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Appropriate Assessment Screening Report

PRESENTED TO

Malclose Limited
Proposed Development at Gowan House, Carriglea Business Park, Naas Road, Dublin 12, D12 RCC4

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Environmental Consultancy Services

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1.1 Background

Enviroguide Consulting was commissioned by Malclose Limited to prepare an Appropriate Assessment Screening Report for a proposed Large-scale Residential Development (LRD), entitled the Proposed Development at Gowan House, Carriglea Business Park, Naas Road, Dublin 12, D12 RCC4, hereafter referred to as 'Proposed Development' or 'Site', when referring to the application area. This report contains information to enable the Competent Authority to undertake Stage 1 Appropriate Assessment (AA) screening in respect of the Proposed Development.

1.2 Quality Assurance and Competence

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

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

All surveying and reporting have been carried out by qualified and experienced ecologists and environmental consultants. Shannen O'Brien, Ecologist with Enviroguide, undertook the desktop research for this report.

SOB has a B.A. in Zoology from Trinity College Dublin and a M.Sc. Hons. in Wildlife Conservation and Management from University College Dublin, and has experience in desktop research, report writing, and literature scoping-review, as well as practical field and laboratory experience (Pollinator surveying, sampling and identification, habitat surveying, invasive species surveying, etc.). SOB has prepared Stage I and Stage II AA Reports, Invasive Species Surveys, Ecology Statements, and Ecological Impact Assessments (EcIA).

1.3 Description of Proposed Development

1.3.1 Site Location

The Site of the Proposed Development, as shown in Figure 1, is 0.962 Ha and is located along the Naas Road (R810), which abuts the north of the Site. The east and west of the Site are bound by commercial premises, with an apartment block to the southeast of the Site, and an active construction Site to the south. The surrounding landscape is predominantly urban in nature.

1.3.2 Description of Development

Malclose Limited intend to apply to Dublin City Council for permission for a large-scale residential development principally comprising student accommodation at this 0.962 Ha Site at Gowan House, Carriglea Business Park, Naas Road, Dublin 12, D12 RCC4.

The Proposed Development will principally consist of: the demolition of the existing two-storey office/warehouse building and outbuilding (5,172 sq m); and the construction of a development in two blocks (Block 1 (eastern block) is part 2 No. storeys to part 15 No. storeys over lower ground floor and basement levels with roof plant over and Block 2 (western block) is part 9 No. storeys to part 11 No. storeys over basement with roof plant over) principally comprising 941 No. Student Accommodation bedspaces (871 No. standards rooms, 47 No. accessible studio rooms and 23 No. studios) with associated facilities, which will be utilised for short-term lets during student holiday periods. The 871 No. standard rooms are provided in 123 No. clusters ranging in size from 3 No. bedspaces to 8 No. bedspaces, and all clusters are served by a communal living/kitchen/dining room.

The Proposed Development also provides: ancillary internal and external communal student amenity spaces and support facilities; cultural and community floor space (1,422 sq m internal and 131 sq m external) principally comprising a digital hub and co-working space with ancillary cafe; a retail unit (250 sq m); public open space; the daylighting of the culverted River Camac through the site; an elevated walkway above the River Camac at ground floor level; a pedestrian bridge link at first floor level between Blocks 1 and 2; vehicular access at the south-western corner; the provision of 7 No. car-parking spaces, 2 No. motorcycle parking spaces and 2 No. set down areas; bicycle stores at ground and lower ground floor levels; visitor cycle parking spaces; bin stores; substations; hard and soft landscaping; green and blue roofs; new telecommunications infrastructure at roof level of Block 1 including antennas and microwave link dishes, 18 No. antennas and 6 No. transmission dishes, together with all associated equipment; boundary treatments; plant; lift overruns; and all associated works above and below ground.

The gross floor area of the development is c. 33,140 sq m comprising c. 30,386 sq m above lower ground and basement level.

1.3.3 Surface Water

As outlined in the Civil Engineering Infrastructure & Surface Water Management Report (BMCE, 2023) accompanying this application, the Site is currently served by an existing surface water sewer network, which drains to the River Camac culverted beneath the Site, flowing from the northeast to the southwest. As part of the Proposed Development, it is proposed a new surface water gravity drainage system will collect run-off from the roof and

paved areas, and will connect to a newly constructed chamber adjacent to the Camac culvert. The River Camac flows into the River Liffey 3.5km northeast of the Site, before ultimately discharging to Dublin Bay.

It is also proposed to include green and blue roof coverage, which will allow for the infiltration and attenuation of rain water. Permeable paving is proposed for the pedestrian and non-trafficked hard surfaces on Site and will infiltrate to the ground via a soakaway, which will control the rate of infiltration. Swale features will also be included to collect surface water discharge from areas of impermeable paving.

1.3.4 Foul Water

As outlined in the Civil Engineering Infrastructure & Surface Water Management Report (BMCE, 2023) accompanying this application, an existing public foul water network runs along Carriglea Industrial Estate road to the west of the Site. It is proposed a newly constructed foul water system from the Site will discharge to this network via a new connection during the Operational Phase of the Proposed Development. This foul water will be treated at Ringsend Wastewater Treatment Plant (WwTP) before discharging into Dublin Bay.

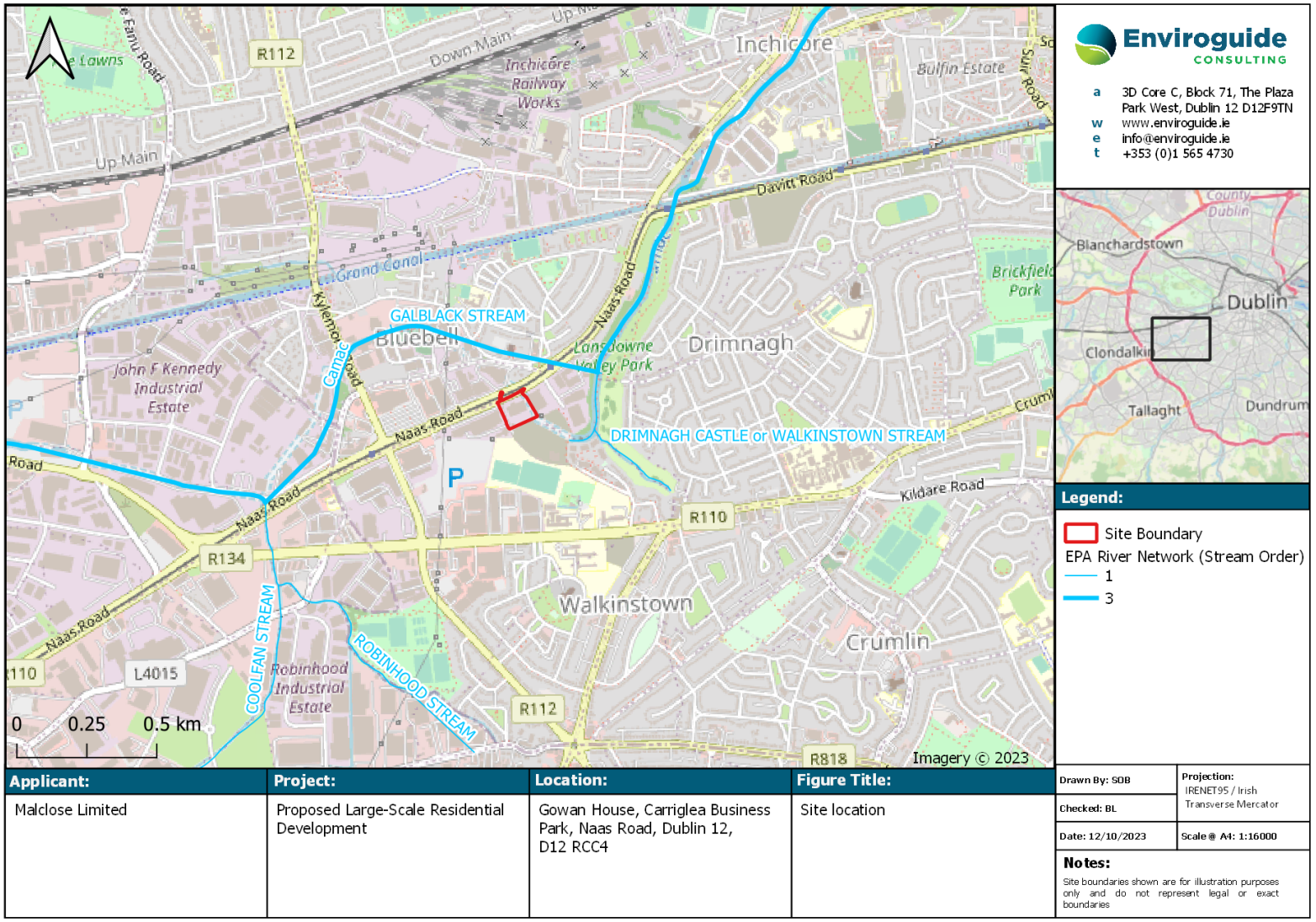

FIGURE 1. SITE LOCATION.

