

# Report for the purposes of Appropriate Assessment Screening

as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)

Data Storage Facility Development  
Clonsaugh Business & Technology Park, Dublin 17

Prepared by: Moore Group Environmental Services

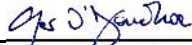


22<sup>nd</sup> May 2018



On behalf of Dublin City Council

<b>Client</b>	Kavanagh Tuite Architects
<b>Project</b>	Data Storage Facility Development Clonshaugh Business & Technology Park, Dublin 17
<b>Title</b>	Report for the purposes of Appropriate Assessment Screening Clonshaugh Data Storage Facility Clonshaugh Business & Technology Park, Dublin 17

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<b>Moore Archaeological and Environmental Services Limited</b>				

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# 1. Introduction

## 1.1. General Introduction

This report contains information required for the competent authority to undertake an Appropriate Assessment (AA) process on the effects of a Project consisting of the development of a data storage facility at Clonshaugh Business & Technology Park, Dublin 17.

Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- i) whether a plan or project is directly connected to or necessary for the management of the site, and
- ii) whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

If the effects are deemed to be significant, potentially significant, or uncertain, or the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA). Screening should be undertaken without the inclusion of mitigation, unless potential impacts clearly can be avoided through the modification or redesign of the plan or project, in which case the screening process is repeated on the altered plan or project.

When screening the project, there are two possible outcomes:

- the project poses no risk of a significant effect and as such requires no further assessment; and
- the project has potential to have a significant effect (or this is uncertain) and AA of the project is necessary.

This report has been prepared by Moore Group - Environmental Services for Kavanagh Tuite Architects and Dublin City Council and assesses the potential for the proposed development to impact on sites of European-scale ecological importance in accordance with Articles 6(3) and 6(4) of the Habitats Directive. The report was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has over 20 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements in terrestrial and aquatic habitats.

The report assesses the potential for the proposed development to impact on sites of European-scale ecological importance. It is necessary that the Project has regard to Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).

## 1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the EU. Under the Directive Member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a European Union context.

The Birds Directive (Council Directive 79/409/EEC as codified by Directive 2009/147/EC), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)):

**Article 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 subjected to an 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 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.”*

**Article 6(4):** *“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”*

This Report for Screening is a documentary record of the Appropriate Assessment process on the effects of a project consisting of the development of a data storage facility at Clonshaugh Business & Technology Park, Dublin 17, referred to in this case as the Project.

## 2. Methodology

The Commission's methodological guidance (EC, 2002) promotes a four-stage process to complete the AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1-2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

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

**Stage 2 Appropriate Assessment:** In this stage, there is a consideration of the impact of the project with a view to ascertain whether there will be any adverse effect on the integrity of the Natura 2000 site either alone or in combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are predicted impacts, an assessment of the potential mitigation of those impacts.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

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

To ensure that the Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group compiled this report for screening of the Project on behalf of the Kavanagh Tuite Architects and Dublin City Council to determine if Stage 2 AA is required.

## 2.1. Guidance

The AA has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.

## 2.2. Data Sources

- Sources of information that were used to collect data on the Natura 2000 network of sites are listed below:
- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie) and Google Earth and Bing aerial photography 1995-2018.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie) including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data;
  - Online database of rare, threatened and protected species,
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013),
- Relevant Development Plans and Local Area Plans in neighbouring areas.

### 3. Description of the Project

The proposal is for a data storage facility development at Clonshaugh Business & Technology Park, Dublin 17.

The site is industrial in nature and is presently occupied by Building A data storage facility (which is operational) and Building B data storage facility which is currently under construction (being well advanced) and due to be complete by the end of Q3 2018. The south western portion of the site, where it is proposed to locate the new data storage facility, is currently primarily a construction site.

The development will comprise: (1) The construction of a new two-storey c. 16,860 sq. m. building for use as a data storage facility containing; data storage rooms, electrical & mechanical plant rooms and support areas including offices and welfare facilities, loading bays, back-up generators and water storage tanks; mechanical plant at roof level is screened from view on all sides by permanent screens. The facility will also include (2) 40 no. car parking spaces; (3) amendment to previously permitted site landscaping and associated site infrastructure (Planning Permission Reg. Ref. DCC 4449/16).

