Screening for Appropriate Assessment (Stage 1)

Development at Old Blessington Road, Tallaght, Dublin 24

on behalf of South Dublin County Council

August 2023

McCutcheon Halley
CHARTERED PLANNING CONSULTANTS

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1. Introduction

1.1 Purpose

This report contains information required for the Competent Authority (South Dublin County Council) to undertake a screening exercise for Appropriate Assessment (AA). This report has been prepared by McCutcheon Halley Chartered Planning Consultants (MHP), on behalf of the Applicant, South Dublin County Council, to accompany an application for lands at Old Blessington Road, Tallaght, Dublin 24 (Site Area 2,410sqm). Permission is being sought for a County Heritage Centre.

The report provides information on and assesses the potential for the proposed development to impact on identified Designated European Sites (termed Natura 2000 sites[1]).

It is necessary that the proposed development or project has regard to Article 6 of the Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (hereafter referred to as the Habitats Directive). This is transposed in Ireland primarily by S.I. No. 477 of 2011, European Communities (Birds and Natural Habitats) Regulations 2011 (thereafter referred to as the Birds and Habitats Regulations) and by the Planning and Development (Amendment) Act 2010, as amended (hereafter referred to as the Planning Acts).

It is the responsibility of the Competent Authority to make a decision as to whether or not the proposed development is likely to have significant effects, either individually or in combination with other plans or projects, on Natura 2000 sites. If likely significant effects cannot be ruled out, a Natura Impact Assessment of the implications of the proposed development on the integrity of Natura 2000 sites in view of their conservation objectives is required to be undertaken.

This report concludes that likely significant effects can be ruled out and accordingly a NIS is not included with the application.

2. Regulatory Context & Legislation

2.1 European Nature Directives (Habitats and Birds)

Special Areas of Conservation (SAC) are designated under the Conservation of Natural Habitats and of Wild Fauna and Flora Directive 92/43/EEC (Habitats Directive) which is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011).

Special Protection Areas (SPAs) are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds).

[1] Natura 2000 sites are part of an EU-wide network of nature protection areas established under the EU Habitats Directive. The aim of the network is to aid the long-term survival of Europe's most valuable and threatened species and habitats. In Ireland it is comprised of Special Areas of Conservation (and candidate Special Areas of Conservation) designated as per the requirements of the Habitats Directive, and also incorporates Special Protection Areas designated as per the EU Birds Directive.

Collectively, SACs and SPAs are referred to as Natura 2000 sites. In general terms, they are considered to be of exceptional importance in terms of rare, endangered or vulnerable habitats and species within the European Community.

Under Article 6(3) of the Habitats Directive an Appropriate Assessment must be undertaken for any plan or project that is likely to have a significant effect on the conservation objectives of a Natura 2000 site. An Appropriate Assessment is an evaluation of the potential impacts of a plan or project on the conservation objectives of a Natura 2000 site. Where necessary, mitigation or avoidance measures should be proposed to preclude negative effects.

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

2.2 EC (Birds and Natural Habitats) Regulations 2011

Part 5 of the EC (Birds and Natural Habitats) Regulations 2011 sets out the circumstances under which an 'appropriate assessment' is required. Section 42(1) requires that 'a screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.'

2.3 Planning and Development Regulations 2001, as amended

Section 250 of the Planning and Development Regulations 2001 as amended sets out the circumstances under which an 'appropriate assessment' is required. Section 250 (1) requires that 'In order to ascertain whether an appropriate assessment is required in respect of a development which it proposes to carry out a local authority shall carry out a screening of the proposed development to assess, in view of best scientific knowledge, if the development, individually or in combination with other plans or projects, would be likely to have a significant effect on a European site.'

Section 250 (2) states that "*If on the basis of a screening under sub - article (1) it cannot be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, would have a significant effect on a European site, the local authority shall determine that an appropriate assessment of the proposed development is required and shall prepare an NIS in respect of the proposed development and shall submit the proposed development to the Board for approval under section 177AE of the Act*."

3. Methodology

3.1 Introduction

The Habitats Directive promotes a hierarchy of avoidance, mitigation and compensatory measures to be addressed in the AA process (Scott Wilson and Levitt-Therevil, 2006).

Firstly, a plan/project should aim to avoid any negative impacts on Natura 2000 sites by identifying possible impacts early and designing the project/plan to avoid such impacts.

Secondly, mitigation measures should be applied during the AA process to the point where no adverse impacts on the site(s) remain.

Under a worst-case scenario, a plan/project may have to undergo an assessment of alternative solutions. Under this stage of the assessment, compensatory measures are required for any remaining adverse effects, but they are permitted only if (a) there are no alternative solutions and (b) the plan/project is required for imperative reasons of overriding public interest (the 'IROPI test'). European case law highlights that consideration must be given to alternatives outside the plan/project boundary area in carrying out the IROPI test.