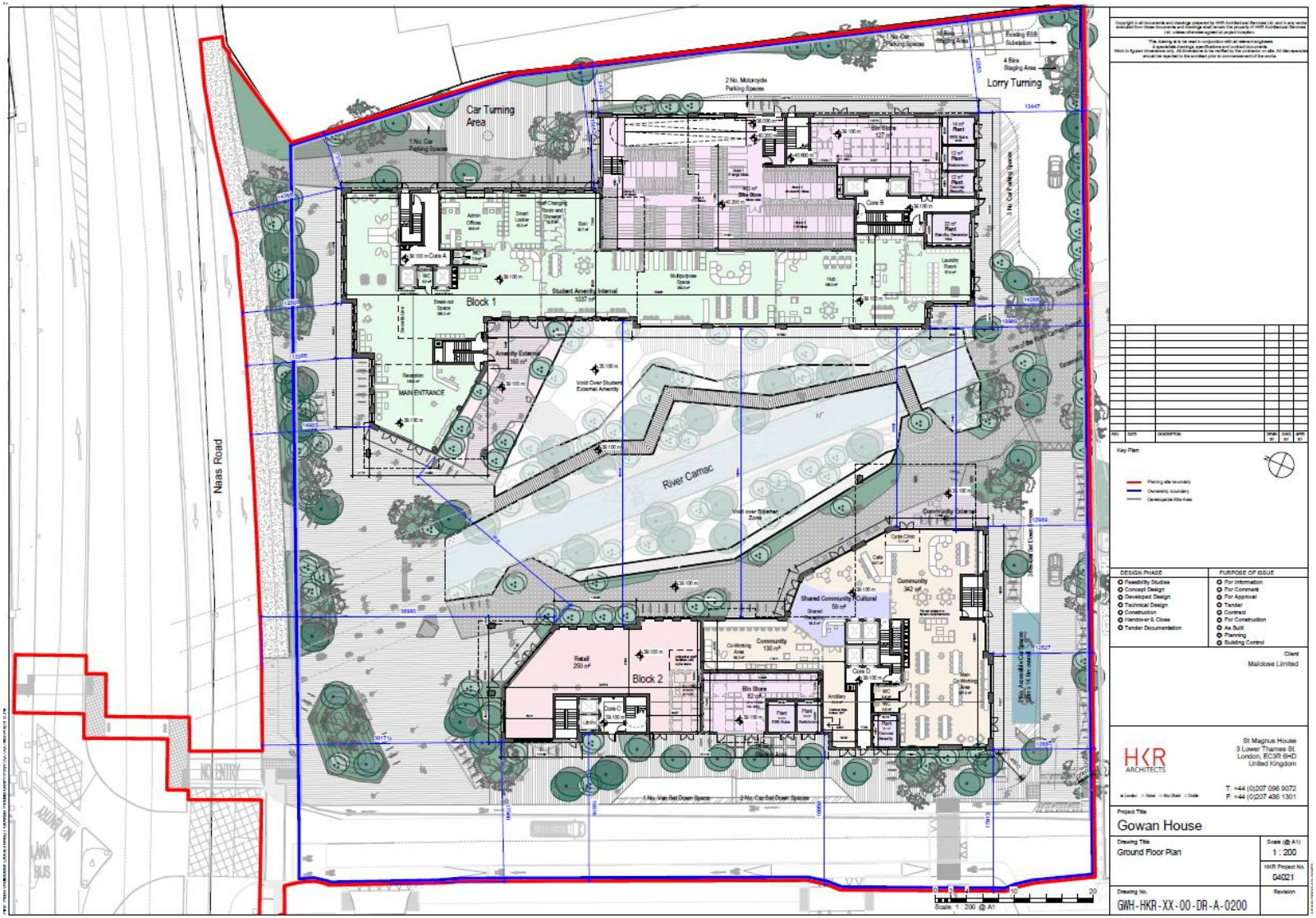

FIGURE 2. PROPOSED SITE LAYOUT DRAWING NO. GWH-HKR-XX-00-DR-A0200 (HKR ARCHITECTS, 2023).

2 LEGISLATIVE AND POLICY CONTEXT

2.1 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).

It is the responsibility of each Member State to designate SPAs and SACs, both of which will form part of the Natura 2000 Network, a network of protected sites throughout the European Community. These designated sites are referred to as "Natura 2000 sites" or "European sites". 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 (QIs) and Special Conservation Interests (SCIs) of the sites; from these the conservation objectives of the site are derived.

An AA is a required assessment to determine the likelihood of significant effects, based on best scientific knowledge, of any plans or projects on European sites. A screening for AA determines whether a plan or project, either alone or in combination with other plans and projects, is likely to have significant effects on a European site, in view of its conservation objectives.

This AA Screening has been undertaken to determine the potential for significant effects on relevant European sites. The purpose of this assessment is to determine, the appropriateness, or otherwise, of the Proposed Development in the context of the conservation objectives of such sites.

2.1.1 Legislative Context

The 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."

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."*

2.2 Policy Context

2.2.1 Dublin City Development Plan 2022 – 2028

Policies and objectives of the Dublin City Development Plan 2022 – 2028 that are of relevance to this Screening Report are outlined below:

- **Policy GI9:** To conserve, manage, protect and restore the favourable conservation condition of all QIs/SCI of all European sites designated, or proposed to be designated, under the EU Birds and Habitats Directives, as Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) (European / Natura 2000 sites).
- **Policy GI10:** To adequately protect flora and fauna (under the EU Habitats and Birds Directives), the Wildlife Acts 1976 (as amended), the Fisheries Acts 1959 (as amended) and the Flora (Protection) Order 2022 S.I No. 235 of 2022, wherever they occur within Dublin City, or have been identified as supporting the favourable conservation condition of any European sites.
- **Policy GI12:** To protect sites for nature conservation as designated under the Ramsar Treaty for wetland sites, National Special Amenity Areas, National Nature Reserves, Important Bird Areas and Flora Protection Order Sites.
- **Policy GI13:** To ensure the protection, conservation and enhancement of all areas of ecological importance for protected species, and especially those listed in the EU Birds and Habitats Directives, including those identified as supporting the favourable conservation condition of any European sites, in accordance with development standards set out in this plan.

2.2.2 Dublin City Biodiversity Action Plan 2021 – 2025

Dublin City Biodiversity Action Plan 2021 – 2025 is set out to protect and improve biodiversity through specific objectives:

- **Objective 1:** Ensure effective implementation of the Dublin City Biodiversity Action Plan.
- **Objective 2:** Protect designated sites for nature conservation in accordance with the Conservation Management objectives for Natura 2000 sites and proposed Natural Heritage Areas in Dublin City.
- **Objective 3:** Identify and protect sites that have conservation value for biodiversity using evidence-based research.
- **Objective 4:** Monitor and conserve legally-protected species within Dublin City, particularly those listed in the annexes of the EU Birds and Habitats Directive using evidence-based research.
- **Objective 5:** Prepare and plan for the impacts of climate change on biodiversity.
- **Objective 6:** Implement measures for species with that have a local biodiversity value or impact local biodiversity.
- **Objective 7:** Prepare and disseminate information on guidance for development and site management for biodiversity conservation.
- **Objective 8:** Devise and implement habitat restoration initiatives across Dublin City.
- **Objective 9:** To use nature-based solutions to restore biodiversity and ecosystem services.
- **Objective 10:** Strengthen measures to control Invasive Alien Species (IAS), improve biosecurity and ecological status of catchments.
- **Objective 11:** Ensure that measures for biodiversity and nature-based solutions are incorporated into new building projects, retrofit and maintenance works.
- **Objective 12:** Promote net biodiversity gain and ensure there is no net loss of biodiversity through strategies, planning, mitigation measures, appropriate offsetting and/or investment in Blue-Green infrastructure.
- **Objective 13:** Pilot initiatives for the creation of habitats using artificial habitat methods.
- **Objective 14:** Minimise and reduce soil degradation in the Dublin City Council administrative area.
- **Objective 15:** Ensure that measures for biodiversity and nature-based solutions are incorporated into new building projects, retrofit and maintenance works.
- **Objective 16:** Empower citizens to connect with, and take positive action for biodiversity at a local and city-wide level.
- **Objective 17:** Strengthen collaboration for the conservation of biodiversity at a regional, national, and global level.

2.3 Stages of Appropriate Assessment

This AA Screening Report (the 'Screening Report') has been prepared by Enviroguide Consulting. It considers whether the Proposed Development is likely to have a significant effect on a European site and whether a Stage 2 AA 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.

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

- **Stage 1: *Screening*.** The Screening for AA considers whether a plan or project is directly connected to or necessary for the management of a European site, or whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a European site in view of its conservation objectives.
- **Stage 2: *Natura Impact Statement (NIS).*** Where Stage 1 determines that significant effects are likely, uncertain or unknown, the preparation of a NIS is required. The NIS must include a scientific examination of evidence and data to classify potential impacts on any European site(s) in view of their conservation objectives in the absence of mitigation. The NIS will identify appropriate mitigation to remove the potential for likely significant adverse effects on any European site(s). If the competent authority determines that the plan or project would have an adverse effect on the integrity of any European site(s) despite mitigation, it can only grant consent after proceeding through stages 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.

The Habitats Directive promotes a hierarchy of avoidance, mitigation, and compensatory measures. First the project should aim to avoid any negative effects on European sites by identifying possible effects early in the planning stage and designing the project to avoid such effects. Second, mitigation measures should be applied, if necessary, during the AA process to the point where no adverse impacts on the site(s) remain. If the project is still likely to result in adverse effects, and no further practicable mitigation is possible, a refusal for planning permission may be recommended. In this case, the project will generally only be considered where no alternative solutions are identified and the project is required for IROPI, or, in the case of priority habitats, considerations of health or safety, or beneficial consequences of primary importance for the environment or to other IROPI. Then compensation measures are required for any remaining adverse effects.