It is proposed to use all soil/subsoil arising from site clearance/levelling in proposed landscaped berms along the western boundary of the site.

The surface water runoff from hardstanding areas will pass through attenuation and oil interception before passing to the local storm drainage system.

Foul drainage will be collected from site and discharged to the local foul drainage network which ultimately discharges to Ringsend WWTP.

The location and layout of the proposed development areas are presented in Figures 1, 2 and 3 below.



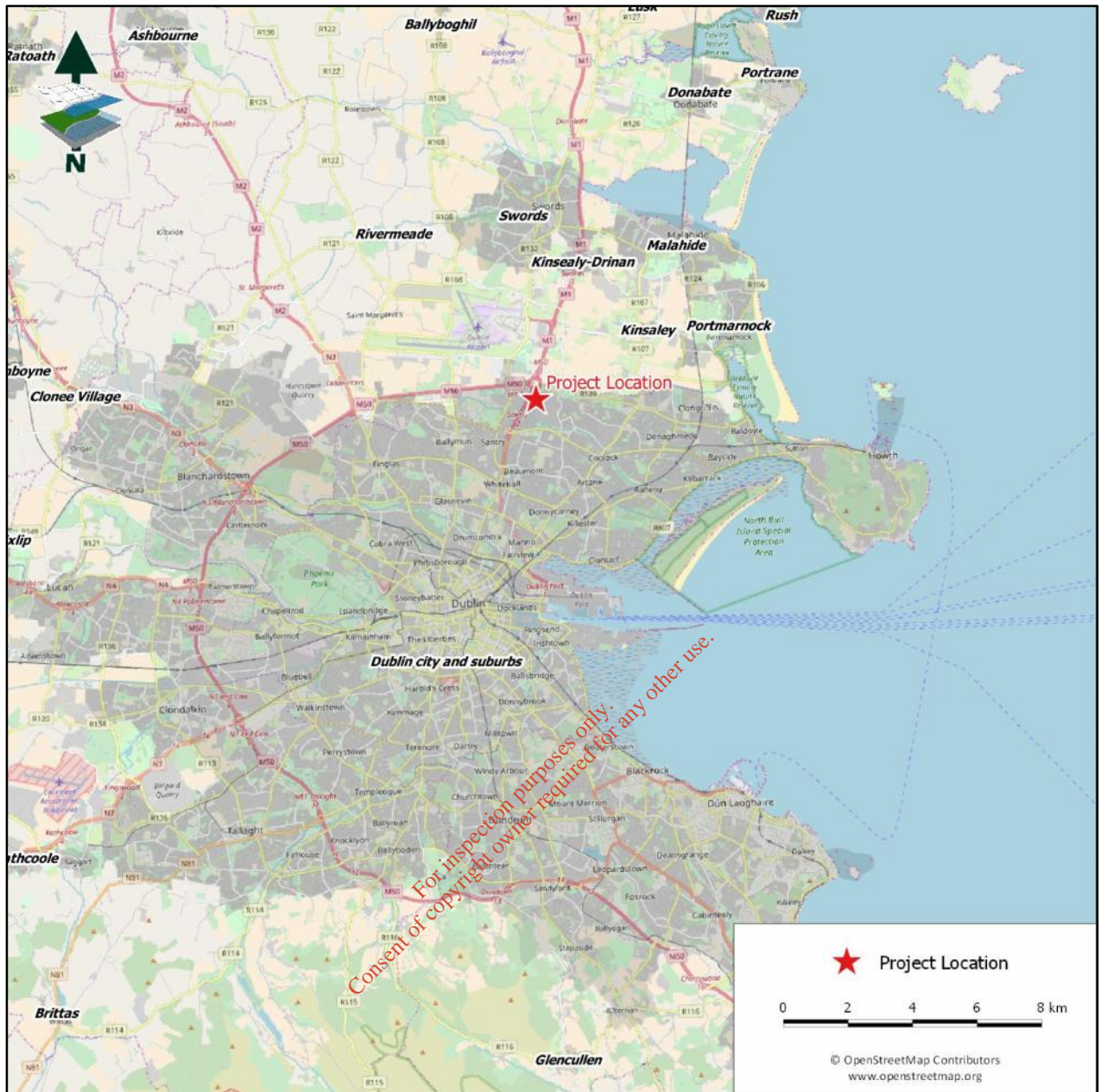


Figure 1. Showing the Project location at Clonshaugh Business & Technology Park, Dublin 17.

