

# ALTEMAR

Marine & Environmental Consultancy

## Appropriate Assessment Screening for the demolition of buildings and the construction of Phase 1 of a mixed use residential development, located at the junction of Belgard Square North and Belgard Road, Tallaght, Dublin 24.



19<sup>TH</sup> DECEMBER 2018

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**On behalf of:** Atlas GP Ltd.

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<b>Document Control Sheet</b>			
Client	Atlas GP Ltd		
Project	Appropriate Assessment Screening for the demolition of buildings and the construction of Phase 1 of a mixed use residential development, located at the junction of Belgard Square North and Belgard Road, Tallaght, Dublin 24		
Report	Appropriate Assessment Screening		
Date	19 <sup>th</sup> December 2018		
Project No:		Document Reference: AAAGP_1803	
Version	Author	Reviewed	Date
Draft 01	Bryan Deegan	Sara Corcoran	8 <sup>th</sup> June 2018
Draft 02	Bryan Deegan		19 <sup>th</sup> December 2018

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## 1. INTRODUCTION

An Appropriate Assessment is an assessment of the potential effects of a proposed project or plan, on its own, or in combination with other plans or projects, on one or more NATURA 2000 sites (Special Areas of Conservation (SAC) or Special Protection Areas (SPA)).

The following Appropriate Assessment (Screening Stage) has been prepared by **Altemar Ltd.** at the request of Atlas GP Ltd.. It relates to the proposed works associated with the demolition of buildings (Belgard House, Belgard Square and the former Uniphar factory) and the construction of Phase 1 of a mixed use residential development in 5 no. blocks, ranging from 4 – 10 storeys comprising a new urban quarter and streets to provide 438 no. apartment units and 403 no. bedspace student accommodation. The proposed development site is located at the junction of Belgard Square North and Belgard Road, Tallaght, Dublin 24. The proposed development is detailed in Section 4. The purpose of this report is to determine the effect, if any, of the proposed project individually or in combination with other plans or projects, on NATURA 2000 sites and their conservation objectives.

### BACKGROUND TO ALTEMAR LTD.

Since its inception in 2001, Altemar has been delivering ecological and environmental services to a broad range of clients. Operational areas include residential, infrastructural, renewable, oil & gas, private industry, local authorities, EC projects and State/semi-State Departments. Bryan Deegan is the managing director of Altemar, is an environmental scientist and marine biologist with 20 years' experience working in Irish terrestrial and aquatic environments, providing services to the State, Semi-State and industry. He is currently contracted to Inland Fisheries Ireland as the sole "External Expert" to environmentally assess internal and external projects. He is also chair an internal IFI working group on environmental assessment. Bryan Deegan (MCIEEM) holds a MSc in Environmental Science, BSc (Hons.) in Applied Marine Biology, NCEA National Diploma in Applied Aquatic Science and a NCEA National Certificate in Science (Aquaculture). Bryan Deegan carried out all elements of this Appropriate Assessment Screening.

## 2. BACKGROUND TO THE APPROPRIATE ASSESSMENT

The Habitats Directive 92/43/EEC (together with the Birds Directive (2009/1477/EC)) forms the cornerstone of Europe's nature conservation policy. The Directive protects over 1000 animals and plant species and over 200 "habitat types" which are of European importance. In the Directive, Articles 3 to 9 provide the legislative means to protect habitats and species of European Community interest through the establishment and conservation of an EU-wide network of conservation sites (NATURA, 2000). These are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Birds Directive), Article 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect NATURA 2000 sites (Annex 1.1). Article 6(3) establishes the requirement for Appropriate Assessment:

*"Any plan or project not directly connected with or necessary to the management of the [NATURA 2000] site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implication for the site and subject to the provisions of paragraph 4, the component 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."*



As outlined in the EC guidance document on Article 6(4) (January 2007)<sup>1</sup>:

*“Appropriate assessments of the implications of the plan or project for the site concerned must precede its approval and take into account the cumulative effects which result from the combination of that plan or project with other plans or projects in view of the site's conservation objectives. This implies that all aspects of the plan or project which can, either individually or in combination with other plans or projects, affect those objectives must be identified in the light of the best scientific knowledge in the field.*

*Assessment procedures of plans or projects likely to affect NATURA 2000 sites should guarantee full consideration of all elements contributing to the site integrity and to the overall coherence of the network, both in the definition of the baseline conditions and in the stages leading to identification of potential impacts, mitigation measures and residual impacts. These determine what has to be compensated, both in quality and quantity. Regardless of whether the provisions of Article 6(3) are delivered following existing environmental impact assessment procedures or other specific methods, it must be ensured that:*

- *Article 6(3) assessment results allow full traceability of the decisions eventually made, including the selection of alternatives and any imperative reasons of overriding public interest.*
- *The assessment should include all elements contributing to the site's integrity and to the overall coherence of the network as defined in the site's conservation objectives and Standard Data Form, and be based on best available scientific knowledge in the field. The information required should be updated and could include the following issues:*
  - *Structure and function, and the respective role of the site's ecological assets;*
  - *Area, representativity and conservation status of the priority and nonpriority habitats in the site;*
  - *Population size, degree of isolation, ecotype, genetic pool, age class structure, and conservation status of species under Annex II of the Habitats Directive or Annex I of the Birds Directive present in the site;*
  - *Role of the site within the biographical region and in the coherence of the NATURA 2000 network; and,*
  - *Any other ecological assets and functions identified in the site.*
- *It should include a comprehensive identification of all the potential impacts of the plan or project likely to be significant on the site, taking into account cumulative impacts and other impacts likely to arise as a result of the combined action of the plan or project under assessment and other plans or projects.*
- *The assessment under Article 6(3) applies the best available techniques and methods, to estimate the extent of the effects of the plan or project on the biological integrity of the site(s) likely to be damaged.*
- *The assessment provides for the incorporation of the most effective mitigation measures into the plan or project concerned, in order to avoid, reduce or even cancel the negative impacts on the site.*
- *The characterisation of the biological integrity and the impact assessment should be based on the best possible indicators specific to the NATURA 2000 assets which must also be useful to monitor the plan or project implementation.”*

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<sup>1</sup> European Commission. (2007). Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission;

### 3. STAGES OF THE APPROPRIATE ASSESSMENT

This Appropriate Assessment screening was undertaken in accordance with the European Commission Methodological Guidance on the provision of Article 6(3) and 6(4) of the 'Habitats' Directive 92/43/EEC (EC, 2001), Part XAB of the Planning and Development Act 2000, as amended, in addition to the December 2009 publication from the Department of Environment, Heritage and Local Government; 'Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities' and the European Communities (Birds and Natural Habitats) Regulations 2011.