3 AA SCREENING METHODOLOGY

3.1 Guidance

This 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);
- *Managing Natura 2000 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 Natura 2000 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.*

3.2 Screening Steps

Screening for AA involves the following steps:

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

It should be noted that any mitigation measures and/or measures intended or included for the purposes of avoiding adverse effects arising as a result of the Proposed Development on any European site **have not been considered** as part of this Screening Report. This includes best practice measures and development requirements, such as Sustainable Urban Drainage Systems (SUDS), where they act to prevent significant impacts on a European site.

3.3 Desk Study

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

- Information on the network of European Sites, boundaries, QIs 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 waterbodies, catchment areas and hydrological connections obtained from the Environmental Protection Agency (EPA) at *www.gis.epa.ie*;
- Information on bedrock, groundwater, aquifers and their statuses, obtained from Geological Survey Ireland (GSI) at *www.gsi.ie*;
- Satellite imagery and mapping obtained from various sources and dates including Google, Digital Globe, Bing and Ordnance Survey Ireland; and
- Information on the existence of permitted developments, or developments awaiting decision, in the vicinity of the Proposed Development from the National Planning Application Database and the Dublin City Council.

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

3.4 Identification of Relevant European sites

The Zone of Influence (ZOI) for a project is the area over which ecological features may be affected by changes as a result of the proposed development and associated activities. This is likely to extend beyond the development site, for example where there are ecological or hydrological links beyond the site boundaries (CIEEM, 2018). Furthermore, ZOI in relation to European sites is described as follows in the 'OPR Practice Note PN01 - Appropriate Assessment Screening for Development Management' (OPR, 2021):

> "*The zone of influence of a proposed development is the geographical area over which it could affect the receiving environment in a way that could have significant effects on the Qualifying Interests of a European site. This should be established on a case-by-case basis using the Source-Pathway-Receptor framework and not by arbitrary distances (such as 15 km).*"

Thus, to identify the European sites that potentially lie within the ZOI of the Proposed Development, a Source-Path-Receptor (S-P-R) method was adopted, as described in OPR PN01 (OPR 2021). This note was published to provide guidance on screening for AA during the planning process, and although it focuses on the approach a planning authority should take in screening for AA, the methodology is also readily applied in the preparation of Screening Reports such as this.

The relevant European sites were identified based on the following:

- Identification of potential sources of effects based on the Proposed Development description and details, including changes to potentially suitable ex-situ habitats at the Site (i.e., habitats utilised by SCI bird species outside of their designated SPAs);

- 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; and
- Identification of potential pathways between the Site of the Proposed Development and any European sites within the ZOI of any of the identified sources of effects.
    - The catchment data were used to establish or discount potential hydrological connectivity between the Proposed Development and any European sites.
    - Groundwater and bedrock information used to establish or discount potential hydrogeological connectivity between the Proposed Development and any European sites.
    - Air and land connectivity assessed based on Proposed Development details and proximity to European sites.
    - Consideration of potential indirect pathways, e.g., impacts to flight paths, *ex-situ* habitats, etc.

3.5 Assessment of Significant Effects

The conservation objectives of the European sites identified to lie within the ZOI were reviewed and assessed in order to establish whether the construction and operation of the Proposed Development has the potential to have a negative impact on any of the QIs and/or conservation objectives listed for the site.

The assessment framework is taken from the best practice guidelines issued by the European Commission, i.e., "*Assessment of plans and projects significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*".

The potential for significant effects that may arise from the Proposed Development was considered through the use of key indicators:

- 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.

3.6 Limitations

No limitations were encountered which would prevent robust conclusions being drawn as to the potential impacts of the Proposed Development on the relevant European sites.

4 Stage 1 Screening Assessment

4.1 Management of European Sites

The Proposed Development is not directly connected with or necessary to the management of European Sites.

4.2 Existing Environment

4.2.1 Geology, Hydrology and Hydrogeology

The Site of the Proposed Development is within the *Liffey and Dublin Bay* catchment (Catchment ID 09) and *Mayne_SC_010* sub-catchment (Sub-Catchment ID 09_17). The River Camac is culverted beneath the Site, and connects to the Walkinstown Stream (EU Code: IE_EA_09C020500) 147m southeast of the Site. The River Camac then flows for 4.1km northeast to discharge to the River Liffey (EU Code: IE_EA_090_0400) and ultimately enters Dublin Bay (EU Code: IE_EA_090_0300).

The River Camac is currently *At Risk* of not meeting its Water Framework Directive (WFD) objectives and was designated a *Poor* ecological status during the most recent 2016-2021 survey period (EPA, 2023). The status of the River Camac was designated as *Poor* (Q-Value 3) by the EPA in 2022 (station code: RS09C020500, located 1.7km northeast of the Site). The ecological status of the Liffey Estuary Upper transitional waterbody is classified as *Good* during this most recent survey period (EPA, 2023).

The Site is situated on the *Dublin* groundwater body (EU Code: IE_EA_G_008), which is currently under review as to whether it will meet its WFD objectives. The aquifer type within the Site boundary is a *Locally Important Aquifer* (Ll) on bedrock which is *Moderately Productive only in Local Zones*. The groundwater rock units underlying the aquifer are classified as *Dinantian Upper Impure Limestones* (GSI, 2023). The level of vulnerability of the Site to groundwater contamination via human activities is *Moderate*. The soil is classified as *Urban* and the subsoil is man-made (*Made*) (EPA, 2023).

The Waterbody Status for river, groundwater, transitional and coastal water bodies relevant to the Site as recorded by the EPA (2023) in accordance with European Communities (Water Policy) Regulations 2003 (SI no. 722/2003) are provided in Table 1.

Table 1. WFD Risk and Water Body Status.

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
Surface Water Bodies						
River Camac	IE_EA_09C020500	N/A	N/A	Poor	At risk	Potential hydrological

Waterbody Name	Water body; EU code	Location from Site	Distance from Site (km)	WFD water body status (2016-2021)	WFD 3rd cycle Risk Status	Hydraulic Connection to the Site
Walkinstown Stream						connection via surface water discharge
Transitional Water Bodies						
Liffey Estuary Upper	IE_EA_090_0400	North-east	3.5km	Good	Review	Downstream of the Site
Coastal Water Bodies						
Dublin Bay (Liffey Estuary Lower)	IE_EA_090_0300	North-east	10.1km	Moderate	At Risk	Downstream of the Site
Groundwater Bodies						
Dublin Groundwater Body	IE_EA_G_008	N/A	N/A	Good	Review	Underlying groundwater-body

4.3 Identification of Relevant European Sites

4.3.1 Potential Impacts

The following elements of the Proposed Development were identified and assessed for their potential to cause likely significant effects on European sites.

Construction Phase

- Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks;
- Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies or surface water 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; and
- Increased human presence and activity as a result of construction activity.

Operational Phase

- Surface water drainage from the Site of the Proposed Development;
- Foul water from the Proposed Development;
- Increased lighting at the Site and in the vicinity emitted from the Proposed Development; and
- Increased human presence and activity at the Site and in the vicinity as a result of the Proposed Development.

4.3.2 Potential Pathways to European Sites

For the above listed potential sources of effects to have the potential to cause likely significant effects on any European site, a pathway between the source of potential effects (i.e., the Site of the Proposed Development) and the receptor is required.

4.3.2.1 *Direct Pathways*

4.3.2.1.1 Hydrological pathways

The Site is currently underlain by the existing surface water sewer that discharges to the River Camac. There is potential for the surface water run-off from the Site to enter this drainage network and the River Camac and ultimately discharge to Dublin Bay. The River Camac currently flows beneath the Site via a culvert. As outlined in the Civil Engineering Infrastructure & Surface Water Management Report prepared by Barrett Mahony (May 2023), approximately 76m of the River Camac will be daylighted, with surrounding excavation works and installation of reinforced concrete slabs and walls taking place prior to the removal of the existing culvert roof, creating an open channel.

As such, there is a potential, indirect hydrological pathway via surface water run-off to the River Camac to South Dublin Bay SAC (000210), North Dublin Bay SAC (000206), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), and North-West Irish Sea cSPA (004236) during the Construction and Operational Phases of the Proposed Development.

However, the hydrological pathway to these downstream European sites is 11.5km downstream along the River Camac and River Liffey, over which any potential pollutants that may enter Dublin Bay via surface water run-off from the Site would become diluted to indiscernible levels. Therefore, this hydrological pathway to these downstream European sites is considered insignificant.

The Site will also be connected to the existing foul water sewer network, which will be discharged to Dublin Bay from Ringsend WwTP. As such, there is also weak hydrological link between the Site and South Dublin Bay SAC (000210), North Dublin Bay SAC (000206), South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), and North-West Irish Sea cSPA (004236) via discharges from Ringsend WwTP during the Operational Phase. However, the potential for foul waters generated at the Site of the Proposed Development to reach these European sites within Dublin Bay and cause significant effects, during the Construction and Operational Phases, is negligible due to the following reasons:

- The ongoing upgrade works to Ringsend WwTP which will increase the capacity of the facility from 1.6 million Population Equivalent (PE) to 2.4 million PE (see section 4.4.1.3 below for more details).
- It is considered that effects on marine biodiversity and the European sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely (see section 4.4.1.3 for more details).
- The main area of dispersal of the treated effluent from Ringsend WwTP is in the Tolka Basin and around North Bull Island. South Dublin Bay is unaffected by the effluent from the plant (Irish Water, 2018).
- The increase of the PE load at the facility as a result of the Proposed Development, assuming each PE unit was not previously supported by the WwTP, is considered

to be an insignificant increase in terms of the overall scale of the facility. The increased load does not have the capacity to alter the effluent released from the WwTP to such an extent as to result in likely significant effects on European sites in Dublin Bay.