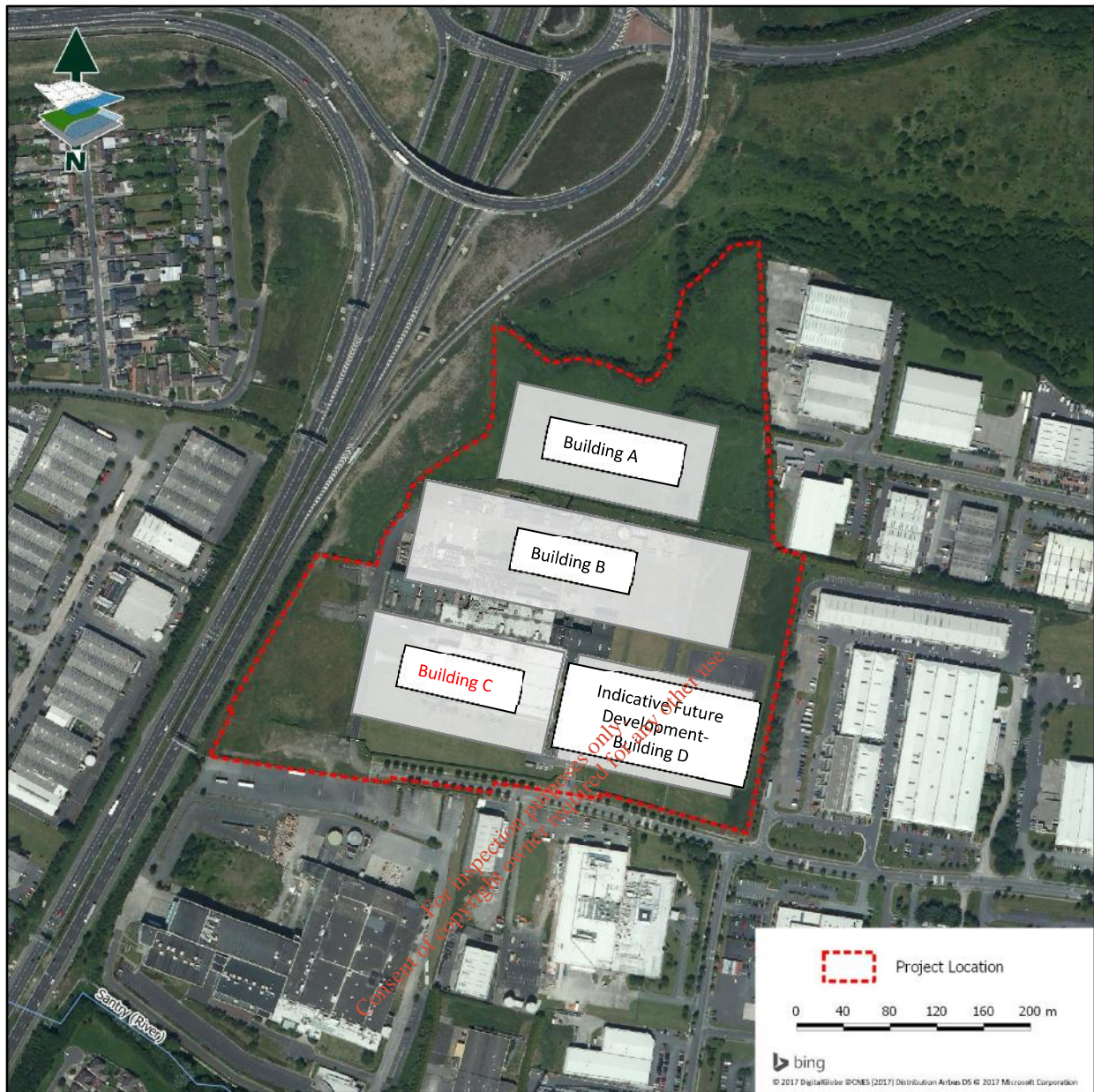


Figure 2. Detailed view of the development site and proposed application boundary outlined.

