National Planning Application Database.

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

### 2.3 Ecological surveys

Due to the nature, location and scale of the Proposed Development, field surveys were not required for this AA screening assessment.

### 2.4 Assessment of Significant Impacts

The potential for significant effects that may arise from the Proposed Development was 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 at John F. Kennedy Industrial Estate is not directly connected with or necessary to the management of any European sites.

### 3.2 Description of Proposed Works

#### 3.2.1 Site location

The Site of the Proposed Works is located within John F. Kennedy Industrial Estate, Naas Road, Dublin 12. The Site is accessed via John F. Kennedy Road and is bounded on all sides by industrial units. The Proposed Development Site is approximately 6km west of Dublin City Centre.

#### 3.2.2 Project Description

JFK Environmental Limited intend to apply for permission for development at this c. 0.297 Ha. site at JFK Environmental Limited, John F Kennedy Road, John F Kennedy Industrial Estate, Dublin 12, D12 CF34, which operates as an EPA licensed facility. The development will comprise the demolition of the existing warehouse and ancillary office space (c. 459 sq. m) and 2 No. curtain sided storage racks (c. 46 sq. m), and the provision of a new warehouse with ancillary office space (c. 746 sq. m) and associated development. The proposed warehouse will have a maximum height of c. 11.15 metres. The development will also include: the minor repositioning of an internal gate; the rearrangement of car parking spaces

comprising a reduction from 10 No. to 7 No. car parking spaces (including the provision of an accessible parking space); bicycle parking; the provision of a sectional door on the north-east elevation; external signage; rooflights; lighting; boundary treatments; and all associated site development works above and below ground.

### 3.2.1 Construction Methodology

As part of the construction works, the existing site office and storage warehouse will be demolished including existing floors and foundations. All waste material from the demolition works will be removed off site and treated at authorised facilities. The Site will be reduced to level to enable construction of new warehouse and office building. Foundations and floors will be poured and a steel frame structure will be erected. The building will be cladded with metal sheeting and the offices made from a concrete frame with glazing panels. A full fit out of the building will be carried out.

### 3.2.2 Site Drainage

Surface water at the Site currently drains into the existing surface water sewer network. Surface water from the Site passes through an existing silt trap and a Class I full retention interceptor before discharging into the River Camac[1]. Operational Phase surface waters from the Proposed Development will continue to be directed to the existing drains.