3.2 Guidance

This Screening for AA has been prepared with regard to the following guidance documents, where relevant:

- *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 Environment Directorate-General, 2001); hereafter referred to as the EC Article 6 Guidance Document. The guidance within this document provides a non-mandatory methodology for carrying out assessments required under Article 6(3) and (4) of the Habitats Directive.
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.
- *Guidance Document on Article 6(4) of the 'Habitats Directive' 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission (European Commission, January 2007).
- *Guidelines for Good Practice Appropriate Assessment of Plans Under Article 6(3) Habitats Directive* (International Workshop on Assessment of Plans under the Habitats Directive, 2011)

Screening for Appropriate Assessment involves the following: -

1. Determining whether a project or plan is directly connected with or necessary to the conservation management of any Natura 2000 sites;
2. Describing the details of the project / plan proposals and other cumulative plans or projects that may affect any Natura 2000 sites;
3. Describing the characteristics of relevant Natura 2000 sites and identifying the potential for effects on any Natura 2000 sites undertaken on the basis of available information as a desk study or field survey or primary research, as necessary; and
4. Assessing the likelihood and significance of any likely effects on any Natura 2000 sites.

This screening exercise was based on a desktop study. Sources of information relied upon included the following: -

Desktop Data / Information Sources: -

- Ordnance Survey of Ireland (OSI) mapping and aerial photography available from www.osi.ie
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie;

Other key information sources included: -

- South Dublin County Development Plan 2022-2028; and
- Information on the location, nature and design of the proposed development supplied by the design team.

For the risk of an adverse effect to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a watercourse that links the construction site to the designated site. Where a pathway exists, but the magnitude of the potential impact generated at the source is sufficiently small, the pathway can be ruled out.

Identification of a risk means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

3.3 Stages in Appropriate Assessment

There are 4 stages in an Appropriate Assessment as outlined in the European Commission Guidance document (EC, 2001). The following is a brief summary of these steps. This report addresses Stage 1 – Screening.

Stage 1 - Screening: This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 Site and considers whether it can be objectively concluded that these effects will not be significant.

Stage 2 - Appropriate Assessment: In this stage, the impact of the project on the integrity of the Natura 2000 site is considered with respect to the conservation objectives of the site and to its structure and function.

Stage 3 - Assessment of Alternative Solutions: Should the Appropriate Assessment determine that adverse impacts are likely upon a Natura 2000 site, this stage examines alternative ways of implementing the project that, where possible, avoid these adverse impacts.

Stage 4 - Assessment of where no alternative solutions exist and where adverse impacts remain: Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the Natura site will be necessary.

3.4 Approach

The approach taken in preparing this document is set out below and is broadly based on standard methods and best practice guidance, as listed in Section 3.2 above and Section 8, References.

- Identify the zone of influence having regard to the nature of the proposed development, and likely pathways.
- Identify Natura 2000 sites, within the potential zone of influence of the proposed development.
- Identify the features of interest of the Natura 2000 sites and review their conservation objectives.
- Review whether there is potential for the features of interest to be affected by the proposed development based on information such as the vulnerabilities of the Natura 2000 site, proximity to the Site and the nature and scale of the works associated with the proposed development.
- Consider the likelihood of potential impacts occurring based on the information collated and professional judgement.
- Consider the likelihood of cumulative impacts arising from the proposed development in-combination with other plans and projects.
- Identify the likelihood of significant effects on Natura 2000 sites occurring because of the proposed development.

For the risk of an adverse impact to occur there must be a 'source', such as a construction site; a 'receptor', such as a designated site for nature conservation; and a pathway between the source and the receptor, such as a watercourse that links the construction site to the designated site. Where a pathway exists, but the magnitude of the potential impact generated at the source is sufficiently small, the pathway can be ruled out.

Identification of a risk means that there is a possibility of ecological or environmental damage occurring, with the level and significance of the impact depending upon the nature and exposure to the risk and the characteristics of the receptor.

3.5 Desktop Study

A desk study was carried out to collate the available information on the ecological environment with respect to Natura 2000 sites identified within the potential zone of influence of the proposed development.

The location of the site at Old Blessington Road, Tallaght, Dublin 24 and the surrounding area was viewed using google maps www.google.com/maps (last accessed on 28.07.2023). The National Parks and Wildlife Service (NPWS) website (www.npws.ie) and National Biodiversity Data Centre (NBDC) online database (http://www.biodiversityireland.ie/) were accessed for information on Natura 2000 sites in the vicinity of the proposed development (accessed on 28.07.2023).

The planning authority website (www.sdcc.ie) (last accessed on 28.07.2023) was accessed for information on plans or projects in the area that may result in cumulative impacts when considered with the application for the proposed development. Furthermore, a search was undertaken of the An Bord Pleanála register (last accessed 28.07.2023) for cumulative projects in the area of the proposed development site.
Data on rivers, groundwater and catchment areas was accessed through the Environmental Protection Agency (EPA) website and the EPA interactive mapviewer[2] (accessed on 28.07.2023).

3.6 Assessment of Impact Significance

Potential impacts on qualifying habitats, species and conservation objectives may result from:

- Habitat loss and/or fragmentation;
- Impacts to habitat structure;
- Disturbance to species of conservation concern;
- Impacts on water quality;
- Air pollution;
- Noise pollution;
- Mortality to species (such as roadkill).

In addition, the significance of the potential impacts depends on:

- Effectiveness of mitigation measures;
- Distance of pathway between source and receptor;
- Character of existing environment; and
- Tolerance of receptor to potential impacts.