No other European sites are hydrologically connected to the Proposed Development.

4.3.2.1.2 Hydrogeological pathways

Potential discharges to ground could potentially migrate vertically downward to the underlying bedrock aquifer and laterally within the aquifer to the downgradient receiving surface waterbodies, i.e., the River Camac, contributing to the hydrological pathway to Dublin Bay downstream of the Site. However, no direct hydrogeological pathways to any European sites exist due to the considerable distance and intervening watercourses in between the Proposed Development and the nearest European sites within Dublin Bay.

4.3.2.1.3 Air and land pathways

No air or land pathways from the Proposed Amendments to any European sites were identified, as the distance between the Site and the nearest designated sites (South Dublin Bay SAC (000210) approx. 8.5km east and South Dublin Bay and River Tolka Estuary SPA (004024) approx. 7.8km northeast) is deemed sufficient to exclude any potential for impacts from increases in noise, lighting and/or dust or other airborne pollutants.

4.3.2.2 *Indirect Pathways*

No significant indirect pathways (e.g., disruptions to migratory paths) were identified.

The physical location of buildings and structures can influence the likelihood of bird collisions, with structures placed on or near areas regularly used by large numbers of feeding, breeding, or roosting birds, or on a local flight path, such as those located between important foraging and roosting areas, can present a higher risk of collision.

The Proposed Development entails building heights ranging from part 2 No. storeys to part 14 No. storeys (Block 1) and part 9 No. storeys to part 12 (Block 2) in height, and is approximately 46.1m at the highest point, and as such, the risk of migrating birds colliding with the structure due to its height is deemed to be negligible. Migrating species tend to commute far above this with Swans and Geese flying up to 2500ft (ca.750m) during migration along Irish Coasts (Irish Aviation Authority, 2020). Birds that fly over the Site to commute throughout the area or in order to reach feeding grounds at various locations would fly lower than these migration heights, however, as the proposed structures are made of visible materials i.e., not entirely comprised of reflective materials such as glass, the birds flying in the vicinity of the Site will simply fly around or over them.

The Site itself is located 2.1km south from the Pheonix Park, utilised by waterfowl species for foraging. However, it is not deemed to be located in close proximity or adjacent to any SPAs designated for wetland bird populations, with the closest SPA; the *South Dublin Bay and River Tolka Estuary SPA* located ca.8.5km southeast of the Site. The Site does not offer suitable *ex-situ* feeding/roosting/staging habitat for any SCI species of birds listed for the relevant European sites. None of the SCI species listed for the aforementioned European sites were found to be nesting on the building rooftop.

4.3.1 Relevant European sites

European sites relative to the Proposed Development discussed in the context of potential S-P-R connections are shown in Table 2 and below.

TABLE 2. EUROPEAN SITES CONSIDERED WITH THE SOURCE-PATHWAY-RECEPTOR (S-P-R) METHOD TO ESTABLISH NOTABLE LINKS BETWEEN THE SOURCES OF EFFECTS ARISING FROM THE PROPOSED DEVELOPMENT, AND ANY RELEVANT EUROPEAN SITES. THOSE SITES WITH NOTABLE S-P-R LINKS ARE HIGHLIGHTED IN GREEN (IF ANY).

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
Special Areas of Conservation (SAC)		
South Dublin Bay SAC (000210) Linear Distance to Proposed Development: approx. 8.5km E	**Conservation Objectives Version 1 (NPWS 2013a):** **Habitats** 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	Weak hydrological pathway via River Camac, River Liffey and Dublin Bay, deemed insignificant due to distance and dilution. No other potential pathways identified.
North Dublin Bay SAC (000206) Linear Distance to Proposed Development: approx. 10.8km NE	**Conservation Objectives Version 1 (NPWS 2013b):** **Habitats** 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 **Species** 1395 *Petalophyllum ralfsii* (Petalwort)	
Special Protection Areas (SPAs)		
South Dublin Bay and River Tolka Estuary SPA (004024) Linear Distance to Proposed Development: approx. 7.8km NE	**Conservation Objectives Version 1 (NPWS 2015a):** **SCI Birds** A046 Light-bellied Brent Goose (*Branta bernicla hrota*) A130 Oystercatcher (*Haematopus ostralegus*) A137 Ringed Plover (*Charadrius hiaticula*) A141 Grey Plover (*Pluvialis squatarola*) A143 Knot (Calidris *canutus*) A144 Sanderling (*Calidris alba*) A149 Dunlin (*Calidris alpina*) A157 Bar-tailed Godwit (*Limosa lapponica*) A162 Redshank (*Tringa totanus*)	Weak hydrological pathway via River Camac, River Liffey and Dublin Bay, deemed insignificant due to distance and dilution. No other potential pathways identified.

Site Name & Site Code	Qualifying Interests (*= priority habitats)	Potential Pathways
	A179 Black-headed Gull (*Chroicocephalus ridibundus*) A192 Roseate Tern (*Sterna dougallii*) A193 Common Tern (*Sterna hirundo*) A194 Arctic Tern (*Sterna paradisaea*) A999 Wetland and Waterbirds	
North Bull Island SPA (004006) Linear Distance to Proposed Development: approx. 10.8km NE	**Conservation Objectives Version 1 (NPWS 2015b):** **SCI Birds** A046 Light-bellied Brent Goose (*Branta bernicla hrota*) A048 Shelduck (*Tadorna tadorna*) A052 Teal (*Anas crecca*) A054 Pintail (*Anas acuta*) A056 Shoveler (*Anas clypeata*) A130 Oystercatcher (*Haematopus ostralegus*) A140 Golden Plover (*Pluvialis apricaria*) A141 Grey Plover (*Pluvialis squatarola*) A143 Knot (Calidris *canutus*) A144 Sanderling (*Calidris alba*) A149 Dunlin (*Calidris alpina*) A156 Black-tailed Godwit (*Limosa limosa*) A157 Bar-tailed Godwit (*Limosa lapponica*) A160 Curlew (*Numenius arquata*) A162 Redshank (*Tringa totanus*) A169 Turnstone (*Arenaria interpres*) A179 Black-headed Gull (*Chroicocephalus ridibundus*) A999 Wetland and Waterbirds	
North-West Irish Sea cSPA (004236) Linear Distance to Proposed Development: approx. 12.5km NE	**SCI Birds** A065 Common Scoter (*Melanitta nigra*) A001 Red-throated Diver (*Gavia stellata*) A003 Great Northern Diver (*Gavia immer*) A009 Fulmar (*Fulmarus glacialis*) A013 Manx Shearwater (*Puffinus puffinus*) A018 Shag (*Phalacrocorax aristotelis*) A017 Cormorant (*Phalacrocorax carbo*) A177 Little Gull (*Larus minutus*) A188 Kittiwake (*Rissa tridactyla*) A179 Black-headed Gull (*Chroicocephalus ridibundus*) A182 Common Gull (*Larus canus*) A183 Lesser Black-backed Gull (*Larus fuscus*) A184 Herring Gull (*Larus argentatus*) A187 Great Black-backed Gull (*Larus marinus*) A195 Little Tern (*Sterna albifrons*) A192 Roseate Tern (*Sterna dougallii*) A193 Common Tern (*Sterna hirundo*) A194 Arctic Tern (*Sterna paradisaea*) A204 Puffin (*Fratercula arctica*) A200 Razorbill (*Alca torda*) A199 Guillemot (*Uria aalge*)	