[1] https://epawebapp.epa.ie/licences/lic_eDMS/090151b28004411f.pdf

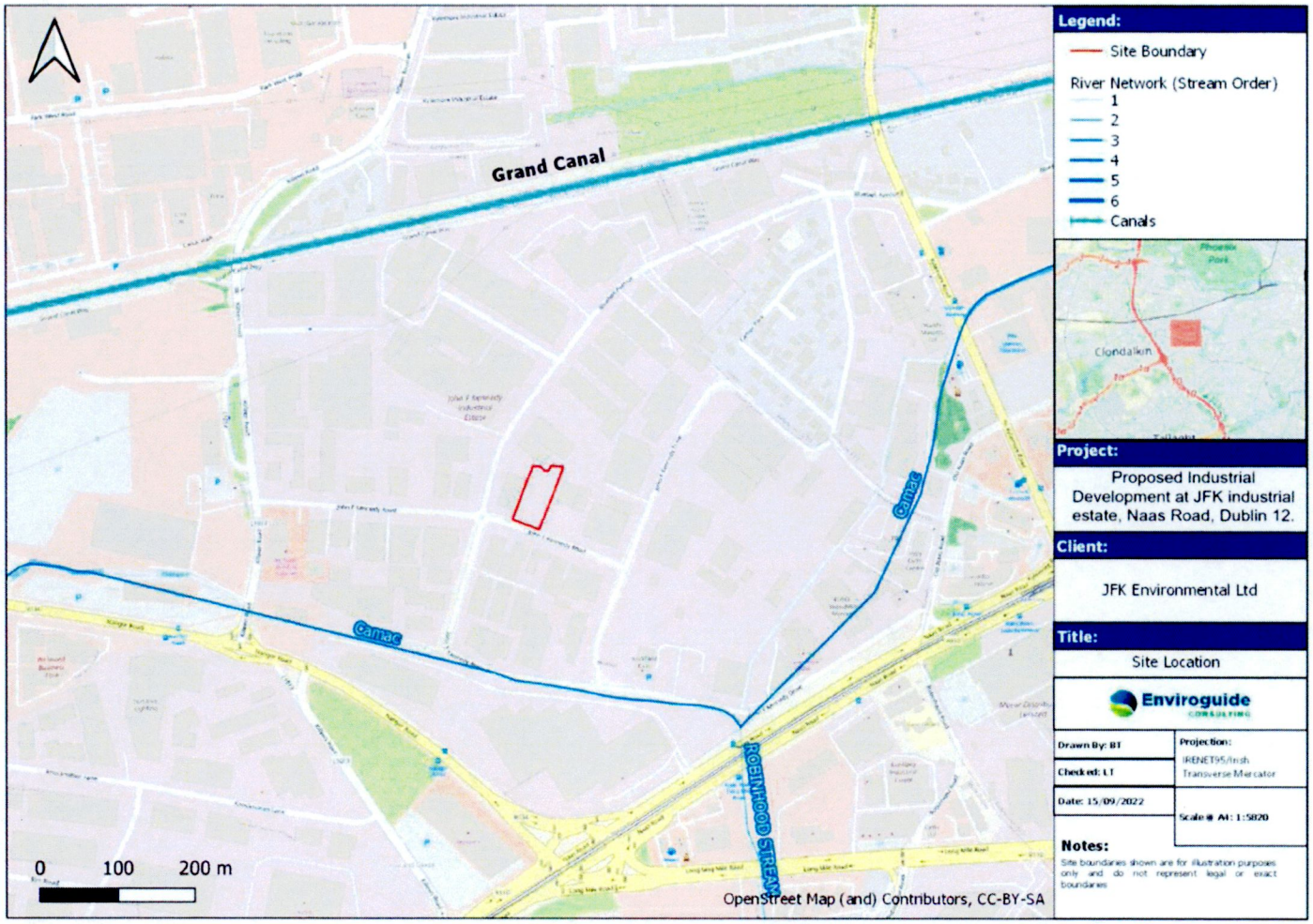


**FIGURE 2. SITE LOCATION**