The purpose of Stage 1 is twofold:

1. To screen out those aspects of the proposal that can be considered not likely to have a significant impact; and
2. To screen out the key qualifying features of any designation that are not likely to be significantly impacted by the proposal.

In order to undertake screening, the guidance produced by the (DoEHLG) in 2010 (revised) has been followed in order to:

- Characterise the potential impacts to the qualifying interests of any Natura 2000 site or sites that may result from the proposed development; and,
- Assess the likely significance of potential impacts on the qualifying interests of any Natura 2000 site or sites within the potential zone of influence of the proposed development.

[2] https://gis.epa.ie/EPAMaps/

3.7 Evidence of Technical Competence and Experience

This EIA Screening Report has been prepared by Martina Keenan Rivero and Anika Haget of McCutcheon Halley.

Martina holds a BSc (Hons) in Spatial Planning from Technological University Dublin and an Advanced Diploma in Planning and Environmental Law from Kings Inns. She is a Member of the Irish Planning Institute (IPI) and a Licentiate Member of the Royal Town Planning Institute (RTPI) and operates in accordance with their codes of professional conduct. Martina has 9 years of professional experience, working in NSW, Australia with a Local Authority and as a planning and environmental consultant in Ireland. Martina has prepared AA screening reports, Environmental Impact Assessment screening reports and contributed to Environmental Impact Assessment Reports for a range of development projects. Relevant project experience includes large housing developments, mixed-use schemes, industrial and commercial projects.

Anika holds a BEng in Geoinformation and Municipal Engineering from Frankfurt University of Applied Sciences, a MSc in Urban Planning from HafenCity University Hamburg and has over 4 years of professional experience as a planning consultant in Germany and Ireland. She is a Graduate Member of the IPI and has prepared AA screening reports, Environmental Impact Assessment screening reports and contributed to Environmental Impact Assessment reports for a range of development types.

4. Location And Setting

The subject site measuring 2,410sqm is located in Tallaght Centre, to the east of Tallaght Civic Theatre with a car parking area to the north, an office development "Killakee House" to the east and Old Blessington Road to the south. The site is currently part of the Civic Car Park, used by Council and Civic Theatre staff and customers. The overall site rises gradually from south to north however no significant slope or other topographic constraint was identified.

The wider area is characterised by existing retail, community and cultural infrastructure, offices, and residential developments and the proposed development will compliment Tallaght's existing cluster of cultural facilities which includes Rua Red Arts Centre, the Civic Theatre and Tallaght Library HQ in the surrounding of the subject site.

Figure 1 - Aerial view of the Subject Site

5. Proposed Development

The proposed development comprises of:

A new Heritage Centre for Tallaght with a gross floor area of c. 870 sq.m. The development comprises of:

i. Construction of a new two-storey structure which will accommodate gallery and exhibition spaces, multi-purpose room, reception, external terrace, and all of the required supporting spaces including storage, welfare facilities, services and bin storage;
ii. Removal of existing boundary fence, removal existing bottle-bank and bike lockers, removal of 39 no. existing surface car-parking spaces to facilitate development;
iii. All associated site works to include hard and soft landscaping including courtyard garden, planting, 20 no of bicycle parking spaces, lighting, signage and all associated site and development works.

6. Engineering Services

This section should be read in conjunction with the Engineering Services Report and drawings submitted with this application, prepared by O'Connor Sutton Cronin Consulting Engineers (OSCS).

6.1 Water Supply

It is proposed that the potable water supply to the building be provided from the 150mm diameter main to the northwest of the site via a 50mmm diameter metred supply. In

accordance with best practice, new water saving devices (low water usage appliances and aerated taps etc.) will be fitted into the proposed new building on site.

6.2 Foul Water Management

It is proposed to separate the surface water and wastewater drainage networks, which will serve the proposed development, and provide separate connections to the local storm and foul drainage networks.

The wastewater discharge from the proposed building is to connect, via a private outfall chamber, to the public system with location to be agreed with Irish Water and will be treated in Ringsend Wastewater Treatment Plant. Refer to OSCS Drawing "Proposed Foul Drainage Layout" for further details. All proposed wastewater sewer design will be carried out in accordance with Irish Water's Code of Practice for Wastewater Infrastructure.

6.3 Surface Water Management

The proposed development is to be served by a gravity surface water drainage network with attenuated surface water runoff, generated within the new development site boundary, ultimately discharging to the existing 375mm-diameter storm sewer to be diverted to the east of the development.

The surface water strategy for the proposed development is to include a number of Sustainable Drainage Systems (SuDS), wherever practicable, prior to discharging an attenuated flow to the existing storm. Development discharge rates will be restricted to the greenfield runoff equivalent, and SuDS are designed in accordance with best practice and the CIRIA C753, 2015 (The SuDS Manual) guidance material, and SDCC's SuDS Design and Evaluation Guide, 2022. The SuDS comprised in the new development's surface water drainage network are heavily integrated with the landscape features, wherever practicable and will consist of:

- Bioretention System/Rain Garden
- Pervious Paving
- Suds Tree Pits

The following SuDS measures were reviewed and evaluated for inclusion in the scheme but not brought forward:

- Green Roof
- Blue Roof

Please refer to the Engineering Services Report for further details.