In order to comply with the above Guidelines and legislation, the Appropriate Assessment process must be structured as follows:

- 1) Screening stage:
  - Description of the proposed project or plan;
  - Identification of NATURA 2000 sites potentially affected;
  - Identification and description of individual in combination effects likely to result from the proposed project;
  - Assessment of the likely significance of the effects identified above. Exclusion of sites where it can be objectively concluded that there will be no likely significant effects; and,
  - Conclusions.
- 2) Appropriate Assessment (Natura Impact Statement):
  - Description of the NATURA 2000 sites that will be considered further;
  - Identification and description of potential adverse impacts on the conservation objectives of these sites likely to occur from the project or plan; and,
  - Mitigation Measures that will be implemented to avoid, reduce or remedy any such potential adverse impacts
  - Assessment as to whether, following the implementation of the proposed mitigation measures, it can be concluded, beyond all reasonable scientific doubt, that there will be no adverse impact on the integrity of the relevant European Site in light of its conservation objectives"
  - Conclusions.
- 3) Alternative Solutions

If mitigation is possible that enables a risk to be avoided fully, then, subject to other necessary approvals, the project or plan may proceed. If mitigation measures are insufficient, or are not actually practicable and achievable to avoid the risk entirely, then, in the light of a negative assessment, the plan or project may not proceed. A wider search for alternative solutions may need to be considered – Stage 3. <sup>2</sup>
- 4) Imperative Reasons of Overriding Public Interest (IROPI)/Derogation. (: Stage 4 is the main derogation process of Article 6(4) which examines whether there are imperative reasons of overriding public interest (IROPI) for allowing a plan or project that will have adverse effects on the integrity of a NATURA 2000 site to proceed in cases where it has been established that no less damaging alternative solution exists. The extra protection measures for Annex I priority habitats come into effect when making the IROPI case.

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<sup>2</sup> (DoEHLG, 2009) Appropriate Assessment of Plans and projects in Ireland: Guidance for planning authorities.

## 4. SCREENING STAGE ASSESSMENT

### MANAGEMENT OF THE SITE

The plan or project is not directly connected with, or necessary to, the management of NATURA 2000 sites.

### DESCRIPTION OF THE PROPOSED PROJECT

Atlas GP Limited intend to apply for a 10-year Planning Permission for development at Belgard Gardens, Belgard Square North, Tallaght, Dublin 24 all on a site measuring c. 7.2ha.

The development will consist of a mixed use residential development (total GFA 55,180 sqm) comprising a new urban quarter and streets with 5 no. blocks to provide 438 no. apartment units (including live/work units) and associated amenity facilities, a 403 no. bedspace student accommodation scheme and associated amenity facilities, childcare facility (c.380 sqm), 6 no. retail / commercial units (c.632 sqm in total) and a security room (c.52 sqm). This will comprise phase I of the overall development of the c.7.2 ha. site and will be located on a net site area of 3.45 ha. (excluding proposed temporary car park at grade).

The development will consist of the demolition of all existing buildings on the site ranging from one to three storeys in height and the removal of hardstanding throughout. Proposed buildings for demolition include 2 – 3 storey Belgard Square (c.11,362 sqm) and associated single storey security hut (c.9 sqm); 3 storey Belgard House (c.9,706 sqm) and associated single storey security hut (c.14 sqm); 2 storey former Uniphar factory (c.7,780 sqm), associated 2 storey office building (c.1,033 sqm) and associated single storey security hut (c.14 sqm).

The proposed development will consist of:

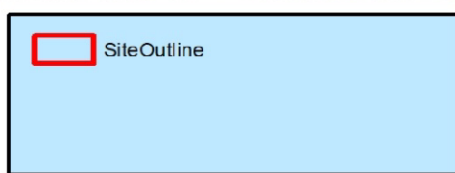
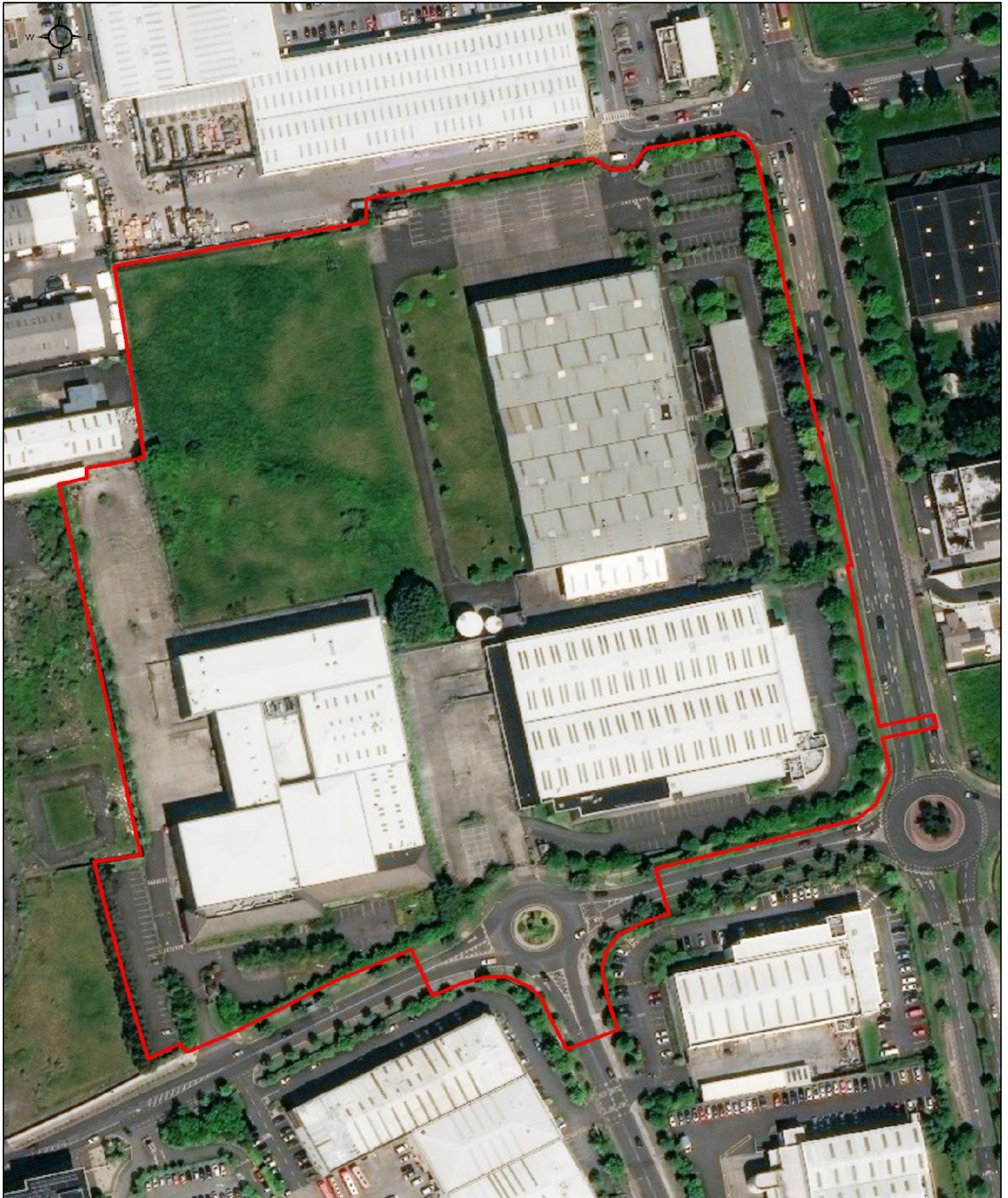
- 5 no. blocks ranging from 4 – 10 storeys comprising a new urban quarter and streets to provide 438 no. apartment units consisting of 158 no. 1 beds, 230 no. 2 beds and 50 no. 3 beds (total apartment units include 8 no. live/work units with a total c.509 sqm work areas at ground floor) and c.732 sqm of tenant/resident service amenities, all within Blocks A1, A2, A3 and B1;
- Balconies / winter gardens / terraces to be provided on all elevations at all levels for each residential block;
- Block B2 to comprise a 403 no. bedspace student accommodation scheme and associated student amenity and staff facilities (c.815 sqm);
- Childcare facility (c.380 sqm) and external playing area (c.242sqm);
- 6 no. retail/commercial units (c.632 sqm in total);
- Security room (c.52 sqm);
- 107 no. car parking spaces below podium (a temporary car park at grade will be provided until such time as the completion of the permanent below podium car park);
- 22 no. car parking spaces at surface level;
- 1,227 no. bicycle parking spaces below podium and at surface level;
- 4 no. semi-private courtyards of c.5,516sqm;
- Public plaza (c.2,366 sqm);
- Public realm & landscaping (c.7,442sqm).