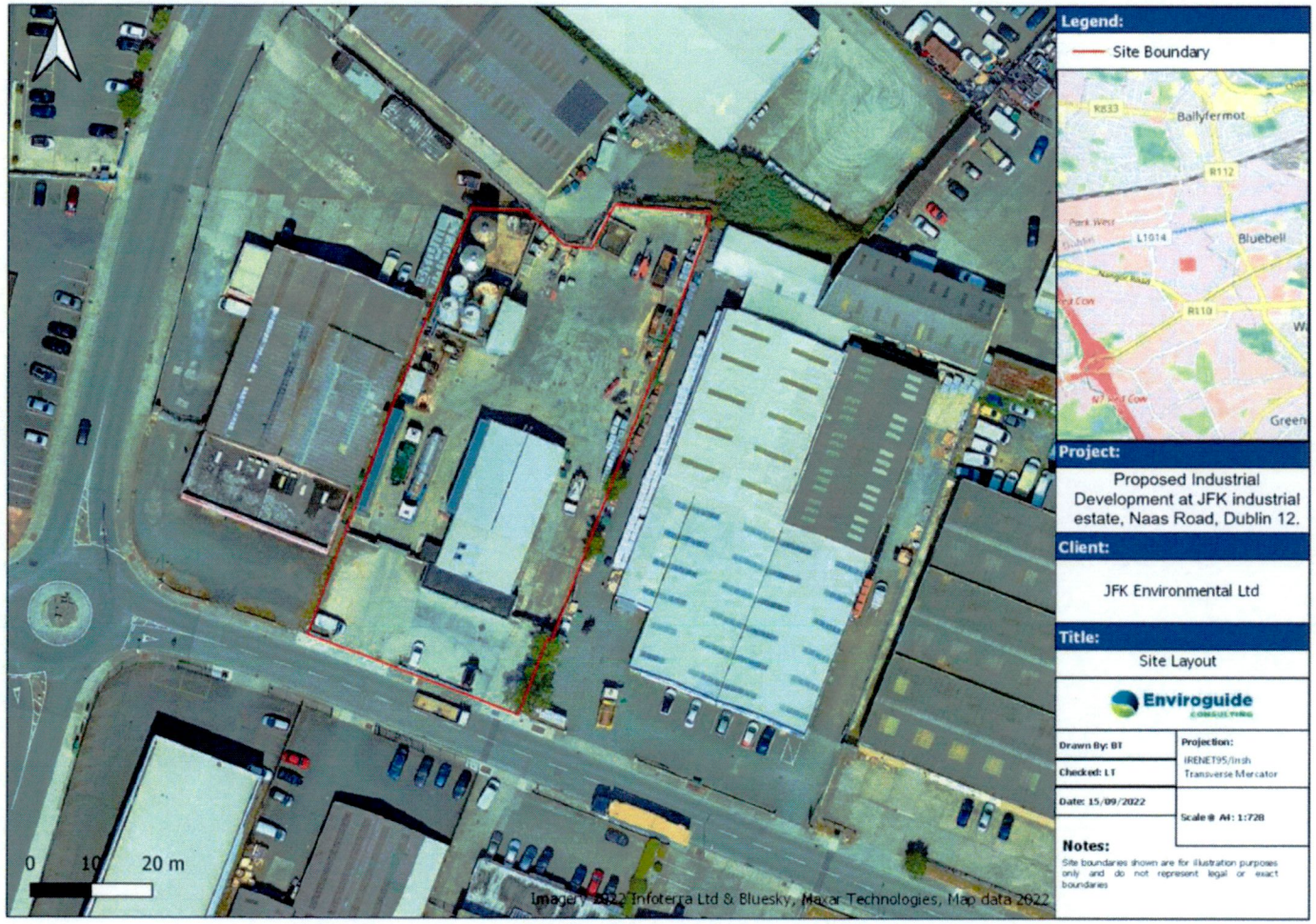


FIGURE 3. EXISTING SITE LAYOUT

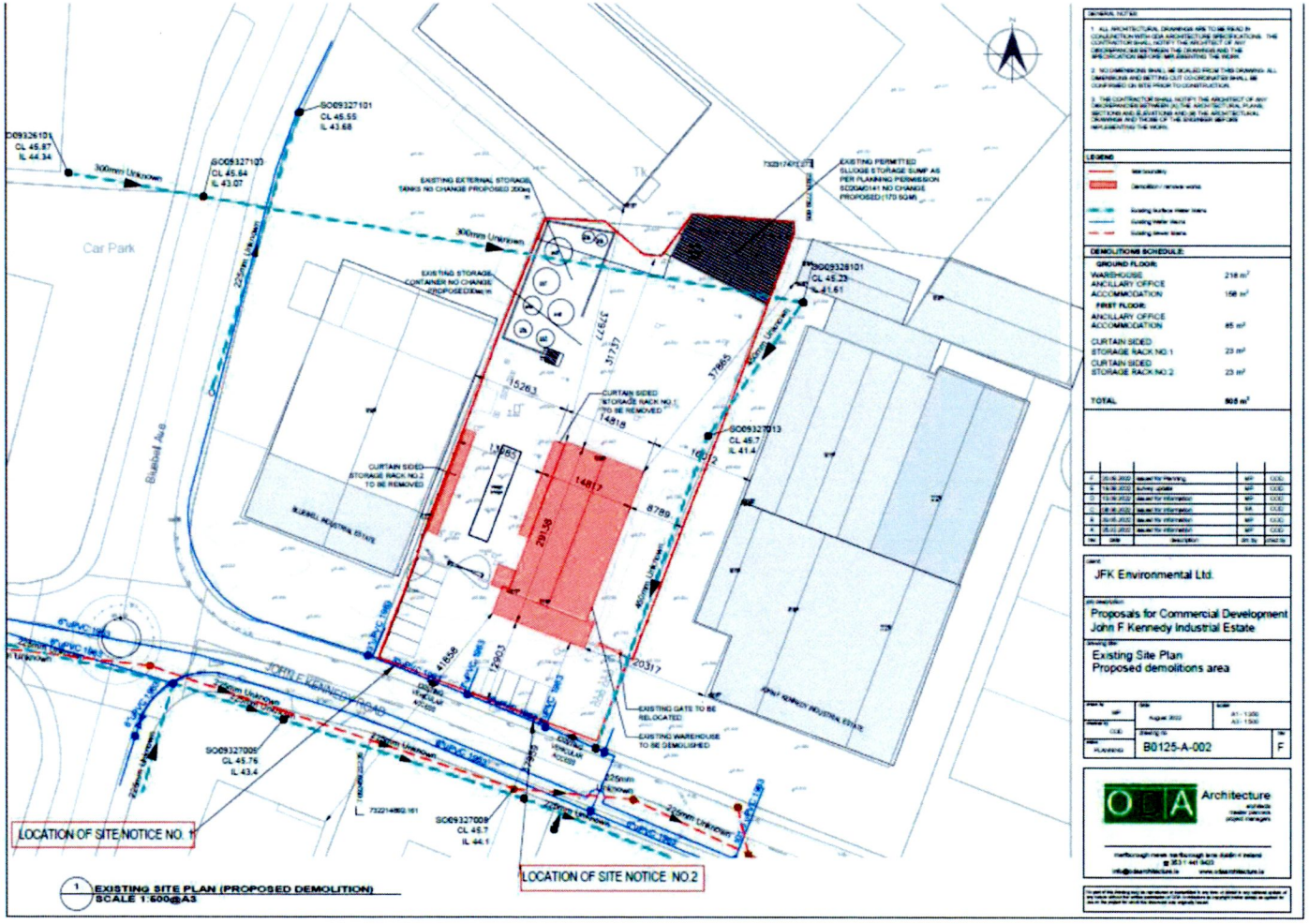


FIGURE 4 EXISTING SITE PLAN (ODA ARCHITECTURE)