The proposed development is to attenuate its own rainfall runoff, prior to discharging to the storm sewer. The primary function of the attenuation systems will be to temporarily store excessive rainfall runoff, during significant rainfall events, due to the restricted discharge rates (to greenfield equivalent runoff rates) from the development outfalls.

It is noted that the proposed situation is an improvement on the current as the development replaces an existing hard surface carpark with run-off currently unattenuated.

The proposed surface water network has been designed to allow for an additional 20% increase in rainfall intensity, to allow for Climate Change projections, in accordance with both the SDCC Development Plan and the GDSDS.

6.4 Transport

In order to facilitate the new Heritage Centre, surface car parking spaces at this location will be displaced and it is not proposed to provide additional or replacement car parking as part of the proposed development. This approach is consistent with local policy. Given the site's proximity to Luas and bus services, it is also in line with policy which promotes reduced car dependence in favour of sustainable transport modes.

The proposal also caters for the provision of 20 no. bicycle parking spaces, which are located to the north and south of the proposed building to encourage travelling to and from the site by bicycle.

6.5 Landscaping Concept

A landscape concept accompanies the design of the proposed development and aims to improve biodiversity and sustainability in the urban setting of the site location and improve accessibility to the site. Overall, the proposed development will improve the landscape appearance of the subject site which is currently a hardstanding surface car park.

The landscaping concept includes the planting of 4 no native trees to the north of the proposed building. A landscaped courtyard and a balcony are included in the design scheme and the planting pallet for these areas will be selected with regard to the 'Councils Actions to Help Pollinators: All Ireland Pollinator Plan 2015- 2020'. The selected planting mix will include shade friendly species as well as being robust and low maintenance. This will increase the ecological value of the site for fauna and contribute to the biodiversity of the local area.

7. Appropriate Assessment Screening

7.1 Identification of Natura 2000 Sites

The proposed development site is not within or adjacent to any Natura 2000 sites.

There are no set recommended distances for projects to consider European sites as being relevant for assessment. Rather, NPWS (2010) recommends that '*the distance should be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects'*.

To determine the Zone of Influence (ZoI) of the proposed project, this report uses the source-pathway-receptor approach.

The identified sources that may occur during the construction phase are;

i. Noise disturbance – however, the closest designated site is over 3kms from the proposed development site.

ii. Accidental leakage may occur from construction site equipment: potential risk to local ground and surface water, due to the size of the proposed development any such incident would be minor in nature with a brief duration (i.e. less than a day).

iii. Excavation of soils to facilitate the development: potential risk to local ground and surface water due to the size of the proposed development any such incident would be minor in nature with a brief duration (i.e. less than a day).

The identified sources that may occur during the operational phase are;

i. The development will be serviced with a foul discharge from the site to the public foul sewer will be sewage and grey water only due to the scale and nature of the proposed development. The foul discharge from the site will join the public sewer and will be treated at the Irish Water Ringsend WWTP prior to subsequent discharge to Dublin Bay. This WWTP is required to operate under an EPA licence and must meet environmental legislative requirements as set out in such licence. It is noted that An Bord Pleanála granted planning permission for an upgrade to the Ringsend WWTP in April 2019[3], which will increase capacity at the plant.

There are no watercourses present on or in the immediate vicinity of the site. The nearest water course to the subject site is the Jobstown Stream, located c.660 m to the south. There is no connection between the proposed development site and this watercourse. The proposed development site is located within the River Liffey and Dublin Bay catchment (in the Dodder sub-catchment and the Dodder sub-basin).

The following pathways have been identified;

i. Should any silt-laden stormwater from construction enter the public stormwater sewer, the suspended solids will naturally settle within the drainage pipes by the time the stormwater reaches any open water.

ii. Vertical migration to the underlying locally important aquifer (Ll): The GSI guidance classifies the bedrock aquifer vulnerability in the region of the subject site as 'moderate'. Based on this classification, the potential for any leakage of oil etc. to ground to migrate to the underlying bedrock is reasonably low.

iii. Foul wastewater discharge from the proposed development will be treated at the Irish Water Wastewater Treatment Plant (WwTP) at Ringsend prior to discharge to Dublin Bay.

There are 11 European sites located within a 15km ZoI of the proposed development. All of the European sites present in the vicinity of the proposed development are shown in Figure 2 below. Details of Natura 2000 Sites including Features of Conservation Interest of the European sites in the vicinity of the proposed development are provided in Appendix I. The proposed development does not overlap with any European sites. The nearest European site is Glenasmole Valley SAC; c. 3.3km to the south, in the Dublin Mountains.

Protected Site	Site Code	Designation	Distance from Application Site
Glenasmole Valley	001209	SAC	3,307m
Wicklow Mountains	002122	SAC	5,679m
Wicklow Mountains	004040	SPA	7,334m
Rye Water Valley/Carton	001398	SAC	11,414m

[3] An Bord Pleanála Case Reference PL29S.301798 – *10-year permission for development of the Ringsend wastewater treatment plant upgrade project including a regional bio solids storage facility*.