The proposed development will include the provision of a new north – south street bisecting the site (to later connect to the planned Airton Road Extension) with 2 no. East – West internal streets proceeding east towards Belgard Road (pedestrian access only onto Belgard Road) and proceeding west (to later connect to lands in ownership of SDCC if required). Works to public roads to include replacement of roundabout with a signalised junction and provision of cycle lanes on Belgard Square North and provision of a pedestrian crossing at Belgard Road. The proposed development will also include boundary treatments, public lighting, green roofs, solar panels, ESB substations and switch rooms, CHP plant, commercial and residential waste facilities and all ancillary works and services necessary to facilitate construction and operation. The proposed development will also include provision of site boundary protection where required to facilitate development phasing.



Figure 1. Site outline and location of phase 1.





0 25 50 100 Meters

Project: Belgard Road  
Location: Tallaght, Dublin 24  
Date: 8th June 2018  
Drawn By: Bryan Deegan (Altamar)

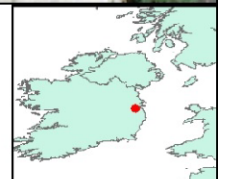
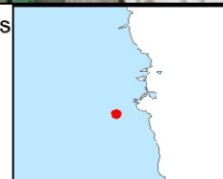


Figure 2. Satellite Image of proposed site



## IDENTIFICATION OF NATURA 2000 SITES/SPECIES POTENTIALLY AFFECTED.

The proposed works are not within a NATURA 2000 site. The NATURA 2000 sites within 10km<sup>3</sup> are seen in Figures 3 & 4 and their features of interest and the potential impact of the works on the features of interest, are seen in Table 1. As can be seen from the EPA Waterframework Directive (WFD) data in Figure 5, there is no watercourse in the vicinity of the proposed project and there is no direct pathway to a Natura 2000 site. There is an indirect pathway from the site to the SAC via the surface / foul water networks to Ringsend WWTP. All Natura 2000 within the indirect pathway are within 15km and are included in Table 1. The proposed development site is located in a suburban environment surrounded by roads on three sides and there is no intact biodiversity corridor to Natura 2000 sites.

**Table 1.** Initial screening of NATURA 2000 sites within 10km and NATURA 2000 sites within 15km with potential of hydrological connection to the proposed development.

### a) Special Areas of Conservation

Natura Code	Name	Screened In/Out	Details/Reason
<b>Special Areas of Conservation</b>			
IE0001209	Glenasmole Valley SAC	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p>The favourable conservation status of a species is achieved when:</p> <ul style="list-style-type: none"> <li>• population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and</li> <li>• the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and</li> <li>• there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.</li> </ul> <p><b>Qualifying Interests</b> 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco Brometalia</i>) (* important orchid sites)* 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) 7220 Petrifying springs with tufa formation (Cratoneurion)* * denotes a priority habitat</p> <p><b>Potential Impact</b> The proposed works are located a minimum of 3.5 km from</p>

<sup>3</sup> As outlined in NPWS (2009) the assessment approach should include:

- 1) Any Natura 2000 sites within or adjacent to the plan or project area
- 2) Any Natura 2000 sites within the likely zone of impact of the plan or project. A distance of 15km is currently recommended in the case of plans, and derives from UK guidance (Scott Wilson et al., 2006). For projects, the distance could be much less than 15km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects.
- 3) Natura 2000 sites that are more than 15km from the plan or project area depending on the likely impacts of the plan or project, and the sensitivities of the ecological receptors, bearing in mind the precautionary principle. In the case of sites with water dependent habitats or species, and a plan or project that could affect water quality or quantity, for example, it may be necessary to consider the full extent of the upstream and/or downstream catchment.