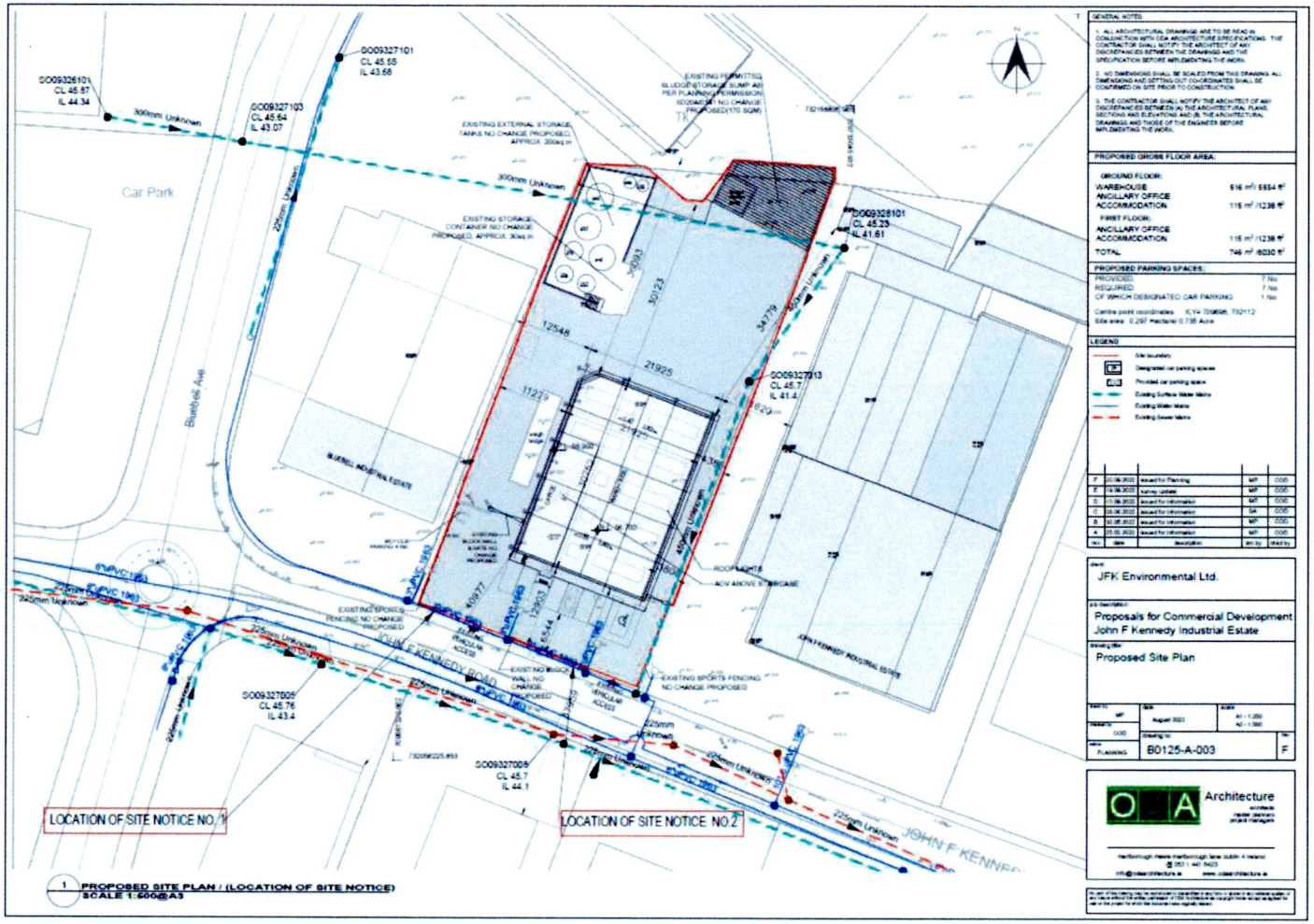


**FIGURE 5: PROPOSED SITE PLAN (ODA ARCHITECTURE)**

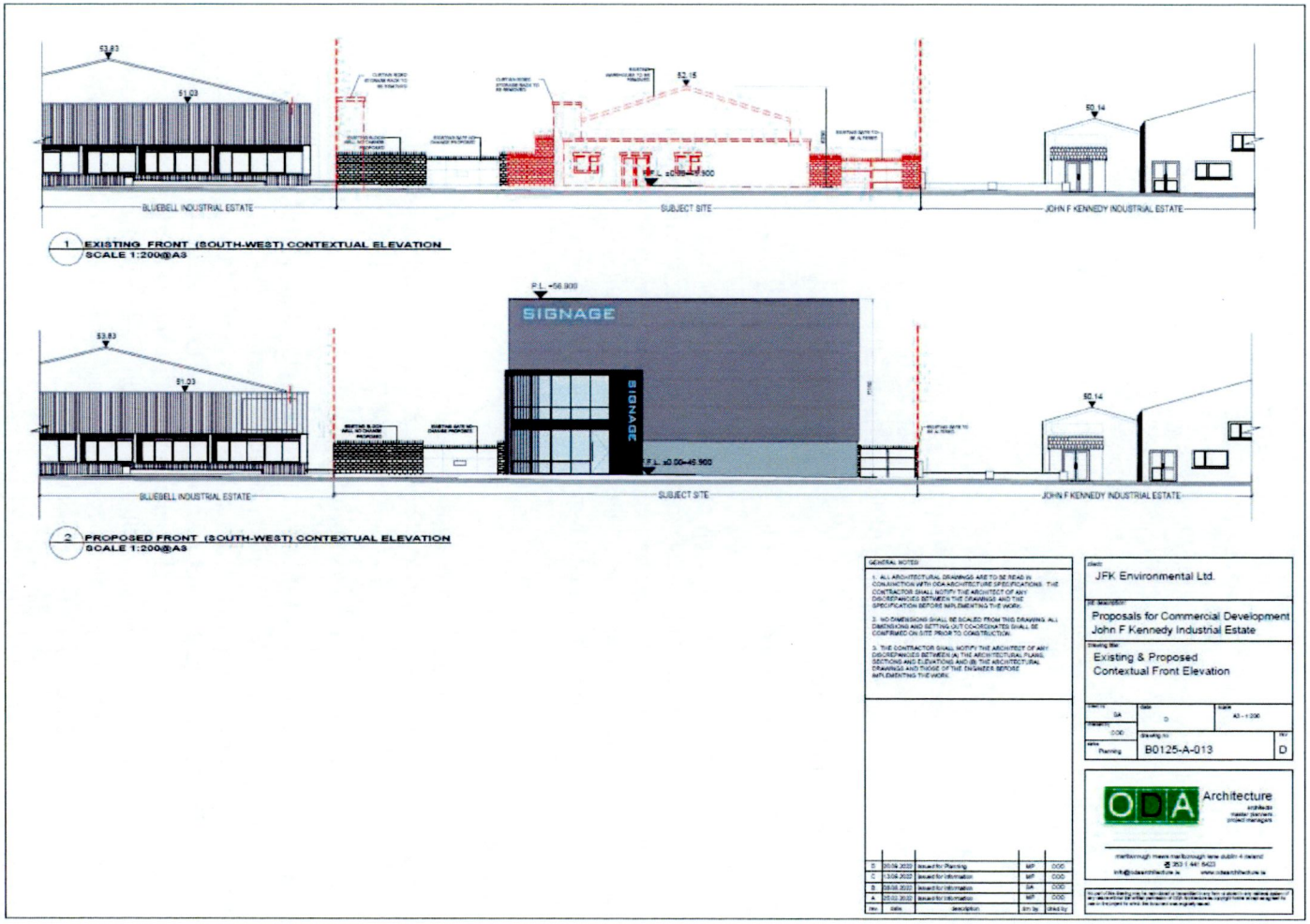


FIGURE 6 EXISTING AND PROPOSED CONTEXTUAL FRONT ELEVATION (ODA ARCHITECTURE)

## 3.3 Existing Environment

### 3.3.1 Surface Water

The Site of the Proposed Development is located within the Liffey and Dublin Bay catchment and Liffey_SC_090 sub catchment. There are no surface waterbodies within the Site. The closest river water body is the River Camac (EPA Code: 09C02).

The River Camac is located approx. 200m to the south of the Site of the Proposed Development and is culverted beneath New Nangor Road (R134) in this area. The River Camac flows in a north-east direction before discharging into the Upper Liffey Estuary (Figure 2). The River Camac has been assigned *Poor* water quality status (assessment was made in 2019) and is considered *At Risk* of not achieving its Water Framework Directive status objectives (EPA, 2022)

The Grand Canal is located *c.*390 metres to the north of the Site. Canals are required to achieve good ecological potential rather than good ecological status as they are classified as artificial waterbodies. The Grand Canal achieved good ecological potential during the 2013-2018 Water Framework Directive reporting period (O'Boyle et al. 2019).

### 3.3.2 Geology and Hydrogeology

The Site of the Proposed Works is situated on the Dublin groundwater body, which is classified as *not at risk* of failing to meet it's WFD objectives. The aquifer type in the area is *Locally Important* (Ll) on bedrock which is moderately productive in local zones only. The groundwater rock units underlying the aquifer are classified as *Dinantian Upper Impure Limestones*. The level of vulnerability to groundwater contamination from human activities in the northern half of the Site is classed as *Moderate* and in the southern half of the Site the groundwater vulnerability is classed as *High*. The subsoil beneath the site is made ground *(Made)*. The soil is classed as *urban* (GSI, 2022).

### 3.3.3 Habitats

Based on the latest satellite imagery and aerial photography (March 2022), the habitat at the Site of the Proposed Works are comprised of building and artificial surfaces (BL3) (Figure 3).

## 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 applicable to 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 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.

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 Precautionary zone of influence (within 15km of the Proposed Development Site) were identified and are shown in Figure 7.
- 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 are five SAC's and three SPA's located within the precautionary 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 the European Sites within the ZOI were identified (Table 1).