Protected Site	Site Code	Designation	Distance from Application Site
South Dublin Bay	000210	SAC	11,550m
South Dublin Bay and River Tolka Estuary	004024	SPA	11,565m
Knocksink Wood	000725	SAC	13,481m
Poulaphouca Reservoir	004063	SPA	14,130m
Red Bog, Kildare	000397	SAC	14,537m
North Bull Island	004006	SPA	14,959m
North Dublin Bay	000206	SAC	14,970m

Table 1 Natura 2000 Sites within 15km ZoI of Application Area

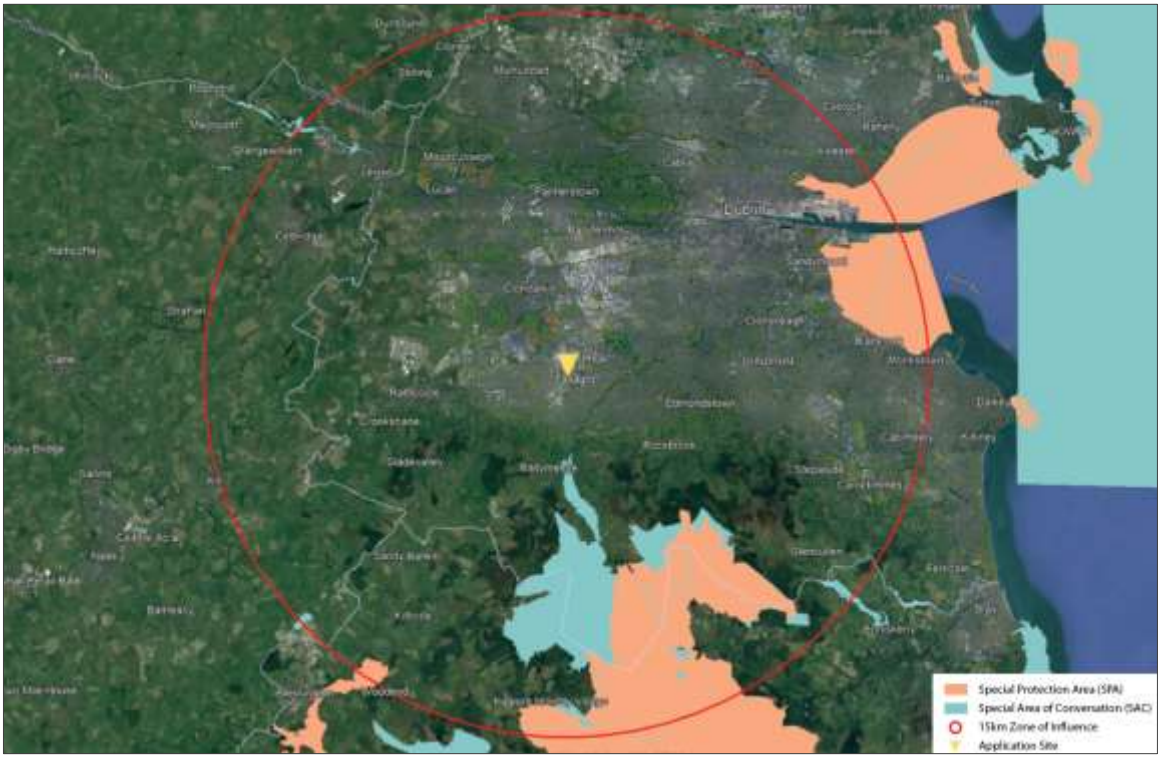

Figure 2 -Natura 2000 Sites within 15km ZoI of Application Area

The likelihood of impacts occurring are established in light of the type and scale of the project, the location of the project with respect to Natura 2000 sites and the features of interest and conservation objectives of the Natura 2000 sites. The potential impacts are summarised into the following categories for the screening process:

- Direct impacts refer to habitat loss or fragmentation arising from land-take requirements for development or agricultural purposes. Direct impacts can be as a result of a change in land use or management, such as the removal of agricultural practices that prevent scrub encroachment.
- Indirect and secondary impacts do not have a straight-line route between cause and effect, and it is potentially more challenging to ensure that all the possible indirect impacts of the project – in combination with other plans and projects - have been established. These can arise when a development alters the hydrology of a catchment area, which in turn affects the movement of groundwater to a site and the qualifying interests that rely on the maintenance of water levels. Deterioration in water quality can occur as an indirect consequence of development, which in turn changes the aquatic environment and reduces its capacity to support certain plants and animals.
- Disturbance to fauna can arise directly through the loss of habitat or indirectly through noise, vibration and increased activity associated with construction and operation.

7.1.1 Potential Impacts

This section identifies any potential impacts associated with the proposed development, considers whether any European site located within the ZoI for impacts from the proposed development, and assesses whether there is a risk that the proposed development, alone or in combination with other plans or projects, will result in a significant effect on a European site.

The assessment of the potential for the proposed development to cause a significant effect on European sites, does not take into account measures to avoid or reduce the negative effects of the project on European sites.

Habitat loss and fragmentation

The proposed development does not overlap with the boundary of any European site. The nearest European site, Glenasmole Valley SAC, is located c. 3.3km south of the proposed development. Therefore, there are no European sites at risk of direct habitat loss impacts. As the proposed development does not traverse any European sites there is no potential for habitat fragmentation to occur.