Natura Code	Name	Screened In/Out	Details/Reason
			<p>this SAC. No potential impact is foreseen. There is no direct or indirect hydrological pathway from the proposed development site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE0002122	Wicklow Mountains SAC	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected. The favourable conservation status of a species is achieved when:</p> <ul style="list-style-type: none"> <li>• population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and</li> <li>• the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and</li> <li>• there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.</li> </ul> <p><b>Qualifying Interests</b> 3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with <i>Erica tetralix</i> 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 Calaminarian grasslands of the <i>Violetalia calaminariae</i> 6230 Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>)</p> <p><b>Potential Impact</b> The proposed works site is a minimum of 5.9 km from this SAC. No potential impact is foreseen. There is no direct or indirect hydrological pathway from the proposed development site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE00001398	Rye Water Valley/Cartron SAC	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:</p> <p><b>Qualifying Interests</b> 7220 Petrifying springs with tufa formation (<i>Cratoneurion</i>)* * denotes a priority habitat 1014 Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>) 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)</p> <p><b>Potential Impact</b> The proposed works site is a minimum of 11.3 km from this</p>



Natura Code	Name	Screened In/Out	Details/Reason
			<p>SAC. No potential impact is foreseen. There is no direct or indirect hydrological pathway from the proposed development site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE0000210	South Dublin Bay SAC	<b>Out</b>	<p><b>Conservation Objectives</b> To maintain the favourable conservation condition of Mudflats and sandflats not covered by seawater at low tide in South Dublin Bay SAC, which is defined by the following list of targets:</p> <ul style="list-style-type: none"> <li>• The permanent habitat area is stable or increasing, subject to natural processes.</li> <li>• Maintain the extent of the Zostera –dominated community, subject to natural processes.</li> <li>• Conserve the high quality of the Zostera –dominated community, subject to natural processes</li> <li>• Conserve the following community type in a natural condition: Fine sands with Angulus tenuis community complex.</li> </ul> <p><b>Feature of Interest</b> Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p><b>Potential Impact</b> The development site is located within an urban area 11.1km from the South Dublin Bay SAC (Figure 6). There is no direct hydrological pathway from the proposed development site to the SAC. There is an indirect pathway from the site to the SAC via the surface / foul water networks to Ringsend WWTP. Due to the distance (11km) via the indirect pathway (e.g. surface/foul water networks) any pollutants or silt will be dispersed and diluted. Foul water from the development will be processed in the existing Ringsend Treatment works which has a capacity for 1.9 million people and the development would be seen as insignificant in terms of the overall operation of Ringsend WWTP. The indirect pathway of surface or foul water to Ringsend will not result in a significant effect on the Natura 2000 site.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE000397	Red Bog, Kildare SAC	<b>Out</b>	<p><b>Conservation Objectives</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p><b>Feature of Interest</b> 7140 Transition mires and quaking bogs</p> <p><b>Potential impact</b> This SAC is in an upland area 14.9 km from the proposed</p>

Natura Code	Name	Screened In/Out	Details/Reason
			<p>development site. No potential impact is foreseen. There is no direct or indirect hydrological pathway from the proposed development site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE0000206	North Dublin Bay SAC	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.</p> <p><b>Features of Interest</b> 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 (<i>Glauco-Puccinellietalia maritima</i>) 1395 Petalwort <i>Petalophyllum ralfsii</i> 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation 2190 Humid dune slacks</p> <p><b>Potential Impact</b> The proposed works are located 14.8 km from the North Dublin Bay SAC (Figure 6).</p> <p>There is no direct hydrological pathway from the proposed development site to the SAC. There is an indirect pathway from the site to the SAC via the surface / foul water networks to Ringsend WWTP, which has a capacity of 1.9million people and the development would be seen as insignificant in terms of the overall operation of Ringsend WWTP. Due to the distance (15km) via the indirect pathway (e.g. surface/foul water networks) any pollutants or silt will undergo treatment and be dispersed and diluted.. Foul water from the development will be processed in the Ringsend Treatment works. The indirect pathway of surface or foul water to Ringsend will not result in a significant effect on the Natura 2000 site.</p> <p>No potential impact is foreseen. There is no direct pathway from this site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
001209	Knocksink Wood SAC	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected</p> <p><b>Features of Interest</b> Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-</p>

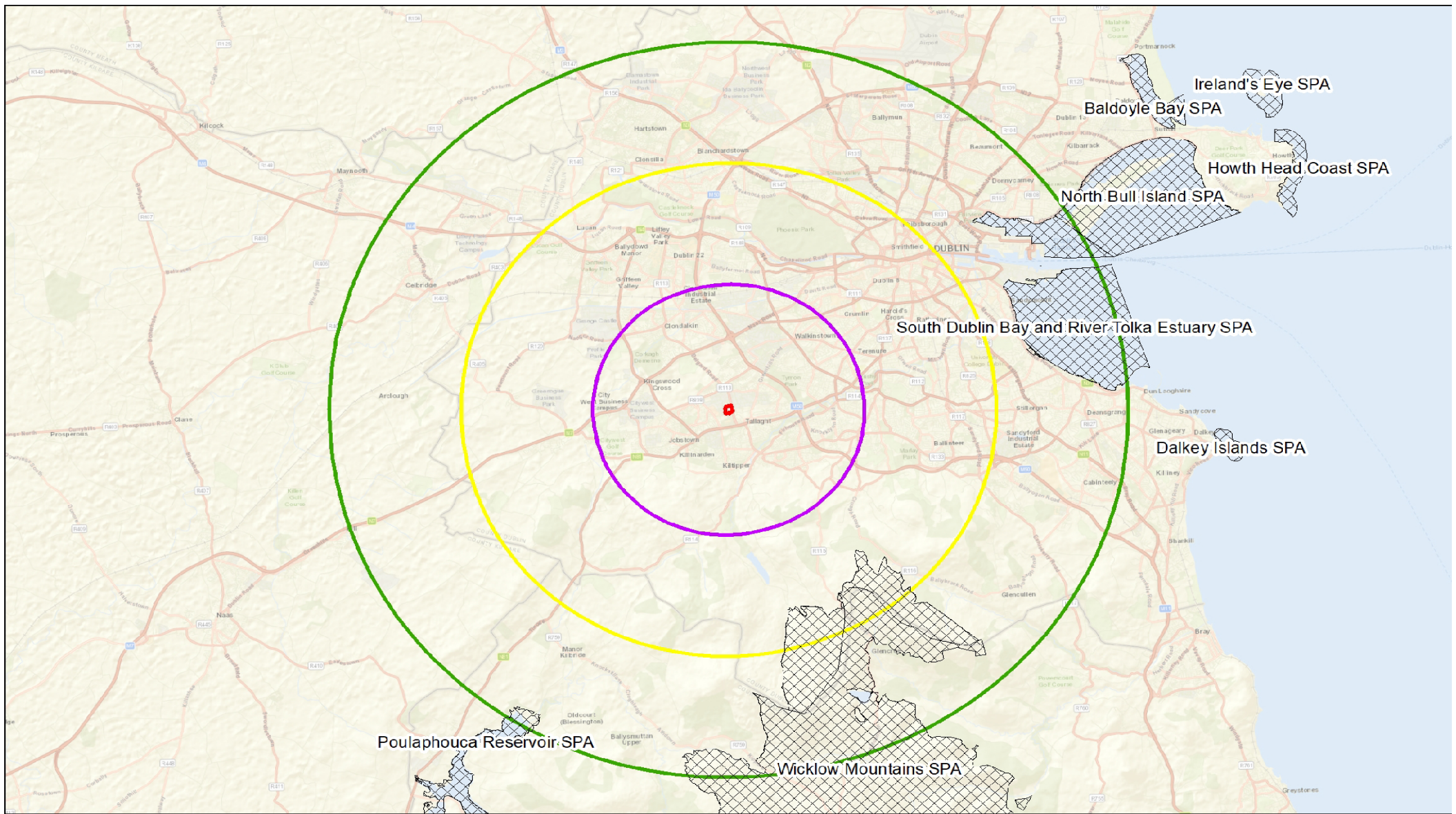
Natura Code	Name	Screened In/Out	Details/Reason
			<p>Padion, Alnion incanae, Salicion albae) [91E0].</p> <p><b>Potential Impact</b> The development site is located within a suburban area 13.5km from the Knocksink Wood SAC. No potential impact is foreseen. There is no direct or indirect hydrological pathway from the proposed development site to the SAC. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>