**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 | Qualifying Interests ( *= priority habitats) | Distance to Site | Source Pathway-Receptor |
|---|---|---|---|
| **Special Areas of Conservation (SAC)** | | | |
| Glenasmole Valley SAC (001209) | **Conservation Objectives Version 1.0 (NPWS, 2021a)**<br>• [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco Brometalia*) (* important orchid sites)*<br>• [6410] *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinion caeruleae*)<br>• [7220] Petrifying springs with tufa formation (Cratoneurion)* | 7.7 km south | **None:**<br>The intervening distance is deemed sufficient to exclude the possibility of significant effects on this SAC arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase.<br><br>Glenasmole Valley is situated within the upper reaches of the River Dodder catchment. Therefore, there is no hydrological connection between the Site of the Proposed Works and this SAC, and thus no risk of any potential surface water discharges containing sediment, silt and/or pollutants arising from the Construction and/or Operational Phase of the Proposed Development contaminating this SAC. |
| South Dublin Bay SAC (000210) | **Conservation Objectives Version 1.0 (NPWS, 2013a)**<br><br>**Annex I Habitats:**<br>• [1140] Mudflats and sandflats not covered by seawater at low tide<br>• [1210] Annual vegetation of drift lines<br>• [1310] Salicornia and other annuals colonising mud and sand<br>• [2110] Embryonic shifting dunes | 9.2 km east | **Yes:** There is a weak hydrological connection between this SAC and the Proposed Development Site via surface water drainage from Site which flows into the River Camac and ultimately Dublin Bay during the Construction and Operational Phases.<br><br>The intervening land distance is deemed sufficient to exclude the possibility of significant effects on this SAC arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase. |
| Rye Water Valley/Carton SAC (001398) | **Conservation Objectives Version 1.0 (NPWS, 2021b)**<br>**Annex I Habitats:**<br>• [7220] Petrifying springs with tufa formation (Cratoneurion)*<br>**Annex II Species:**<br>• [1014] Narrow-mouthed Whorl Snail *Vertigo angustior*<br>• [1016] Desmoulin's Whorl Snail *Vertigo moulinsiana* | 9.8 km north west | **None:**<br><br>The intervening distance is deemed sufficient to exclude the possibility of significant effects on this SAC arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase.<br><br>There is no hydrological connection or alternative pathway between the Proposed Works and this SAC. |
| Wicklow Mountains SAC (002122) | **Conservation Objectives Version 1.0 (NPWS, 2017)**<br>**Annex I Habitats:** | 10.2 km south | |

| Site Name | Qualifying Interests ( *= priority habitats) | Distance to Site | Source Pathway-Receptor |
|---|---|---|---|
| | • [3110] Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*)<br>• [3160] Natural dystrophic lakes and ponds<br>• [4010] Northern Atlantic wet heaths with *Erica tetralix*<br>• [4030] European dry heaths<br>• [4060] Alpine and Boreal heaths<br>• [6130] Calaminarian grasslands of the *Violetalia calaminariae* [6230]<br>• Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas(and submountain areas, in Continental Europe) [6230]*<br>• [7130] Blanket bogs (* if active bog)<br>• [8110] Siliceous scree of the montane to snow levels (*Androsacetalia alpinae* and *Galeopsietalia ladani*)<br>• [8210] Calcareous rocky slopes with chasmophytic vegetation<br>• [8220] Siliceous rocky slopes with chasmophytic vegetation 91A0<br>• Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles<br>**Annex II Species:**<br>• [1355] Otter *Lutra lutra* | | |
| North Dublin Bay SAC (000206) | **Conservation Objectives Version 1.0 (NPWS, 2013b)**<br>**Annex I Habitats:**<br>• [1140] Mudflats and sandflats not covered by seawater at low tide<br>• [1210] Annual vegetation of drift lines<br>• [1310] *Salicornia* and other annuals colonising mud and sand<br>• [1330] Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)<br>• [1410] Mediterranean salt meadows (*Juncetalia maritimi*)<br>• [2110] Embryonic shifting dunes<br>• [2120] Shifting dunes along the shoreline with | 11.9 km east | **Yes:** There is a weak hydrological connection between this SAC and the Proposed Development Site via surface water drainage from Site which flows into the River Camac and ultimately Dublin Bay during the Construction and/or Operational Phases.<br><br>The intervening land distance is deemed sufficient to exclude the possibility of significant effects on the SAC arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase. |

| Site Name | Qualifying Interests ( *= priority habitats) | Distance to Site | Source Pathway-Receptor |
|---|---|---|---|
| | *Ammophila arenaria* (white dunes)<br>• [2130] Fixed coastal dunes with herbaceous vegetation (grey dunes)*<br>• [2190] Humid dune slacks<br>**Annex II Species:**<br>• [1395] Petalwort *Petalophyllum ralfsii* | | |
| **Special Protected Area (SPA)** | | | |
| South Dublin Bay and River Tolka Estuary SPA (004024) | **Conservation Objectives Version 1.0 (NPWS, 2015a)**<br>• [A046] Light-bellied Brent Goose *Branta bernicla hrota*<br>• [A130] Oystercatcher *Haematopus ostralegus*<br>• [A137] Ringed Plover *Charadrius hiaticula*<br>• [A141] Grey Plover *Pluvialis squatarola*<br>• [A143] Knot *Calidris canutus*<br>• [A144] Sanderling *Calidris alba*<br>• [A149] Dunlin *Calidris alpina alpina*<br>• [A157] Bar-tailed Godwit *Limosa lapponica*<br>• [A162] Redshank *Tringa totanus*<br>• [A179] Black-headed Gull *Chroicocephalus ridibundus*<br>• [A192] Roseate Tern *Sterna dougallii*<br>• [A193] Common Tern *Sterna hirundo*<br>• [A194] Arctic Tern *Sterna paradisaea*<br>• [A999] Wetlands and Waterbirds | 8.9 km east | **Yes:** There is a weak hydrological connection between this SPA and the Proposed Development Site via surface water drainage from Site which flows into the River Camac and ultimately Dublin Bay during the Construction and/or Operational Phases.<br><br>The intervening land distance is deemed sufficient to exclude the possibility of significant effects on the SPA arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase.<br><br>The Site of the Proposed Development is comprised of man-made built land. This habitat is not suitable *ex-situ* breeding, roosting, staging or foraging habitats for any of the species listed as qualifying interests for this SPA. |
| Wicklow Mountains SPA (004040) | **Conservation Objectives Generic Version 7.0 (NPWS, 2022)**<br>• [A098] Merlin *Falco columbarius*<br>• [A103] Peregrine *Falco peregrinus* | 10.5 km south | **None:**<br><br>The intervening distance is deemed sufficient to exclude the possibility of significant effects on the SPA arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during Construction Phase.<br><br>There is no hydrological connection or alternative pathway between the Proposed Works and the SPA. |