Hydrological Impacts

1. **Surface water**

It is proposed to separate the surface water and wastewater drainage networks, which will serve the proposed development, and provide separate connections to the local storm and foul drainage networks.

The proposed development is to attenuate its own rainfall runoff, prior to discharging to the 375mm diameter sewer diverted to the east of the site. The primary function of the attenuation systems will be to temporarily store excessive rainfall runoff, during significant rainfall events, due to the restricted discharge rates (to greenfield equivalent runoff rates) from the development outfalls. The proposed network is to be designed to allow for an additional 20% increase in rainfall intensity, to allow for Climate Change projections, in accordance with the South Dublin County Council Development Plan and the GDSDS.

Considering the scale and location of the proposed development relative to the receiving surface water network and relatively low volume of any surface water run-off it is considered the proposed development will not have any measurable effects on water quality in Dublin Bay or the Irish Sea.

It is an objective of the Greater Dublin Strategic Drainage Study, and the South Dublin County Council Development Plan 2022-2028, to incorporate Sustainable Urban Drainage Systems (SUDS) within new developments. The SUDS features associated with the proposed development are not included within the design to avoid or reduce any potential harmful effects to any European sites.

Therefore, there is no possibility of the proposed development undermining the conservation objectives of any of the qualifying interests or special conservation interests of the European sites in, or associated with, Dublin Bay as a result of surface water run-off or discharges.

2. Foul water

It is proposed to separate the surface water and wastewater drainage networks, which will serve the proposed development, and provide separate connections to the local storm and foul drainage networks.

All foul effluent generated from the proposed development is to connect, via a private outfall chamber and will be treated at the Irish Water Wastewater Treatment Plant (WwTP) at Ringsend prior to discharge to Dublin Bay.

The Ringsend WwTP operates under licence from the EPA (Licence no. D0034-01) and received planning permission (ABP Reg. Ref. 301798) in 2019 for upgrade works, which are expected to be completed within five years. This will increase the plant capacity from 1.65m PE (population equivalent) to 2.4m PE.

Regardless of the status of the WwTP upgrade works, the peak discharge from the proposed development is not significant in the context of the existing capacity available at Ringsend. Though the WwTP is currently over capacity (the plant is currently accommodating 1.9m PE), recent water quality assessment undertaken in Dublin Bay (published by the EPA and available on the EPA online mapping database[4]) confirms that Dublin Bay is classified as "unpolluted" and there is no evidence that the over-capacity issues at Ringsend are affecting the conservation objectives of the European sites in Dublin Bay.

It is also an objective of the Greater Dublin Strategic Drainage Study, and all development plans within the catchment of Ringsend WWTP, to include Sustainable Urban Drainage Systems (SUDS) within new developments. The relevant development plans also have protective policies/objectives in place to protect water quality in the receiving freshwater and marine environments, and to implement the Water Framework Directive in achieving good water quality status for Dublin Bay.

Considering the above, particularly the current unpolluted status of Dublin Bay, it is concluded that the proposed development will not impact on the overall water quality status of Dublin Bay.

Operational impacts as a result of the proposed development related to foul water management on European sites can therefore be excluded and it is considered the proposed

[4] https://gis.epa.ie/EPAMaps/ - Accessed on 27.07.2023.

development will not have hydrological effects on any of the European Sites within the ZoI of the subject site.

Hydrogeological Impacts

The proposed development site is located within the Dublin Groundwater Body (GWB). The nearest European site within the Dublin GWB is Rye Water Valley/Carton SAC, c. 11.4km northwest of the proposed development. The general groundwater flow direction in the Dublin GWB is towards the coast and also towards the River Liffey and Dublin City.

As the proposed development does not directly interact with the underlying groundwater body and is not located in the direction of flow to the Rye Water Valley/Carton SAC, it can be excluded that groundwater conditions in the European site will be affected by the proposed development.

Other Natura 2000 Sites within the 15km ZoI of the Application area are located within different Groundwater Bodies and therefore considered to be not affected by the proposed development.

Therefore, it is considered the proposed development will not have hydrogeological effects on any of the European Sites within the ZoI of the subject site.

Non-native invasive species

There are no species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended) within the proposed development site, therefore, there is no potential impact on European Sites.

Disturbance and displacement impacts

Potentially construction-related disturbance and displacement of fauna species could occur within the immediate surroundings of the proposed development. For mammal species such as otter or badger, disturbance effects would not be expected to extend beyond 150m as set out in Transport Infrastructure Ireland (TII) guidance *Guidelines for the Treatment of Otters prior to the Construction of National Road Schemes* and *Guidelines for the Treatment of Badgers prior to the Construction of National Road Schemes*.

For birds, disturbance effects would not be expected to extend beyond a distance of c.300m. At a distance of 300m, noise levels are below 60dB or, in most cases, are approaching the 50dB threshold below which no disturbance or displacement effects would arise as per Cutts, N. Phelps, A. & Burdon, D. (2009) *Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance.*

There are no European sites within the disturbance ZoI of 150 / 300m; the next nearest European site designated for Special Conservation Interest bird species is the Wicklow Mountains SPA and for mammals the Wicklow Mountains SAC, which are located c. 5.6 and 7.6km south-east of the proposed development site and therefore beyond the ZoI of potential noise disturbance.