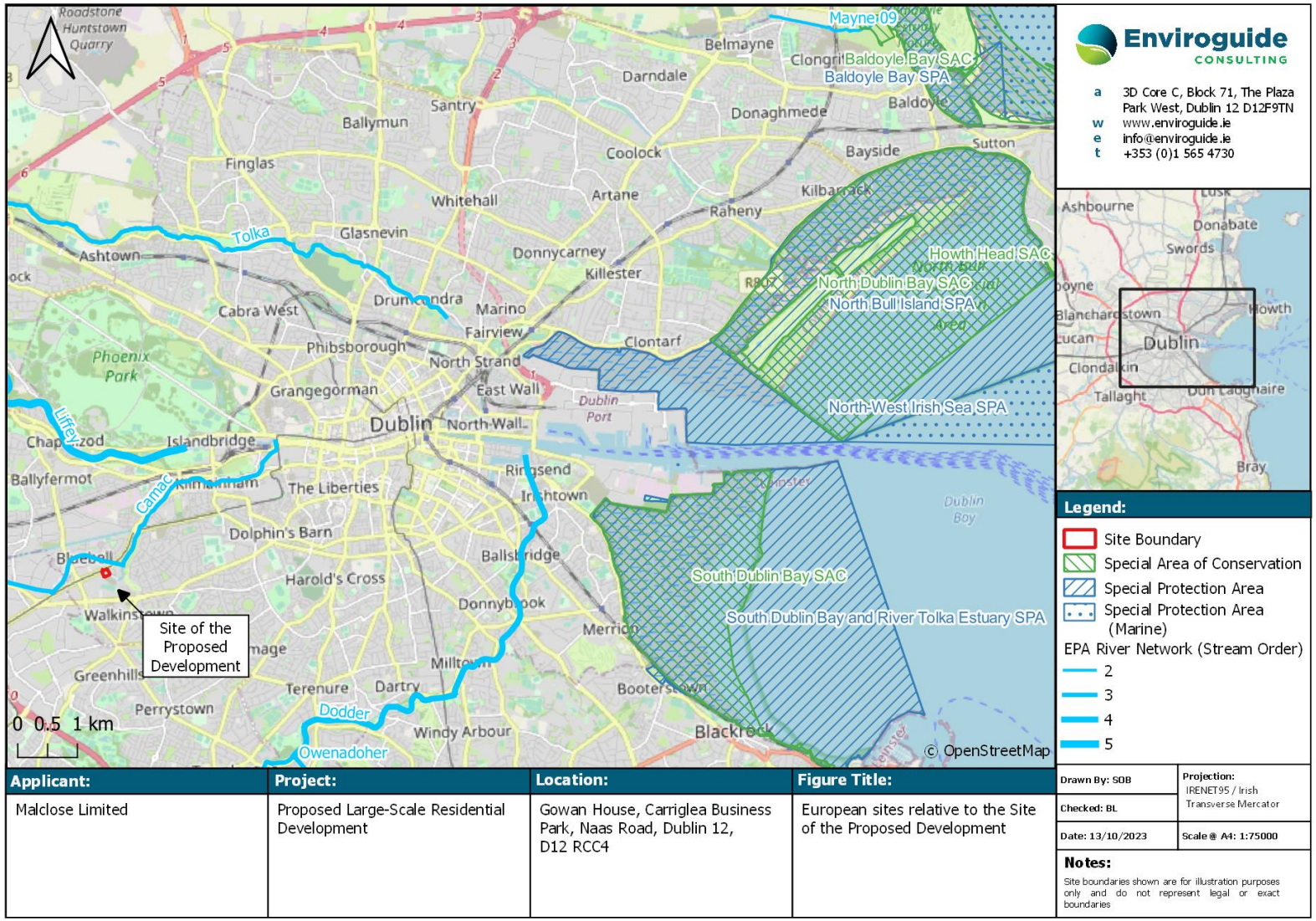

FIGURE 3. EUROPEAN SITES WITHIN THE ZOI OF THE PROPOSED DEVELOPMENT SITE.

4.4 Assessment of Likely Significant Effects

As stated in the preceding section, no S-P-R links of note between the Proposed Development and any European sites were identified, and therefore no further assessment is required to assess the potential for significant impacts from the Proposed Development alone.

4.4.1 Potential for In-combination Effects

Although the Proposed Development is not considered to have the capacity to cause significant effects on any European sites alone, it is important to consider the potential for cumulative effects with other plans and/or projects. The following sections outline existing granted or pending planning permissions in the vicinity of the Proposed Development and assess the potential for adverse in-combination effects on any European sites.

4.4.1.1 *Existing Planning Permissions*

Any planning applications listed as granted or decision pending from within the last five years were assessed for their potential to act in-combination with the Proposed Development and cause likely significant effects on the relevant European sites. Long-term developments granted outside of this time period were also considered where applicable.

There are several existing planning permissions on record in the area, approximately 500m surrounding the Site, ranging from small-scale extensions and alterations to existing residential properties to larger-scale developments. These applications likely also utilise the existing surface water sewer network underlying the Site. The larger developments identified within 500m of the Proposed Development is as follows:

TABLE 3. EXISTING GRANTED PLANNING PERMISSIONS WITH APPROXIMATELY 500M OF THE PROPOSED DEVELOPMENT. LOCATION AND DISTANCE GIVEN IS RELATIVE TO THE PROPOSED DEVELOPMENT.

Planning Reference	Planning Authority	Status	Location
2720/21	Dublin City Council	Grant Permission	95m NE
Development Description Permission is sought for the partial demolition of existing commercial structure at Unit C & reconstruction as cold storage fridges, packaging and marshalling halls with associated truck loading dock & leveler extending the existing food processing factory, and new two storey extension to existing offices in Unit B with amendment to east, south & west elevations with associated site works. **Potential for In-combination effects** No potential for in-combination effects. The Planner's Report for this project concluded there would be no potential for significant impacts to any European sites.			
2812/21	Dublin City Council	Grant Permission	Immediately SE
Development Description The development will consist of 1) the installation of solar photovoltaic ('PV') modules and heat pump units on the roof of apartment building Block AC and solar photovoltaic ('PV') modules on the roof of apartment building Block B on the site; 2) the construction of a single storey substation building adjacent to the eastern boundary of the site to the east of apartment building Block F and the north of apartment building Block G and; 3) the construction of a louvered generator enclosure adjacent to the all-weather multi games area in the eastern part of the site to the south east of apartment buildings Block AC and Block B.			

Potential for In-combination effects
No potential for in-combination effects. The Planner's Report for this project concluded there would be no potential for significant impacts to any European sites.

3228/20	Dublin City Council	Grant Permission	80m SW

Development Description
O'Flynn Construction Co. Unlimited Company intend to apply for a 10-year permission for a mixed use including part Build to Rent development in 13 no. blocks (Blocks A-L) ranging in height from 4-15 storeys over 3 no. basements with a cumulative gross floor area of 168,184.13 sq.m at this 6.921 hectare site to the east of Walkinstown Avenue at the junction of Walkinstown Avenue and Naas Road. The application area includes part of the 'Nissan Site' (6.429 hectares) and 0.492 hectares to accommodate works to facilitate connections to municipal services and works proposed to public roads.
The development will consist of;

i. the demolition of all existing vehicle trade buildings (8,015.66 sq.m) and removal of 4 no. existing 38kV ESB timber poles and 2 no. existing 38kV lattice masts on the site;

ii. construction of 3 no. basements with cumulative gross floor area (GFA) of 37,240.54 sq.m incorporating car parking, motorcycle parking, plant rooms and waste management facilities, comprising;
   a. 'West Basement' located under Blocks A, B, C, D and E (18,815.93 sq.m GFA), with 2 no. entrance/exit ramps including 1 no. situated between Blocks C and E and 1 no. on south side of Block B and containing 411 no. car parking spaces including 17 no. disabled parking spaces and 15 no. car-club spaces, together with 15 no. motorcycle spaces;
   b. 'North Basement' located under Blocks F, G K, and H1 (5,998.24 sq.m GFA), with entrance/exit ramp on western side of Block K and containing 97 no. car parking spaces including 8 no. disabled parking spaces and 3 no. car-club spaces, together with 4 no. motorcycle spaces; and
   c. 'South Basement' located under Blocks H2, J, I and L (12,426.37 sq.m GFA), with entrance/exit ramp situated between Blocks L and J and containing 296 no. car parking spaces including 19 no. disabled parking spaces and 7 no. car-club spaces, together with 15 no. motorcycle spaces;

iii. Block A - a hotel (148 no. rooms) with an upper height of 15-storeys (53.475m maximum above ground level) and a GFA of 7,415.0 sq.m in at the junction of Naas Road and Walkinstown Avenue;

iv. a total of 1,137 no. residential units and associated tenant amenities (combined 2,948.90 sq.m GFA) across 12 no. blocks (B-L) that range in height from 4-10 storeys, with a cumulative GFA of 113,147.79 sq.m, of which Blocks C and L are dedicated Build to Rent (BtR). The residential units will be distributed as follows;
   • Block B with an upper height of 10 no. storeys (36.439m maximum above ground level) comprising 20 no. studio apartments, 48 no. 1-bedroom (2 person) units, 135 no. 2-bedroom (4 person) units and 16 no. 3-bedroom (5 person) units;
   • Block C with an upper height of 8 no. storeys (30.139m maximum above ground level) comprising 42 no. studio apartments, 67 no. 1-bedroom (2 person) units and 54 no. 2-bedroom (4 person) units and tenant facilities and amenities (combined 1,457.80 sq.m) incorporating refuse store, bicycle store, delivery room, manager's office, concierge office, gym and flex spaces, business centre, conference/meeting rooms, café, resident lounges, library, games room, cinema room, community room and chef's kitchen;
   • Block D with an upper height of 9 no. storeys (32.172m maximum above ground level) comprising 6 no. studio apartments, 59 no. 1-bedroom (2 person) units, 34 no. 2-bedroom (4 person) units and 7 no. 3-bedroom (5 person) units;