**b) Special Protection Areas**

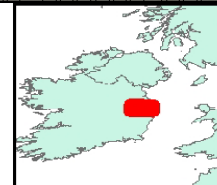
Natura Code	Name	Screened In/Out	Details/Reason
<b>Special Protection Areas</b>			
IE004040	Wicklow Mountains SPA	<b>Out</b>	<p><b>Conservation Objectives</b> To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p> <p><b>Features of Interest</b> <i>Falco colombarius</i> (Merlin) [A098] <i>Falco peregrinus</i> (Peregrine) [A103]</p> <p><b>Potential Impact</b> The development site is located 7.3km from the Wicklow Mountains SPA. This development site is not an important feeding habitat for merlin or peregrine falcon and has no direct or indirect pathway to this SPA. No potential impact is foreseen. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE004063	Poulaphouca Reservoir SPA	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p> <p><b>Feature of Interest</b> <i>A043 Greylag Goose (Anser anser)</i> <i>A183 Lesser Black-backed Gull (Larus fuscus )</i></p> <p><b>Potential impact</b> This SPA is the closest relatively large waterbody to the proposed development site at 14.1 km. There is no direct or indirect pathway or connection to the SPA. Neither of the species that are features of interest has been recorded on site. No potential impact is foreseen. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects likely</b></p>
IE0004024	South Dublin Bay and River Tolka Estuary	<b>Out</b>	<p><b>Conservation Objectives:</b> To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA.</p>

Natura Code	Name	Screened In/Out	Details/Reason
	SPA		<p><b>Features of Interest</b>  A046 Light-bellied Brent Goose (<i>Branta bernicla brota</i>)  A130 Oystercatcher (<i>Haematopus ostralegus</i>)  A137 Ringed Plover (<i>Charadrius hiaticula</i>)  A141 Grey Plover (<i>Pluvialis squatarola</i>)  A143 Knot (<i>Calidris canutus</i>)  A144 Sanderling (<i>Calidris alba</i>)  A149 Dunlin (<i>Calidris alpina</i>)  A157 Bar-tailed Godwit (<i>Limosa lapponica</i>)  A162 Redshank (<i>Tringa totanus</i>)  A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>)  A192 Roseate Tern (<i>Sterna dougallii</i>)  A193 Common Tern (<i>Sterna hirundo</i>)  A194 Arctic Tern (<i>Sterna paradisaea</i>)</p> <p><b>Potential Impact</b>  The proposed development site is located 11.1 km from the South Dublin Bay and River Tolka Estuary SPA.</p> <p>There is no direct pathway from the proposed development to this SPA. There is an indirect pathway from the site to the SAC via the surface / foul water networks to Ringsend WWTP which has a capacity of 1.9million people and the development would be seen as insignificant in terms of the overall operation of Ringsend WWTP. Due to the distance (11km) via the indirect pathway (e.g. surface/foul water networks) any pollutants or silt will be treated, dispersed and diluted. Foul water from the development will be processed in the Ringsend Treatment works. No potential impact is foreseen. There is no direct pathway from this site to the SPA. The indirect pathway of surface or foul water to Ringsend will not result in a significant effect on the Natura 2000 site. The construction and operation of the proposed development will not impact on the conservation interests of the site.</p> <p><b>No significant effects are likely</b></p>





Project: Belgard Road  
 Location: Tallaght, Dublin 24  
 Date: 8th June 2018  
 Drawn By: Bryan Deegan (Altamar)



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Figure 3. Special Protected Areas located within 1km, 5km and 10km of the proposed development.