| Site Name | Qualifying Interests ( *= priority habitats) | Distance to Site | Source Pathway-Receptor |
|---|---|---|---|
| North Bull Island SPA (004006) | • **Conservation Objectives Version 1.0 (NPWS, 2015b)**<br>• [A046] Light-bellied Brent Goose *Branta bernicla hrota*<br>• [A048] Shelduck *Tadorna tadorna*<br>• [A052] Teal *Anas crecca*<br>• [A054] Pintail *Anas acuta*<br>• [A056] Shoveler *Anas clypeata*<br>• [A130] Oystercatcher *Haematopus ostralegus*<br>• [A140] Golden Plover *Pluvialis apricaria*<br>• [A141] Grey Plover *Pluvialis squatarola*<br>• [A143] Knot *Calidris canutus*<br>• [A144] Sanderling *Calidris alba*<br>• [A149] Dunlin *Calidris alpina alpina*<br>• [A156] Black-tailed Godwit *Limosa limosa*<br>• [A157] Bar-tailed Godwit *Limosa lapponica*<br>• [A160] Curlew *Numenius arquata*<br>• [A162] Redshank *Tringa totanus*<br>• [A169] Turnstone *Arenaria interpres*<br>• [A179] Black-headed Gull *Chroicocephalus ridibundus*<br>• [A999] Wetlands | 11.9 km east | **Yes:** There is a weak hydrological connection between this SPA and the Proposed Development Site via surface water drainage from Site which flows into the River Camac and ultimately Dublin Bay during the Construction and/or Operational Phases.<br><br>The intervening land distance is deemed sufficient to exclude the possibility of significant effects on the SPA arising from: emissions of noise, dust, airborne pollutants and/or vibrations emitted from the Site during the Construction Phase; potential increased lighting emitted from the Site during Construction Phase; and increased human presence at the Site during the Construction Phase.<br><br>The Site of the Proposed Development is comprised of man-made built land. This habitat is not suitable *ex-situ* breeding, roosting, staging or foraging habitats for any of the species listed as qualifying interests for this SPA. |

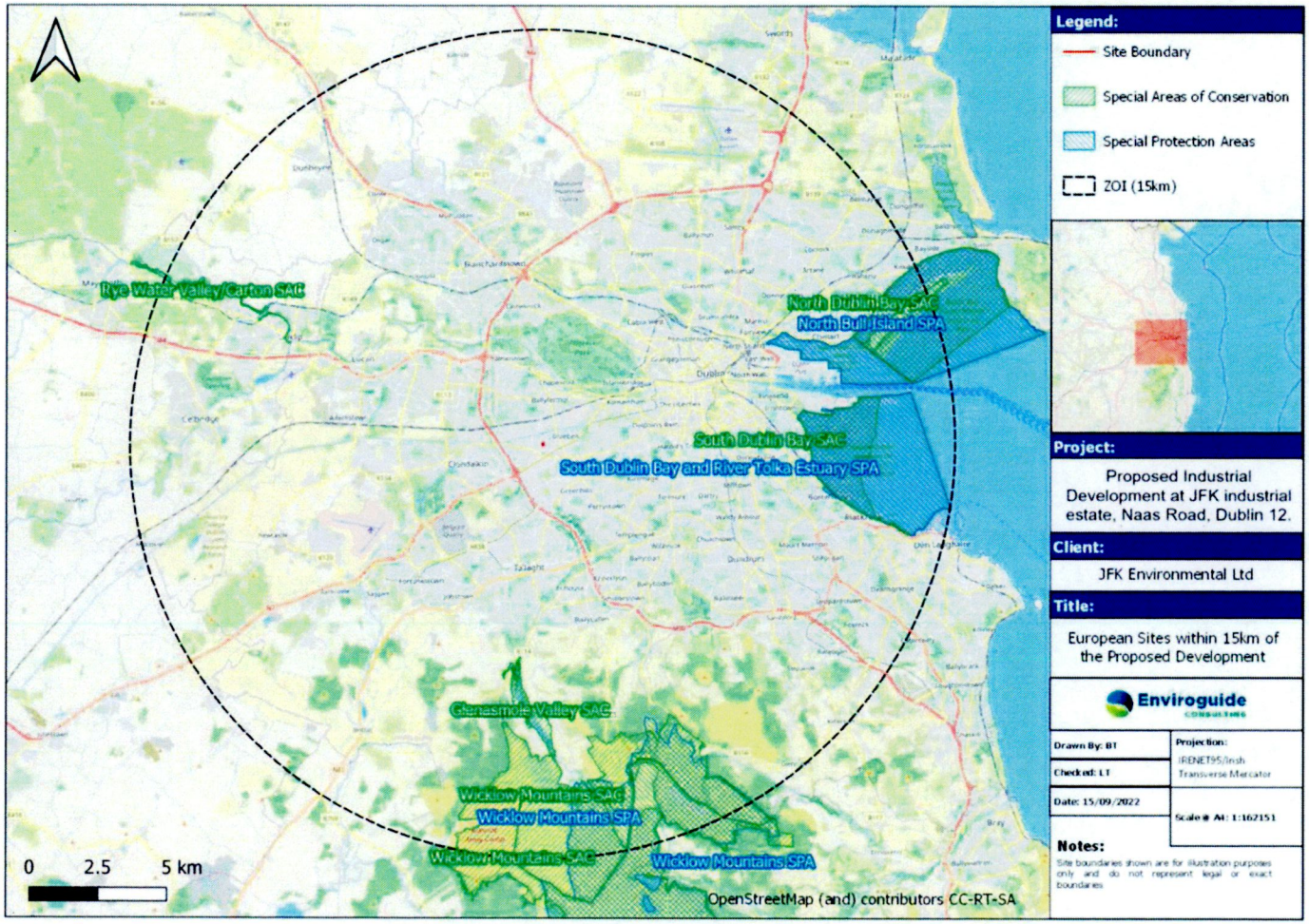


**FIGURE 7. EUROPEAN SITES WITHIN 15KM OF PROPOSED SITE**

## 3.5 Conservation objectives

European Sites 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 (000210)
- North Dublin Bay SAC (000206)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

### 3.5.1 Conservation Objectives

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them.

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

The maintenance of habitats and species within European Sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, is 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.

## 3.6 Identification and Assessment of Potential Impacts

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., "Assessment of plans and projects significantly affecting European 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 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**
  - 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 surface water drainage network;
  - Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater;
  - Waste generation during the Construction Phase comprising soils and construction wastes
  - Increased noise, dust and/or vibrations as a result of construction activity;
  - Increased dust and air emissions from construction traffic;
  - Increased lighting in the vicinity as a result of construction activity.