- Block E with an upper height of 9 no. storeys (32.239m maximum above ground level) comprising 7 no. studio apartments, 18 no. 1-bedroom (2 person) units, 36 no. 2-bedroom (4 person) units and 11 no. 3-bedroom (5 person) units;
- Block F with an upper height of 7 no. storeys (23.625m maximum above ground level) comprising 7 no. 1-bedroom (2 person) units, 25 no. 2-bedroom (4 person) units and 7 no. 3-bedroom (5 person) units;
- Block G with an upper height of 8 no. storeys (31.300m maximum above ground level) comprising 8 no. studio apartments, 32 no. 1-bedroom (2 person) units and 14 no. 2-bedroom (4 person) units;
- Block H1 with an upper height of 6 no. storeys (19.989m maximum above ground level) comprising 6 no. 1-bedroom (2 person) units and 12 no. 2-bedroom (4 person) units;
- Block H2 with an upper height of 8 no. storeys (26.814m maximum above ground level) comprising 8 no. studio apartments, 32 no. 1-bedroom (2 person) units, 24 no. 2-bedroom (4 person) units and 7 no. 3-bedroom (5 person) units;
- Block I with an upper height of 9 no. storeys (31.728m maximum above ground level) comprising 17 no. studio apartments, 31 no. 1-bedroom (2 person) units and 73 no. 2-bedroom (4 person) units;
- Block J with an upper height of 7 no. storeys (24.275m maximum above ground level) comprising 61 no. 2-bedroom (4 person) units and 14 no. 3-bedroom (5 person) units
- Block K with an upper height of 8 storeys (28.647m maximum above ground level) comprising 13 no. studio apartments, 21 no. 1-bedroom (2 person) units, 16 no. 2-bedroom (4 person) units and 13 no. 3-bedroom (5 person) units; and,
- Block L with an upper height of 7 no. storeys (24.189m maximum above ground level) comprising 25 no. studio apartments, 49 no. 1-bedroom (2 person) units, 56 no. 2-bedroom (4 person) units and 6 no. 3-bedroom (5 person) units and tenant facilities and amenities (combined 900.70 sq.m) incorporating refuse store, manager's office, delivery room, gym and flex spaces, business centre, conference/meeting rooms, café, resident lounges, library, games room, cinema room, community room and chef's kitchen.

v. Public open spaces comprising; a public square, 'Barnewall Square' (2,488 sq.m) to the north west of the site; a public 'biodiversity park' (5,411 sq.m) with a north south alignment in the centre of the scheme; a public pocket park (2,785 sqm) including older children's play area; a public play area for younger children (85 sq.m);

vi. Communal amenity space distributed across Blocks B-L with a combined area of 12,445 sq.m in the form of ground and podium gardens and roof terraces.

vii. 10 no. Retail units (combined 2,621.85 sq.m GFA) at ground floor level in Blocks B, C, D and E;

viii. Office Accommodation with a combined GFA of 5,001.80 sq.m in Blocks B, C and E at ground and podium level;

ix. a Primary Healthcare Centre at ground floor level in Block C with a GFA of 994.30 sq.m;

x. a Childcare Facility in Block D at ground floor level with a GFA of 968.95 sq.m and an associated play area of 273 sq.m;

xi. a Cultural Hub at ground floor level in Block B with a GFA of 486.60 sq.m;

xii. a Gymnasium at ground floor level in Block B with a GFA of 210.9 sq.m;

xiii. 853 no. total car parking spaces: 804 no. distributed across the 3 no. basements including 44 no. disabled spaces and 34 no. motorcycle spaces; and, 49 no. surface level car parking spaces including includes 6 no. disabled spaces.

xiv. a total of 2,514 no. bicycle parking spaces shall be provided within the development, comprising 1,839 no. long-term bicycle storage spaces for residents, 569 no. short-term bicycle parking spaces for apartment visitors and 106 no. short-term bicycle parking spaces to serve the non-residential elements of the development;

xv. the primary vehicular access (left in/left out) will be via Walkinstown Avenue with a secondary vehicular access (left in/left out) on the Naas Road;
xvi. provision of 4 no. pedestrian access points to the development, including 2 no. off the Naas Rd. and 2 no. from Walkinstown Avenue;
xvii. road upgrade works to Walkinstown Avenue to facilitate improved vehicular, cycle and pedestrian access and including a loading bay (3.2m wide by 30m long) to facilitate deliveries;
xviii. the construction of 11 no. single storey ESB sub-station and LV rooms (totalling 358.75 sq.m GFA), erection of a new 12m high T63A 38kV cable to line pylon and undergrounding of a section of the existing Inchicore Ballymount 38kV overhead line which traverses the site;
xix. roof mounted solar photovoltaic panels across Blocks B-L totalling 3,751 sq.m;
xx. all ancillary site development works, drainage, plant, waste storage, boundary treatment and lighting.

Potential for In-combination effects
No potential for in-combination effects. The AA carried out for this project concluded there would be no potential for significant impacts to any European sites.

ABP-307804-20	An Bord Pleanála	Grant Permission	225m W

Development Description
Permission (for a period of 10 years) for development on this site of c.3.79 hectares at the Royal Liver Assurance Retail Park, Old Naas Road, Dublin 12. The site is bounded by Kylemore Road (R112) to the west; Old Naas Road to the north; Naas Road (R810) to the south; and "Brooks" (Building Providers) to the east. The development will comprise the demolition of 2 No. single storey warehouse buildings (c.12,800m2 Gross Floor Area (GFA)), sub-divided to comprise 8 No. retail / retail warehouse units, and full site clearance; and the redevelopment of the Royal Liver Assurance Retail Park to provide a mixed-use development (comprising residential, office, crèche, community, retail, café /bar / restaurant, medical centre, pharmacy uses) and all ancillary works; comprising 9 No. buildings ranging in height from 7 to 18 storeys over basement level, with a total GFA of c.129,210m2, plus c. 38,399m2 relating to ancillary car parking, bicycle parking, plant, waste storage facilities, storage, services, including at ground (sub-podium) and basement levels. The residential component comprises 1,102 No. units consisting of Build-to-Rent Residential Development comprising 992 No. apartment units within Blocks B1, B2, C1, C2, E2, D1, F1, F2 (comprising 4 No. Studio units, c.38m2 GFA; 484 No. 1 Bedroom units (ranging in size from c.49.2m2 to c.60.7m2 GFA); 490 No. 2 Bedroom units (ranging in size from c.75.3m2 to c.85.3m2 GFA); 14 No. 3 Bedroom units (ranging in size from c.100.0m2 GFA to c.101.5 m2 GFA); with resident support facilities, services and amenities at ground and upper floor levels (with a total GFA of c.4,477m2); 110 No. apartments within Blocks D2, E2 and F2; and Build-to-Rent Shared Accommodation comprising 203 No. Single Occupancy Bedrooms within Block E1, as described per block below:
• Block A (Total GFA: c.17,292m2): 18 storey building over basement level (overall height +c.120.1m OD) fronting to Kylemore Road to the west, comprising; office use (c.17,002m2 GFA) at ground to 16th floor levels, with ancillary plant rooms, toilets, changing rooms, storage, bicycle parking at basement level; 1 No. café /bar / restaurant unit (c.290m2 GFA) at ground floor level; and plant at 17th floor level;
• Block B1 (Total GFA: c.9,278m2): 12 storey building (overall height +c.84.4m OD), comprising 90 No. Build-to-Rent units (54 No. 1 bed units and 36 No. 2 bed units) at 2nd to 10th floor levels, with resident support facilities, services and amenities (c.2,160m2 GFA) including lounge, kitchen room, games room, post area, admin suite, reception, office, etc., at ground floor level; lounge, private dining room, quiet room, etc., at 1st floor level; resident's lounge, private dining room and external amenity area at 11th floor level; PV panels at roof level; and with balconies on the north-western, eastern and southern elevations;