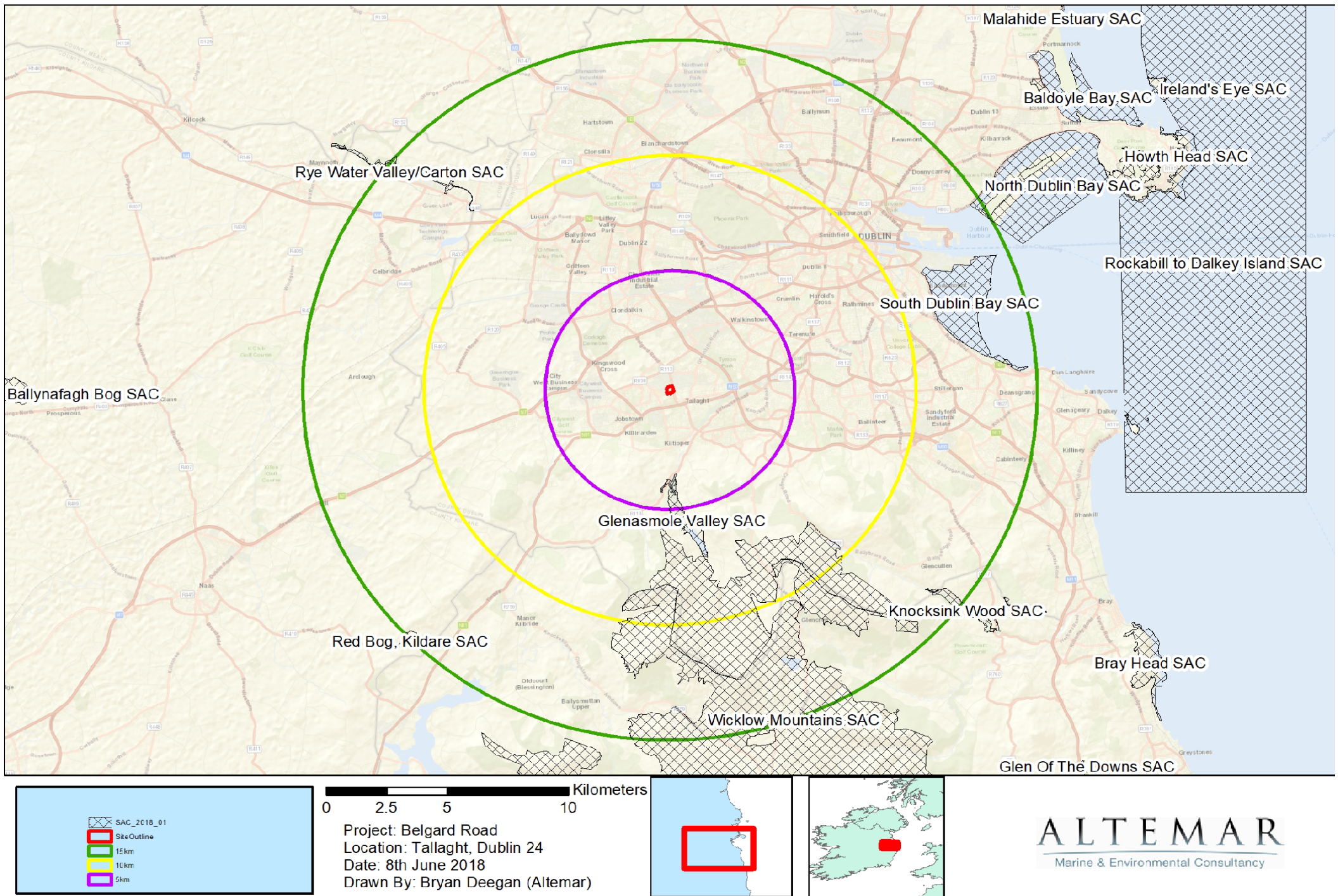
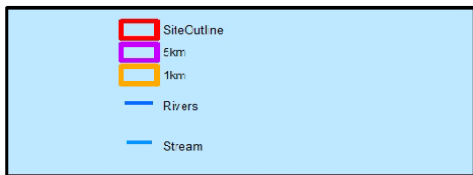
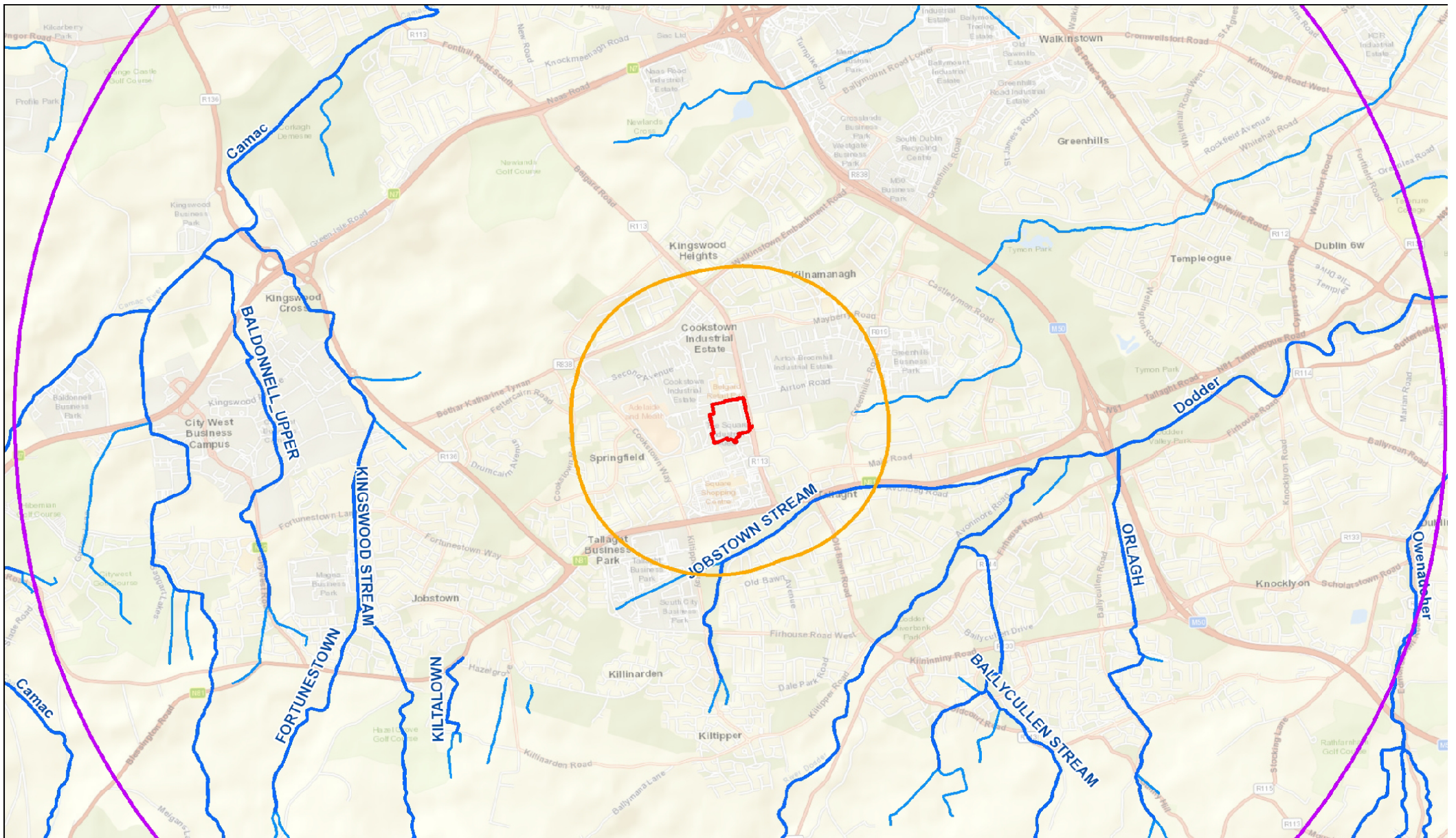
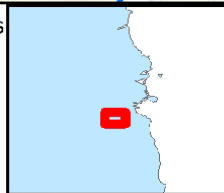


Figure 4. Special Areas of Conservation located within 1km, 5km and 10km of the proposed development.