- **Operational Phase**
  - Surface water run-off containing silt, sediments and/or other pollutants into the surface water drainage network

### 3.6.1 Habitat Loss and Alteration

The Proposed Development Site 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. Furthermore, the entire Site is comprised of built land (BL3) and therefore is no value to SCI species associated with the aforementioned European Sites.

### 3.6.2 Habitat / Species Fragmentation

Habitat fragmentation has been defined as the 'reduction and isolation of patches of natural environment' (Hall *et al.*, 1997 cited in Franklin *et al.*, 2002) usually due to an external disturbance such that an alteration of the spatial composition of a habitat occurs that alters the habitat and 'create[s] isolated or tenuously connected patches of the original habitat' (Wiens, 1989 cited in Franklin *et al.*, 2002). This results in spatial separation of habitat units which had previously been in a state of greater continuity.

As there will be no habitat loss within any European sites, it is not considered that habitat fragmentation will arise as a result of the Proposed Development.

### 3.6.3 Disturbance and / or Displacement of Species

Surface water from the Proposed Development Site is discharged into the River Camac (EPA, 2004) to the south before flowing into the River Liffey and ultimately Dublin Bay. The surface water sewers which receive surface waters from the Proposed Development Site are currently fitted with a silt trap and a Class I full retention interceptor[2]. Given the small scale and nature of the Proposed Works, it is deemed unlikely that during the Construction Phase, a pollution event would occur of a scale that would have adverse effects on water quality, resulting in the disturbance and/or displacement of the aforementioned species, as well as any Qualifying Interest/Special Conservation Interests of the European sites in Dublin Bay. This is due to the distance between the Site and the discharge point to Dublin Bay (~13km river length) and the potential for dilution in the River Camac. Similarly, surface water run-off during the Operational Phase will also be directed to the above surface water network and will not result in disturbance and/or displacement of species for the reasons outlined above.

### 3.6.4 Changes in Population Density

Given that the surface water system which receives run-off from the Site is already fitted with a silt trap and a Class I full retention interceptor coupled with the distance between the Site and the discharge point to Dublin Bay (~13km river length) and the potential for dilution in the River Camac, it is considered that the surface water run-off during the Construction and/or Operational Phase will not lead to any changes in population of SCI species associated with South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA or North Bull Island SPA.

### 3.6.5 Changes in Water Quality and Resource

As outlined above, the surface water system which receives run-off from the Site is already fitted with a silt trap and a Class I full retention interceptor. This coupled with the distance between the Site and the discharge point to Dublin Bay (~13km river length) and the potential for dilution in the River Camac, it is not considered that the surface water run-off during the Construction and/or Operational Phase will lead to changes in water quality of the River Camac itself or the European Sites in Dublin Bay.

[2] https://epawebapp.epa.ie/licences/lic_eDMS/090151b28004411f.pdf

## 3.7 Potential for In-combination Effects

### 3.7.1 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 500m of the Proposed Development are identified below and the potential for possible in-combination effects with the Proposed Development are assessed.

**TABLE 2: ASSESSMENT OF POTENTIAL IN-COMBINATION EFFECTS OF THE PROPOSED DEVELOPMENT AND OTHER DEVELOPMENTS PENDING OR GRANTED PERMISSION IN THE LAST 5 YEARS (2017-2022) WITHIN 500M OF THE SITE.**

| Planning Application | Development Description | Distance to Proposed Development | Potential for in-combination effects? |
|---|---|---|---|
| **Kayfoam Woolfson UC**<br><br>**Application No: SD18A/0329** | Development of 368sq.m extension to existing storage unit and 144sq.m infill extension to existing production unit together with all associated ancillary works. This application relates to a development which comprises or is for the purpose of an activity requiring an Integrated Pollution Prevention and Control License. | 120m north-west | The planning application form submitted with this report dated 13/10/2017 concludes that these works do not relate to work within or in close proximity to a European Site. Due to the small scale nature of this development no AA screening or other environmental reports were required. This development is also subject to an IPPC licence. As such, it can be concluded that this development will not act in combination with the Proposed Development to impact European sites. |
| **Gerry O'Brien**<br><br>**Application No: SD17A/0370** | Sub-division of the extant single light industrial unit with a floor area of 3009sq.m into three separate light industrial units each with a floor area of 327sq.m, 327sq.m and 2355sq.m and the provision of a new vehicular service entrance and a 2.4m high galvanised metal palisade boundary fencing, with three access gates to the front of property. | 200m north-west | The planning application form submitted with this report dated 17/09/2018 states that the proposed works do not related to work within or in close proximity to a European Site. Due to the small scale nature of this development, no AA screening or other environmental reports were required. As such it can be concluded that this development will not act in combination with the Proposed Development to impact European sites. |
| **Bluebell Motor Company**<br><br>**Application No: SD21A/0298** | Car showroom extension to front of existing premises; new signage; all ancillary site works. | 348m North - east | The planning application form submitted with this report dated 29/10/2021 states that the proposed works do not related to work within or in close proximity to a European Site. Due to the small scale nature of |

| | | | |
|---|---|---|---|
| | | | this development no AA screening or other environmental reports were required. As such it can be concluded that this development will not act in combination with the Proposed Development to impact European sites. |
| **Motor Import Unlimited Company**<br><br>**Application Number: SD19A/0366** | Demolition of existing light industrial building (formerly known as Acoustic House) totaling 1,742sq.m; provision of new hardstanding areas and use of the former Acoustic House site as part of the adjacent Frank Keane Motors site to provide for used vehicle display; compound parking; customer parking; service parking; demo parking; construction of a 6 bay car wash and valet facility (244sq.m) located at the western boundary of the site; all associated boundary treatments and all associated site and development works on a site (1.3889ha) at Frank Keane Motors and adjacent premises formerly known as Acoustic House (vacant). | 318m south-east | The planning application form submitted with this report dated 21/10/2019 states that the proposed works do not relate to work within or in close proximity to a European Site. Due to the small scale nature of this development AA screening or other environmental reports were required. As such it can be concluded that this development will not act in combination with the Proposed Development to impact European sites. |
| **Maxol Limited**<br><br>**Application No: SD19A/0406** | Demolition of the existing forecourt building (246sq.m); removal of the existing car wash facility, storage shed and totem signs at Maxol, Long Mile Road Junction; demolition of existing building (180sq.m); removal of portacabin (59sq.m) and the part removal of boundary treatments at Beechlawn Motors, The Huntsman Service Station; Construction of a single storey forecourt building (491sq.m) accommodating a shop (net retail area 100sq.m including a 16sq.m ancillary off-licence); 3 restaurant/café areas including the sale of hot and cold food for consumption on and off the premises, including a drive-thru facility; associated restaurant/café seating area; ancillary kitchens; staff and customer facilities; plant storage; back of house and circulation spaces; external compound; substation switch room (23sq.m) and solid fuel store (10.7sq.m); signage (replacement of two 7m high double sided internally illuminated totem signs, 1 at a revised location; illuminated | 456m south-east | The Appropriate Assessment report (December 2019) submitted with this application **concluded that** "*This project has been screened for AA under the appropriate methodology. It has been found that significant effects are not likely to arise , either alone or in combination with other plans or projects or projects to the Natura 2000 network. No mitigation Measures have been relied upon to arrive at this assessment".* Therefore, considering this development did not predict significant impacts to European Sites, there is no potential for this development to act in combination with the Proposed Development to impact European Sites. |