• Block B2 (Total GFA: c.8,963m2): 11 storey building (overall height +c. 81.65m OD), comprising 90 No. Build to Rent units (4 No. studio units, 32 No. 1 bed units and 54 No. 2 bed units) at 1st to 9th floor levels, with resident support facilities, services and amenities (c.949m2 GFA) at ground floor level including, resident's foyer, quiet room, after school club, office, etc.; multi-purpose hall and rooms (c.268.5m2 GFA); with external amenity area and PV panels at roof level; and with balconies on the western, eastern and southern elevations;
• Block C1 (Total GFA: c.17,400m2): 11 storey building over basement level (overall height +c. 81.65m OD) comprising: 171 No. Build-to-Rent units (100 No. 1 bed units and 71 No. 2 bed units) at 1st to 9th floor levels, with resident support facilities, services and amenities (c.978m2 GFA) including cinema room, fitness suite (gym), shower and changing rooms etc., (extending across Blocks C1 and C2) at ground floor level; with resident's lounge, external amenity area and PV panels at 10th floor (roof) level; 1 No. café / bar / restaurant (c.176.9m2 GFA) with access from proposed public plaza / pedestrian route to west of Block C1; 1 No. retail unit (c. 2,360m2 GFA), at ground floor level of Block C1 and C2, with access from public plaza / pedestrian route to west of Block C1, and from ground floor (sub-podium) level car park, accessed from proposed entrance on Old Naas Road; and with balconies on the northern, western, eastern and southern elevations;
• Block C2 (Total GFA: c. 7,728m2): 11 storey building over basement level (overall height +c. 81.65m OD) comprising 89 No. Build to Rent units (34 No. 1 bed units and 55 No. 2 bed units) at 1st to 9th floor levels, with external amenity area, green roof and PV panels at 10th floor level; and with balconies on the western, eastern and southern elevations;
Blocks B1, B2, C1 and C2 are located on the southern side of the site, adjacent to Naas Road.
• Blocks D1 and D2 are located in north-east of the site forming a single block, and comprising:
o Block D1 (Total GFA: c.7,498m2): 10 storey building over basement level (overall height +c. 77.0m OD), located to west of site, to the south of Block D2, comprising 87 No. Build-to Rent-units (38 No. 1 bed units and 49 No. 2 bed units) at 1st to 8th floor levels; with resident support facilities, services and amenities (c.31m2 GFA) (resident's lounge) and external amenity area at 9th floor level; and with balconies on the western, eastern and southern elevations;
o Block D2 (Total GFA: c.11,080m2): 8 storey building over basement level (overall height +c. 73.45m OD) fronting to Old Naas Road to the north, comprising 106 No. apartments (21 No. 1 bed units, c.49.2m2 GFA; 64 No. 2 bed units (ranging in size from c.75.3m2 to 83.1m2 GFA), and 21 No. 3 bed units (ranging in size from 100.0m2 GFA to 101.5m2 GFA), at ground to 7th floor level; 1 No. crèche (c.462m2 GFA) with outdoor play area, with access from public pedestrian access route on the western side of Block D2; with green roof, PV panels, plant equipment at roof level; and with balconies on the northern, western, eastern and southern elevations;
• Blocks E1 and E2 form a single block located to the west of the pedestrian route through the scheme; Block E2 located to the south of Old Naas Road, comprising:
o Block E1 (Total GFA: c.8,742m2): 8-10 storey building over basement level (overall height +c. 76.85m OD),comprising 203 No. Build-to-Rent Shared Accommodation Single Occupancy Bedrooms (ranging in size from c.18.3m2 GFA to c.30.7m2 GFA), with communal kitchen / dining / living facilities to serve the residents at basement to 9th floor levels, comprising 1 No. fitness suite (gym) (c.196.7m2 GFA), 1 No. cinema room (c.64.1m2 GFA), residents dining area, lounge / reception areas at ground floor level; communal kitchen / dining / living facilities (c.134.8m2 GFA) and 1 No. reading room (c.33.2m2 GFA) at 1st, 4th, 7th floor levels; communal kitchen / dining / living facilities (c.115.2m2 GFA) and 1 No. games room (c.33.2m2 GFA) at 2nd, 3rd, 5th, 6th floor levels; communal kitchen / dining / living facilities (c. 55.7m2 GFA) at 8thand 9th floor level; provision of communal amenity space at 8th floor level; 1 No. café / bar / restaurant (c.253.2m2 GFA) (also publicly accessible from public square / pedestrian route to south of Block E1) at ground floor level; and with balconies on the southern elevation;
o Block E2 (Total GFA: c.6,808m2): 7 - 8 storey building over basement level (overall height +c. 70.55m OD), comprising 2 No. 2 bed apartments (c.77.8m2 GFA) at ground floor level; and 78 No. Build-to-Rent units (47 No. 1 bed units and 31 No. 2 bed units) at 1st to 7th floor levels; with resident support facilities, services and amenities (c.69m2 GFA) (residential foyers) at ground floor level; with

external amenity area at 7th floor level; PV panels and plant equipment at roof level; and with balconies on the northern, western, eastern and southern elevations;

• Block F1: (Total GFA: c.17,964m2): 9 storey building over basement level (overall height +c. 73.85m OD) located in the north-west of the site adjacent to junction of Old Naas Road / Kylemore Road comprising 2 No. 2 bed apartments (c.80.3m2 GFA) at ground floor level; 205 No. Build-to-Rent units at ground to 7th floor levels, comprising (106 No. 1 bed units; 85 No. 2 bed units and 14 No. 3 bed units) with resident support facilities, services and amenities (c.177m2 GFA) including residents foyers at ground and 8th floor levels, resident's lounge at 8th floor level; green roof, external amenity area at 8th floor level; and with balconies on the northern, western, eastern and southern elevations;

• Block F2: (Total GFA: c. 16,456m2): 10 storey building over basement level (overall height +c. 80.15m OD) adjacent to Kylemore Road to the west, pedestrian route / public plaza to the south, comprising 182 No. Build-to-Rent units at ground to 9th floor levels, comprising (73 No. 1 bed units and 109 No. 2 bed units) with resident support facilities, services and amenities (c.113m2 GFA) including residential foyers etc., at ground floor level, with external amenity area and plant equipment at roof level; 1 No. pharmacy unit (c.74.6m2 GFA), 1 No. medical centre (c.237.2m2 GFA) and 1 No. café / bar / restaurant (c.126.5m2 GFA) at ground floor level, with access from proposed public square / pedestrian route to south of Block F2;and with balconies on the northern, western, eastern and southern elevations;

• The provision of 874 No. car parking spaces (including 12 No. car sharing spaces, 87 No. car parking spaces suitable for electrical charging (EV spaces)), 37 No. motor cycle parking spaces and 1,896 No. bicycle parking spaces, at grade level and at ground (sub-podium) and basement levels, served by 2 No. access points from Old Naas Road as follows:

o 1 No. vehicular access, located to the east of Block F1 and west of Block E2, serving facilities at ground (sub-podium) level comprising 202 No. car parking spaces (including 1 No. public car park (112 No. spaces), including 5 No. car sharing spaces, 20 No. EV spaces; 258 No. bicycle parking spaces; and at basement level comprising c.307 No. car parking spaces (including 31 No. EV spaces, 4 No. car sharing spaces), 574 No. bicycle parking spaces, storage and plant areas;

o 1 No. vehicular access, located to the east of Blocks D1 and D2 providing access to ground (sub-podium) level, comprising c. 75 No. car parking spaces (including 8 No. EV spaces) serving proposed retail unit at ground floor of Blocks C1 and C2, including loading yard; services access to waste storage area; and providing access to basement level comprising c.278 No. car parking spaces (including 28 No. EV spaces), 558 No. bicycle parking spaces. The basement car park areas are inter-connected at basement level;

o 12 No. car parking spaces on Old Naas Road (including 3. No. car sharing spaces);

o 170 No. bicycle parking spaces at basement level of Block A;

• Provision of 1 No. set-down/drop off area on Kylemore Road (to west of Block A);1 No. set-down / drop-off area on Old Naas Road. The development will also include areas of public, communal and private amenity open space at grade, podium and roof levels; provision of a landscaped public open space / pedestrian route through the site, with pedestrian access from Kylemore Road from the west of the site; Naas Road/ Kylemore Road to the south-west of the site, and Old Naas Road to the north; and all associated hard and soft landscaping (including play facilities, seating, boundary treatments and associated works), associated lighting, signage, site services (foul and surface water drainage and water supply), the provision of SuDS measures including 2 No. attenuation tanks below basement level; 13 No. substations at ground and basement levels; and all other associated site excavation, infrastructural and site development works above and below ground. An Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the application. The EIAR may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours. The planning application may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of Dublin City Council, Planning Department, Block 4, Ground Floor, Civic Offices, Wood Quay, Dublin 8 during its public opening hours (9.00a.m.- 4.30p.m.). A submission or observation in

relation to the application may be made in writing to the planning authority on payment of the prescribed fee (€20.00) within the period of 5 weeks beginning on the date of receipt by the authority of the application, and such submissions or observations will be considered by the planning authority in making a decision on the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

Potential for In-combination effects
No potential for in-combination effects. The AA carried out for this project concluded there would be no potential for significant impacts to any European sites.

2158/17	**Dublin City Council**	**Grant Permission**	**455m NW**

Development Description
The proposed development on an overall site of c. 0.523 hectares shall provide for the demolition of existing structures Nos. 8, 9, 10, 11, 12, 13 and 14 Old Naas Road Cottages (c. 689 sq.m) on site to provide for development (total GFA c. 9,249.16 sq.m) comprising 85 no. residential units, in a development proposal of three blocks (Block A, B and C) ranging in height from 4-6 storeys with associated basement level located under Blocks A, B and C. Overall, the development shall provide for 18 no. 1 bed units (c. 52 -60.76 sq.m); 55 no. 2 bed units (c. 87.2 - 107.6 sq.m); and 12 no. 3 bed units (130.75 - 147 sq.m); all with associated balcony/ terrace private open space areas.
Block A (6 storeys) comprises 48 units in the form of 12 no. 1 bed and 36 no. 2 bed units.
Block B (6 storeys) comprises 6 no. 1 bed units, 11 no. 2 bed units and 12 no. 3 bed units.
Block C (4 storeys) comprises of 8 no. 2 bed units.
The overall development shall also provide for 86 no. car parking spaces; 4 no. designated car spaces; 85 no. bicycle spaces and 5 no. motorcycle spaces; plant room areas; water stores; bin stores (all located at basement level); c. 308 sq.m of children's play area; c. 878.75 sq.m of balcony/ terrace space; c. 1,142 sq.m of communal open space; vehicular access and egress to the site will be via Old Naas Road. 12 no. existing car parking spaces will be removed from the front of the Sheldon Park Hotel car park and relocated to the rear of the Sheldon Park Hotel to accommodate the development.
Permission is also sought for all associated site development, services and landscape works.

Potential for In-combination effects
No potential for in-combination effects. The Planner's Report for this project concluded there would be no potential for significant impacts to any European sites.

4637/18	**Dublin City Council**	**Grant Permission**	**455m NW**

Development Description
Permission for modifications to development previously permitted under Reg. Ref. 2158/17 on site (c. 0.493 ha.) of the former Nos. 8, 9, 10, 11, 12, 13 and 14 Old Naas Road Cottages, Old Naas Road, Bluebell, Dublin 12. The proposed development will comprise of the addition of 2 no. floors of residential development to Block A and Block B to provide an additional 16 units in Block A (12 no. 2 bed units and 4 no. 1 bed units) and an additional 10 units in Block B (4 no. 3 bed units, 4 no. 2 bed units, 2 no. 1 bed units) resulting in an overall scheme extending to 8 storeys over permitted basement level and comprising 103 residential units, each with associated balcony/terraced areas. Modifications at basement level include a reduction in car parking spaces from 90 to 83 and an increase in cycle parking spaces from 85 to 90. All other aspects of development remain as permitted under Reg. Ref. 2158/17.