Project: Belgard Road  
 Location: Tallaght, Dublin 24  
 Date: 8th June 2018  
 Drawn By: Bryan Deegan (Altamar)



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**Figure 5.** Watercourses in the vicinity of the proposed works (EPA-WFD data)



## SITE VISIT AND ECOLOGICAL ASSESSMENT

A site visit was carried out on the 14/09/2017. The proposed development site (Figures 1 & 2) comprises primarily of the built structures and hard standing areas (Plates 1-4) with a perimeter of hedgerows (WL2) and treelines (WL1) with isolated areas of Flower beds and borders (BC4). An area of amenity grassland (GA2) is located at the north west of the site.



**Plate 1:** Eastern perimeter of the site



**Plate 2:** Building in the southwest of site.





**Plate 3:** Hardstanding to the west of site



**Plate 4.** Building in the centre of the site

Biodiversity on site was poor with opportunist species such as buddleia (*Buddleja davidii*) present in several locations. No flora or fauna of conservation importance were noted on site. No records of threatened or legally protected plant species are known to occur within the site.

An internal inspection of the buildings within the proposed development site was carried out by Scott Cawley on the 13<sup>th</sup> September 2017 to look for evidence of roosting bats within the buildings. Three large warehouses were accessed, with exception to attic space within building no. 3. Access was not permitted to a fourth office building located east of building no. 1.

A dusk emergence survey was undertaken on 13<sup>th</sup> September 2017. As outlined in the bat survey report, seen in Appendix 10.1 in the accompanying EIAR, “no evidence of bats using built structures within the subject lands was recorded during the surveys. Common pipistrelle activity was recorded using habitats in the vicinity of the buildings. Office roof space in building no. 3 did show evidence of potential roost features such as wooden eaves, however overall warehouse structures within the subject lands were assessed as having low roost suitability. It is considered unlikely that any of the buildings within the subject lands contain roosts presently or however it cannot be ruled out that suitable features do not contain bat roosts during other times of the year.

Foraging and commuting habitat within the subject lands is largely restricted to perimeter treelines and given the limited nearby suitable bat habitat the proposed site is unlikely to provide important connectivity for bats to the surrounding area. Security lighting within the proposed development site and street lighting from adjacent public roads currently means the site is strongly lit in areas, reducing existing suitability for bat activity.”

## **DEMOLITION AND CONSTRUCTION IMPACTS**

All waste from the demolition and construction phase will be disposed of in a registered facility and will not pose a threat to a NATURA 2000 site. As outlined in the Hydrology Chapter of the EIAR “It is not envisaged that the proposed development will result in any significant long term effects on water and hydrology environment as a result of the proposed development”. “The new development is to re-use existing surface water connections that currently serve the existing site, so there should not be any temporary interference with the local drainage infrastructure serving the wider area.”

The proposed works are not in close proximity to, or have a direct connection to watercourses which could act as a vector for downstream impacts to Natura 2000 sites.

### **Impact of the proposed works on bats**

As outlined in the bat survey report (Appendix 10.1 of the EIAR) “The likelihood of significant roosts of bats within any built structure within the proposed site is deemed to be low. Nonetheless the presence of small numbers of bats occasionally using buildings cannot be ruled out entirely. Whilst loss of a small roost for individual bats, would not have a perceptible impact on the local population, it would be important to avoid any direct harm to bats.

During the demolition phase of the development, if bats are encountered during any works at the site the relevant works will be suspended until the advice of a suitably qualified and licenced bat ecologist is sought.”

“The proposed development is likely to result in the loss of some foraging/commuting habitat identified along the site boundary. Where possible trees will be retained and where not possible landscape will provide alternative foraging/commuting habitat. Due to the low levels of bat activity within the proposed site, the loss of foraging/commuting habitat as a result of the proposed development would not have a perceptible impact on the local population.

Operational impacts of the development, may also arise from the placement and design of artificial lighting within the proposed development. Due to the current levels of light spill from adjacent public road lighting and low levels of bat activity recorded during surveys, it is expected that lighting associated with the proposed development will not significantly impact the local bat population.

Overall, taking into account the low bat activity recorded within the subject lands and low roost suitability of built structures, the proposed development is not considered to have a perceptible impact on the local bat population.”

## **OPERATIONAL IMPACTS**

There are no direct pathways or stepping stones<sup>4</sup> to Natura 2000 sites and no species or habitats of biodiversity importance were recorded on site. An indirect pathway exists to marine Natura 2000 sites, for onsite surface and foul water via the existing Ringsend WWTP. The capacity of the WWTP is 1.9 million people and the development would be seen as insignificant in terms of the overall operation of Ringsend WWTP. The proposed scheme is minor in relation to the capacity of the WWTP and will have a negligible impact on the functioning of the WWTP. Operational impacts from the proposed development will not have a significant effect on Natura 2000 sites.

## **CUMULATIVE IMPACTS**

A search of the South Dublin County Council's (SDCC) online planning revealed one recent project in proximity to the proposed development. Bryant Park received a notification to grant permission on 8<sup>th</sup> February 2018 for development at Belgard Retail Park, Belgard Road, Tallaght, Dublin 24 (South Dublin County Council Ref; SD17 N0439). Part 8 approval has been granted for the South Dublin ‘Heatnet’ project a public district heating system, which will establish a sustainable district heating solution using local low-grade waste heat from a data centre to provide low-carbon heat to public sector, residential and commercial customers. This site is proximal to the proposed development. A recent permission for demolition on the site SD18/0094 has been withdrawn. No cumulative impacts are foreseen. As outlined in Chapter 9 of the EIAR “There is further development proposed nearby, in the form of a new data centre and redevelopment of a car park at Tallaght University Hospital. These developments are not anticipated to cause adverse impact on the receiving water and hydrology, to the extent that mitigation works are required from the proposed development; as these should be developed in accordance with the same guidelines and requirements.”