Summary

In assessing the potential for the proposed development to result in a significant effect on European sites, measures to avoid or reduce the adverse effects of the project on European sites are not considered.

This Screening Assessment eliminates all of the 11 no. Natura 2000 sites identified above within the 15 km ZoI as there is no source-pathway-receptor and no potential direct impact identified.

In light of the above and the size and scale of the proposed project, it is considered unlikely that construction works, or operation of the proposed development will give rise to significant effects on any of the Designated Sites within the ZoI.

7.1.2 In-combination Effects

Cumulative effects can result from individually insignificant but collectively significant actions taking place over a period of time or concentrated in a location. Cumulative effects can occur where a proposed development results in impacts that, when considered in-combination with impacts of other proposed or permitted plans and projects may result in a cumulative effect.

It is a requirement of the Birds and Natural Habitats Regulations, 2011 that when considering whether a plan or project will adversely affect the integrity of a European site the assessment must take into account in-combination effects with other current or reasonably foreseeable plans and projects.

It is noted that a planning application for 2 no. extensions to the existing The Square Shopping Centre to the south of the subject site was granted permission by South Dublin County Council and An Board Pleanála in 2014. The planning application was accompanied by an Environmental Impact Statement. Subject to a 3rd Party Appeal An Board Pleanála completed an Environmental Impact Assessment of the proposed scheme which considered the EIS submitted with the application and the report, assessment and conclusions of the Inspector in relation to the environmental impacts of the scheme, the conclusions of which were broadly accepted by the Board. The Board considered that subject to compliance with the mitigation measures set out in the EIS, the scheme would not have unacceptable adverse effects on the environment. It is considered the proposed development subject to this AA Screening will not pose cumulative impacts on Natura 2000 sites, during construction or operation phase.

Implementation of the Water Framework Directive (WFD) will result in continued improvements to water quality in Dublin Bay. Environmental water quality can be impacted by the effects of surface water run-off from areas of hard standing. These impacts are particularly pronounced in urban areas and can include pollution from particulate matter and hydrocarbon residues, and downstream erosion from accelerated flows during flood events. The latter impact is unlikely to occur in this part of south Dublin since the bay has long been defined by sea walls and other defences.

The completion of upgrade works at Ringsend by 2024 will see greater compliance with quality standards of effluent and so an expected improvement in water quality in Dublin Bay.

Due to the nature and scale of the proposed development and distance from the identified Natura 2000 sites, it is considered that the proposal would not give rise by itself or in combination with other developments to impacts on any Natura 2000 site.

As all identified potential adverse effects relating to the construction and operation of this proposal are screened out, it is reasonable to conclude that the proposed development is not likely to result in significant effects on the integrity of any Designated Site, either alone or in combination, with other projects.

8. Screening Conclusion

This AA Screening report for Appropriate Assessment is based on the best available scientific information, applies the precautionary principle and shows that the proposed development at Old Blessington Road, Tallaght, Dublin 24, poses no risk of likely significant effects on Natura 2000 sites either alone or in combination with other plans and projects. In reaching this conclusion, the nature of the project and its potential relationship with all European sites within the zone of influence have been fully considered. Therefore, it is considered that the application for consent for the proposed development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites. Based on this conclusion it is submitted that the Competent Authority can determine, based on objective scientific information, that an Appropriate Assessment is not required.

9. References

European Commission (2001) 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 (2000) Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats Directive' 92/43/EEC.

European Union Habitats Directive, (1992). Council Directives 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

European Union Birds Directive (1979) Council Directive 79/209/EEC of 2 April 1979 on the conservation of wild birds. Brussels: The Council of the European Communities.

NPWS (2009) Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government. Dublin.

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

NPWS (2013) Conservation Objectives Supporting Document: South Dublin Bay SAC (Site Code: 0210). Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2015) Site Synopsis South Dublin Bay SAC, Site Code: 000210. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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

NPWS (2014) Conservation Objectives Supporting Document: North Bull Island Special Protection Area (Site Code 4006) & South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 4024). Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2015) Site Synopsis South Dublin Bay and River Tolka Estuary SPA, Site Code: 004024. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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

NPWS (2013) North Dublin Bay SAC (Site Code 206) Conservation Objectives Supporting Document - Coastal Habitats. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2013) North Dublin Bay SAC (Site Code 0206) Conservation Objectives Supporting Document - Marine Habitats. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

NPWS (2015) Site Synopsis North Dublin Bay SAC, Site Code: 000206. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

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

NPWS (2014) Site Synopsis North Bull Island SPA, Site Code: 004006. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.

Scott Wilson & Levitt-Therein R. (2006) Appropriate Assessment of Plans. Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants.

Websites

EPA www.epa.ie

National Parks and Wildlife Service www.npws.ie

South Dublin County Council www.sdcc.ie

Appendix 1

The Qualifying Interests (QIs) and Special Conservation Interests (SCIs) and Conversation Objectives of the European sites in the vicinity of the proposed development site.