| | | | |
|---|---|---|---|
| | shopfront signage on proposed forecourt building; signage associated with the car wash facility and solid fuel store; 4 double sided poster signs located at entry points); revisions to the overall site layout (the provision of 35 car parking spaces; bicycle parking spaces; vehicular circulation including amendment of existing vehicular access point at the Beechlawn Motors site to provide entry only; new car wash facility; offset fills and vents; alterations to external lighting; changes to levels; hard and soft landscaping including revised boundary treatments; associated site servicing (water supply, foul and surface water drainage including surface water attenuation measures); all other associated site development works above and below ground; temporary structure (72sq.m) to accommodate a shop (net retail area 12sq.m); storage; ancillary support facilities; temporary siting of the proposed solid fuel store (10.7sq.m) during the construction phase. | | |

On examination of the above, it is considered that there is no potential for the Proposed Development to act in-combination with other developments in the vicinity that may cause likely significant effects on the above European Sites.

### 3.7.2 Relevant Policies and Plans

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

- Dublin City Development Plan 2016- 2022
- Draft Dublin City Development Plan 2022-2028
- Draft Dublin City Biodiversity Action Plan 2021-2025
- **South Dublin County Councils 'City Edge'** Project

The Dublin City Development Plan 2016-2022 has directly addressed the protection of European Sites through specific policies (CCO9). The Draft Dublin City County Development Plan 2022-2028 is currently at public consultation phase however it is expected that policies and objectives relating to the protection of European Sites will be maintained or enhanced. The Draft Biodiversity Action Plan for Dublin City 2021-2025 is set out to protect and improve biodiversity, and as such will not result in negative in-combination effects with the Proposed Development. **South Dublin County Council's 'City Edge' project aims to transform** the Naas Road, Ballymount and Park West areas of Dublin creating 40,000 new homes and 75,000 new jobs. Given that the Site of the Proposed Development is currently in industrial use and is not

suitable ex-situ habitat for any QI species coupled with the small scale nature of the proposed works, it is not considered that the Proposed Development will act in combination with the City Edge Plan to significantly effect the integrity of any European Site.

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

# 4 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Commercial Development at JFK Industrial Estate, Naas Road, Dublin 12 has been assessed taking into account:

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

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

**Glenasmole Valley SAC (001209)**

**South Dublin Bay SAC (000210)**

**Rye Water Valley/Carton SAC (001398)**

**Wicklow Mountains SAC (002122)**

**North Dublin Bay SAC (000206)**

**South Dublin Bay and River Tolka Estuary SPA (004024)**

**Wicklow Mountains SPA (004040)**

**North Bull Island SPA (004006)**

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

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

# 5 REFERENCES

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

**Department of the Environment, Heritage and Local Government. (2021).** Circular Letter: EUIPR 01/2021. Amendments to section 42 of the Planning and Development Act 2000, as amended and associated Planning and Development Regulations 2001.

**Environmental Protection Agency. (2022).** Environmental Protection Agency Online Mapping [ONLINE] Available at: http://www.epa.ie/ [Accessed September 2022].

**Environmental Protection Agency. (2004).** Inspectors Report on a Licence Application: Application for Waste Licence from MacAnulty Specialist Underground Services Ltd. t/a MacAnulty Clear Drains, Licence Register 196-1. Available at: https://epawebapp.epa.ie/licences/lic_eDMS/090151b28004411f.pdf

**European Commission. (2000).** Managing European Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. European Communities, Luxembourg.

**European Commission. (2019).** Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1555085968125&uri=CELEX:52019XC0125(07).

**European Commission. (2021).** 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 Brussels, 28.9.2021

**Franklin, A. N. (2002).** What is Habitat Fragmentation? Studies in Avian Biology, 20-29.

**Geological Survey Ireland. (2022).** Geological Survey of Ireland website [ONLINE] Available at: http://www.gsi.ie/ accessed [Accessed September 2022].

**NPWS. (2010).** Circular NPW 1/10 & PSSP 2/10. Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Department of Environment, Heritage and Local Government.

**NPWS (2013a)** Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2013b)** Conservation Objectives: North Dublin Bay SAC 000206. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2015a)** Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2015b)** Conservation Objectives: North Bull Island SPA 004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

**NPWS (2017)** Conservation Objectives: Wicklow Mountains SAC 002122. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.

**NPWS (2021a)** Conservation Objectives: Glenasmole Valley SAC 001209. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

**NPWS (2021b)** Conservation Objectives: Rye Water Valley/Carton SAC 001398. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.

**NPWS (2022)** Conservation objectives for Wicklow Mountains SPA [004040]. Generic Version 9.0. Department of Housing, Local Government and Heritage.

**O'Boyle, S., Trodd, W., Bradley, C., Tierney, D., Wilkes, R., Ní Longphuirt, S., Smith, J., Stephens, A., Barry, J., Maher, P., McGinn, R., Mockler, E., Deakin, J., Craig, M. and Gurrie, M. 2019.** Water Quality in Ireland 2013-2018. Environmental Protection Agency, Johnstown

**Office of the Planning Regulator (2021).** Appropriate Assessment Screening for Development Management, OPR Practice Note PN01