The proposed project is Phase 1 of a multiphase project. Given the isolated nature of the site with no direct hydrological or unbroken biodiversity pathway to Natura 2000 sites, no significant cumulative impact would be envisaged from future phases. A second phase (Phase 2) is proposed within the site outline, following completion of Phase 1. Phase 2 will comprise approximately 1,100 residential units covering sectors 04 to 09 located to the North of Phase 1. Phase 2 will be subject to a separate planning application that will be accompanied by an EIAR. Future planning applications will be subject to the Screening for Appropriate Assessment.

## **CONCLUSIONS**

This Appropriate Assessment Screening takes into account the recent decision by the Court of Justice of the European Union *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17) means that measures intended to avoid or reduce the harmful effects of a proposed project on a European site may not be taken into account by competent authorities at the "screening stage"

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<sup>4</sup> Stepping stones and ecological corridors including nature conservation sites (other than Natura 2000 sites) encapsulated by Article 10 of the Habitats Directive. Such features are those which, by virtue of their linear and continuous structure such as rivers with their banks or the traditional systems for marking field boundaries or their function as stepping stones (such as ponds or small woods) are essential for the migration, dispersal and genetic exchange of wild species.

when judging whether a proposed plan or project is likely to have a significant effect on the integrity of a European designated site.

The proposed site is located in a suburban environment 3.5 km from the nearest Natura 2000 site. Watercourses and surface runoff are seen as the main potential pathway for impacts on Natura 2000 sites. However, the site is not close to and does not have a direct pathway to, watercourses that could act as potential vectors for impact on Natura 2000 sites. There is no direct hydrological pathway from the proposed development site a Natura 2000 site. There is an indirect pathway to Ringsend WWTP which has a capacity for 1.9 million people and the development would be seen as insignificant in terms of the overall operation of Ringsend WWTP. Foul water from the development will be processed in the Ringsend Treatment works.

No Natura 2000 sites are within the zone of influence of this development. Having taking into consideration the effluent discharge from the proposed development works, the capacity of Ringsend to treat effluent (1.9 million people), the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is concluded that this development that would not give rise to any significant effects to designated sites. The construction and operation of the proposed development will not impact on the conservation objectives of features of interest of Natura 2000 sites.

There is no possibility of significant impacts on Natura 2000 sites, features of interest or site specific conservation objectives. A Natura Impact Statement is not required.

#### **Note on Invasive Species**

It should be noted that no invasive species listed under the third schedule of SI 477 of 2011 that would restrict the movement of soil from the proposed development site were noted. Buddleia was noted on site. This is a non-native invasive species. Their control would be preferable. However, the presence of this species would not restrict the movement of soil from the site.

## FINDING OF NO SIGNIFICANT EFFECTS REPORT

Details of project	Appropriate Assessment Screening for the demolition of buildings and the construction of Phase 1 of a mixed use residential development, located at the junction of Belgard Square North and Belgard Road, Tallaght, Dublin 24.
Name and Location of the NATURA 2000 sites within 15km.	Glenasmole Valley SAC Wicklow Mountains SAC Rye Water Valley/Carton SAC South Dublin Bay SAC Red Bog, Kildare SAC North Dublin Bay SAC Knocksink Wood SAC Wicklow Mountains SPA Poulaphouca Reservoir SPA South Dublin Bay and River Tolka Estuary SPA
Description of the Project	Atlas GP Ltd. intend to demolish Belgard House, Belgard Square and the former Uniphar factory in addition to hard standing areas and construct a Phase 1 of a mixed use development at a site located at the junction of Belgard Square North and Belgard Road, Tallaght, Dublin 24.
Is the Project directly connected with the management of the NATURA 2000 site?	No
Details of any other projects or plans that together with this project could affect the NATURA 2000 site	None
<b>The assessment of significant effects</b>	
Describe how the project is likely to affect the NATURA 2000 site	Negligible Impact Predicted
Response to consultation	N/A
Data collected to carry out the assessment	Site Visit and Supporting NPWS data.
Who carried out the assessment	Altemar Ltd.
Sources of data	NPWS website, standard data form, conservation objectives data, field surveys of the site and references outlined in the AA Screening Report.
Explain why the effects are not considered significant	No Natura 2000 sites are within the zone of influence of this development. Having taking into consideration the effluent discharge from the proposed development works, the capacity of Ringsend to treat effluent (1.9 million people), the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is concluded that this development that would not give rise to any significant effects to designated sites.
Level of assessment completed	Stage 1 Screening
<b>Overall conclusions</b>	
<b>There is no possibility of significant impacts on Natura 2000 sites, features of interest or site specific conservation objectives. A Natura Impact Statement is not required.</b>	



## DATA USED FOR THE AA SCREENING ASSESSMENT

NPWS site synopses and Conservation objectives of sites within 10km and sites with a potential hydrological connection within 15km were examined. The most recent SAC and SPA boundary shapefiles were downloaded and overlaid on Bing road map and satellite imagery. A site visit was carried out including survey to determine if the site contained possible threats to a NATURA 2000 site.

## REFERENCES

The following references were used in the preparation of this AA screening report.

1. Department of Environment Heritage and Local Government Circular NPW 1/10 and PSSP 2/10 on Appropriate Assessment under Article 6 of the Habitats Directive – Guidance for Planning Authorities March 2010.
2. Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government 2009; [http://www.npws.ie/publications/archive/NPWS\\_2009\\_AA\\_Guidance.pdf](http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf)
3. Managing NATURA 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC, European Commission 2000; [http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/provision_of_art6_en.pdf)
4. 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; [http://ec.europa.eu/environment/nature/Natura2000management/docs/art6/Natura\\_2000\\_assess\\_en.pdf](http://ec.europa.eu/environment/nature/Natura2000management/docs/art6/Natura_2000_assess_en.pdf)
5. Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission; [http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/guidance\\_art6\\_4\\_en.pdf](http://ec.europa.eu/environment/nature/Natura2000/management/docs/art6/guidance_art6_4_en.pdf)
6. Guidance document on the implementation of the birds and habitats directive in estuaries and coastal zones with particular attention to port development and dredging; [http://ec.europa.eu/environment/nature/Natura2000/management/docs/guidance\\_doc.pdf](http://ec.europa.eu/environment/nature/Natura2000/management/docs/guidance_doc.pdf)
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8. NPWS (2016) Conservation objectives for Glenasmole Valley SAC [001209]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
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12. NPWS (2016) Conservation objectives for Wicklow Mountains SPA [004040]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
13. NPWS (2016) Conservation objectives for Poulaphouca Reservoir SPA [004063]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
14. SDCC online planning <https://www.sdcc.ie/en/services/planning/planning-applications/>