Potential for In-combination effects
No potential for in-combination effects. The Planner's Report for this project concluded there would be no potential for significant impacts to any European sites.

3404/20	Dublin City Council	Grant Permission	455m NW

Development Description
PERMISSION & RETENTION: Retention permission and planning permission is sought for alterations and completion of previously approved development (Reg. Ref. 2158/17). Retention permission is sought for the following: 2 no. additional as built floors of residential development Block A and Block B to provide an additional 16 no. units with associated balconies/terrace area in Block A (12 no. 2-bed units, 3 no. 1-bed units and 1 no. studio) and an additional 10 no. units with associated balconies/terrace area in Block B (3 no. 3-bed units, 6 no. 2-bed units, 1 no. 1-bed units). Planning permission is sought for completion of the development and all ancillary works necessary to facilitate the development. The proposed development will result in the overall scheme extending to 8 storeys over basement level comprising 103 no. residential units, each with associated balconies/terrace area; 88 no. vehicle parking spaces, (comprising 79 no. car parking spaces, 4 no. accessible parking spaces and 5 no. motorcycle parking spaces); 127 no. bicycle spaces (103 no. spaces at basement level and 24 no. spaces at surface level). The development proposed for retention is identical to that approved under Planning Reg. Ref. 4637/18.

Potential for In-combination effects
No potential for in-combination effects. The Planning Report for this project concluded there would be no potential for significant impacts to any European sites.

4.4.1.2 *Relevant Policies and Plans*

The local policies and plans detailed in section 2.2 were reviewed and considered for possible in-combination effects with the Proposed Development. Each of these plans has undergone AA, and where potential for likely significant effects has been identified (e.g., in the case of the Dublin City Development Plan), an NIS has been prepared which identifies appropriate mitigation. As such, it is considered that the plans and policies listed will not result in in-combination effects with the Proposed Development. The Dublin City Development Plan 2022 – 2028 has directly addressed the protection of European sites and biodiversity through specific objectives. The above listed plans are not being relied upon to rule out potential significant effects on European sites.

4.4.1.3 *Operation of Ringsend WwTP*

This section addresses in more detail the general issue of potential in-combination effects with Ringsend WwTP arising from the Operational Phase of the Proposed Development and other Developments, including future developments.

In summary, the impact of the Proposed Development and any future development has already been appropriately considered and assessed as part of the application process for the existing planning permissions pertaining to Ringsend WwTP.

The 2012 Ringsend Wastewater Treatment Plant application for planning permission (Ref. PL.29N.YA0010) was for a PE of 2.4 million and was predicated on the findings of the 2005 GDSDS. The GDSDS set out the drainage requirements for the Greater Dublin Area (GDA) up to 2031. The GDSDS relied on the Regional Planning Guidelines (RPGs) and the National Spatial Strategy (NSS) in order to estimate the future projected population increases for the GDA. The studies indicated a predicted growth in population from 1.2 million in 2002 to just over 2 million in 2031 for the GDA region.

In June 2018 Irish Water applied for and subsequently received planning permission in 2019 for upgrade works to the Ringsend WWTP facility. The first phase of upgrade works to Ringsend WWTP was completed in December 2021, which increased the capacity of the plant by 400,000 P.E. These works, together with the future works permitted will ultimately increase the capacity of the facility from 1.6 million P.E. to 2.4 million P.E. by 2025 (Irish Water website: https://www.water.ie/projects/local-projects/ringsend/).

Therefore, both the initially permitted 2012 upgrade and the permitted 2019 revised upgrade (Ref. ABP-301798-18) for Ringsend WwTP take account of population growth up to 2.4 million PE. Both applications were subject to EIA and therefore accompanied by an EIAR and accompanied by an AA screening report and NIS.

Notwithstanding the above, on an individual basis the Operational Phase of the Proposed Development will have an imperceptible effect on the habitats/species/qualifying interests listed within the relevant European sites specifically South Dublin Bay and River Tolka Estuary SPA (004024), North Bull Island SPA (004006), and North Dublin Bay SAC (000206), in terms of flows, relative to the total amount of waste water currently being received at Ringsend WwTP.

Under the heading of *"Potential impact – Discharge of treated effluent, impacts on water quality, effects on qualifying interests"*, the NIS (Irish Water, 2018b) for the Ringsend Wastewater Treatment Plant 2019 revised upgrade provides as follows:

> *"In the operational phase, the proposed upgrade of the Ringsend WWTP Component will result in an increase in the plant capacity and also an improvement in the final effluent quality. This will result in a reduction in the licensed parameters discharged into the receiving water, with significantly reduced quantities in respect of ammonia and phosphorous."*[1]

This NIS goes on to state as follows:

> *"Overall no significant adverse effects on are foreseen and indeed, a slight positive effect is possible. Effects of discharge during the operational phase of the project from the upgrade project will therefore have imperceptible impact on habitats listed within these European sites."*[2]

In respect of this issue, the NIS concludes as follows:

> *"Thus, there is no potential for in-combination impacts of any other plan and project with the Ringsend WWTP Component of the proposed Upgrade Project."*[3]

The EIAR for the ongoing upgrade at Ringsend WwTP (Irish Water, 2018a) also details the lack of any significant impacts to European sites observed as a result of the current stormwater overflow discharge levels at the WwTP. During storm events, once the capacities of the holding tanks are surpassed, the WwTP releases overflow via an outfall at Pigeon House Rd into the lower Liffey estuary.

The EIAR carried out in relation to said upgrade concluded that in the 'do nothing' scenario, i.e., wherein the upgrade is not carried out; the current existing levels of nutrient input to

[1] Section 4.5.1 at page 32

[2] Section 4.5.1 at page 33

[3] Section 4.5.1 at page 34

Dublin Bay as a result of stormwater overflow from the WwTP, are not deemed to pose significant threats to the integrity of European sites located within or adjacent to Dublin Bay, or any of their Conservation Objectives regardless of said upgrade.

The EIAR report acknowledges that under the do-nothing scenario "*the areas in the Tolka Estuary and North Bull Island channel will continue to be affected by the cumulative nutrient loads from the river Liffey and Tolka and the effluent from the Ringsend WWTP*", which could result in a decline in biodiversity and the deterioration of the biological status of Dublin Bay (Irish Water, 2018a). Nevertheless, these negative impacts of nutrient over-enrichment are considered "*unlikely*". This is because historical data suggests that pollution in Dublin Bay has had little or no effect on the composition and richness of the benthic macroinvertebrate fauna. The EIAR notes that "*although a localised decline could occur, it is not envisaged to be to a scale that could pose a threat to the shellfish, fish, bird or marine mammal populations that occur in the area*." Furthermore, the EIAR notes that significant impacts on waterbird populations foraging on invertebrates in Dublin Bay due to nutrient over-enrichment are "*unlikely*" to occur. What is important to note is that the do-nothing scenario predicts that nutrient and suspended solid loads from the WwTP will "*continue at the same levels and the impact of these loadings should maintain the same level of effects on marine biodiversity*" and that "*if the status quo is maintained there will be little or no change in the majority of the intertidal faunal assemblages found in Dublin Bay which would likely continue to be relatively diverse and rich across the bay*."

Therefore, it can be concluded that likely significant effects on marine biodiversity and the European sites within Dublin Bay from the *current* operation of Ringsend WwTP are unlikely. Importantly, this conclusion is not dependent upon any future works to be undertaken at Ringsend. Thus, in the absence of any upgrading works, significant in-combination effects to European sites in this regard **are not deemed likely to arise,** and therefore likely significant effects involving foul waters produced by the Proposed Development also do not have the potential to occur.

It is therefore concluded that there is **no possibility for any significant in-combination effects** to European sites involving the Proposed Development.

TABLE 4. SUMMARY OF IMPACT ASSESSMENT ON EUROPEAN SITES AS A RESULT OF THE PROPOSED DEVELOPMENT.

Site	Habitat Loss / Alteration	Habitat or Species Fragmentation	Disturbance and/or Displacement of Species	Changes in Population Density	Changes in Water Quality and/or Resource	In-combination effects	Stage 2 AA Required
SAC							
North Dublin Bay SAC (000206)	No	No	No	None	None	None	NO
South Dublin Bay SAC (000210)	No	No	No	None	None	None	NO
SPA							
South Dublin Bay and River Tolka Estuary SPA (004024)	No	No	No	None	None	None	NO
North Bull Island SPA (004006)	No	No	No	None	None	None	NO
North-West Irish Sea cSPA (004236)	No	No	No	None	None	None	NO

5 APPROPRIATE ASSESSMENT SCREENING CONCLUSION

The Proposed Development at Gowan House, Carriglea Business Park, Naas Road, Dublin 12, D12 RCC4 has been assessed taking into account:

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

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

- South Dublin Bay SAC (000210).
- North Dublin Bay SAC (000206).
- South Dublin Bay and River Tolka Estuary SPA (004024).
- North Bull Island SPA (004006).
- North-West Irish Sea cSPA (004236).

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 and objective information, that the possibility of any significant effects on the above listed European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded in light of the above listed European sites' conversation objectives. Thus, there is no requirement to proceed to Stage 2 of the AA process and the preparation of a NIS is not required.

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