European Site and its Qualifying interest(s) / Special Conservation Interest(s)
Glenasmole Valley SAC [001209]
6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) **6410** Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) **7220** Petrifying springs with tufa formation (Cratoneurion) NPWS (2021) Conservation Objectives: Glenasmole Valley SAC 001209. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage
Wicklow Mountains SAC [002122]
3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) **3160** Natural dystrophic lakes and ponds **4010** Northern Atlantic wet heaths with Erica tetralix **4030** European dry heaths **4060** Alpine and Boreal heaths **6130** Calaminarian grasslands of the Violetalia calaminariae **6230** Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* **7130** Blanket bogs (* if active bog) **8110** Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) **8210** Calcareous rocky slopes with chasmophytic vegetation **8220** Siliceous rocky slopes with chasmophytic vegetation **91A0** Old sessile oak woods with Ilex and Blechnum in the British Isles **1355** Otter (Lutra lutra) NPWS (2017) Conservation Objectives: Wicklow Mountains SAC 002122. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
Wicklow Mountains SPA [004040]
A098 Merlin (Falco columbarius) **A103** Peregrine (Falco peregrinus) NPWS (2022) Conservation objectives for Wicklow Mountains SPA [004040]. First Order Site-specific Conservation Objectives Version 1.0. Department of Housing, Local Government and Heritage.
Rye Water Valley/Carton SAC [001398]
7220 Petrifying springs with tufa formation (Cratoneurion)* **1014** Narrow-mouthed Whorl Snail (Vertigo angustior) **1016** Desmoulin's Whorl Snail (Vertigo moulinsiana)

European Site and its Qualifying interest(s) / Special Conservation Interest(s)
NPWS (2021) Conservation Objectives: Rye Water Valley/Carton SAC 001398. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
South Dublin Bay SAC [000210]
1140 Mudflats and sandflats not covered by seawater at low tide **1210** Annual vegetation of drift lines **1310** Salicornia and other annuals colonising mud and sand **2110** Embryonic shifting dunes NPWS (2013) Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
South Dublin Bay and River Tolka Estuary SPA [004024]
A162 Redshank (Tringa totanus) **A193** Common Tern (Sterna hirundo) **A157** Bar-tailed Godwit (Limosa lapponica) **A130** Oystercatcher (Haematopus ostralegus) **A141** Grey Plover (Pluvialis squatarola) **A149** Dunlin (Calidris alpina) **A137** Ringed Plover (Charadrius hiaticula) **A194** Arctic Tern (Sterna paradisaea) **A192** Roseate Tern (Sterna dougallii) **A143** Knot (Calidris canutus) **A179** Black-headed Gull (Chroicocephalus ridibundus) **A144** Sanderling (Calidris alba) **A046** Light-bellied Brent Goose (Branta bernicla hrota) **A999** Wetlands NPWS (201ǫ) 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.
Knocksink Wood SAC [000725]
7220 Petrifying springs with tufa formation (Cratoneurion)* **91A0** Old sessile oak woods with Ilex and Blechnum in the British Isles **91E0** Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)* NPWS (2021) Conservation Objectives: Knocksink Wood SAC 000725. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
Poulaphouca Reservoir SPA [004063]
A183 Lesser Black-backed Gull (Larus fuscus) **A043** Greylag Goose (Anser anser) NPWS (2022) Conservation objectives for Poulaphouca Reservoir SPA [004063]. First Order Site-specific Conservation Objectives Version 1.0. Department of Housing, Local Government and Heritage.
Red Bog, Kildare SAC [000397]
7140 Transition mires and quaking bogs

European Site and its Qualifying interest(s) / Special Conservation Interest(s)
NPWS (2019) Conservation Objectives: Red Bog, Kildare SAC 000397. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
North Bull Island SPA [004006]
A179 Black-headed Gull (Chroicocephalus ridibundus) **A048** Shelduck (Tadorna tadorna) **A054** Pintail (Anas acuta) **A160** Curlew (Numenius arquata) **A157** Bar-tailed Godwit (Limosa lapponica) **A046** Light-bellied Brent Goose (Branta bernicla hrota) **A056** Shoveler (Anas clypeata) **A169** Turnstone (Arenaria interpres) **A141** Grey Plover (Pluvialis squatarola) **A052** Teal (Anas crecca) **A144** Sanderling (Calidris alba) **A130** Oystercatcher (Haematopus ostralegus) **A140** Golden Plover (Pluvialis apricaria) **A149** Dunlin (Calidris alpina) **A156** Black-tailed Godwit (Limosa limosa) **A162** Redshank (Tringa totanus) **A143** Knot (Calidris canutus) **A999** Wetlands NPWS (2015) Conservation Objectives: North Bull Island SPA 004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
North Dublin Bay SAC [000206]
1140 Mudflats and sandflats not covered by seawater at low tide **1210** Annual vegetation of drift lines **1310** Salicornia and other annuals colonising mud and sand **1330** Atlantic salt meadows (Glauco-Puccinellietalia maritimae) **1410** Mediterranean salt meadows (Juncetalia maritimi) **2110** Embryonic shifting dunes **2120** Shifting dunes along the shoreline with Ammophila arenaria (white dunes) **2130** Fixed coastal dunes with herbaceous vegetation (grey dunes)* **2190** Humid dune slacks **1395** Petalwort (Petalophyllum ralfsii) NPWS (2013) Conservation Objectives: North Dublin Bay SAC 000206. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.