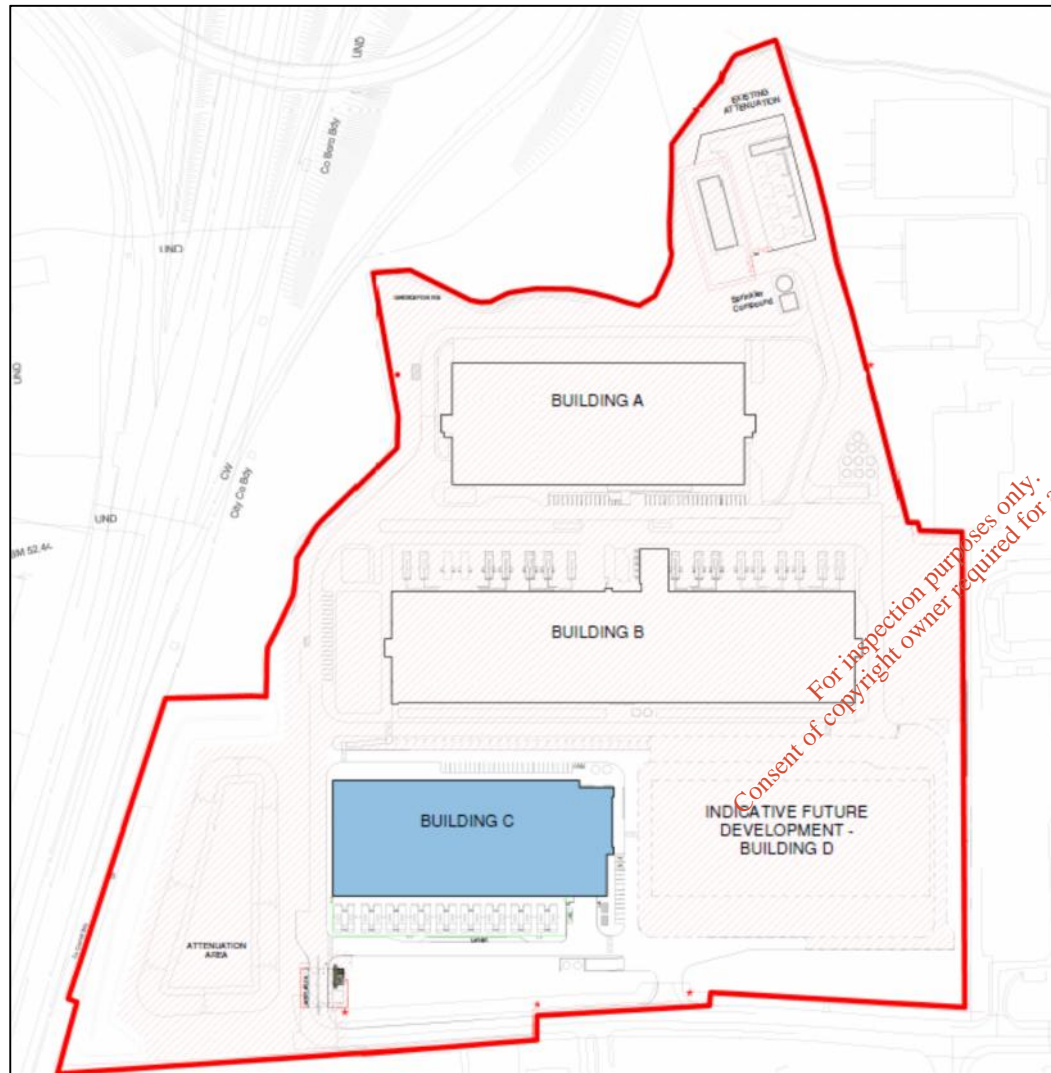


Figure 3. Site plan showing location of proposed development in relation to the adjoining and neighbouring buildings.

## 4. Identification of Natura 2000 Sites

### 4.1. Description of Natura Sites Potentially Affected

Departmental guidance suggests an assessment of European sites within a zone of influence of 15 km which can be revised depending on the nature and location of the proposed development and the connectivity with European sites and in terms of catchment-based assessment. The project is located within suburban environment of Clonshaugh Business & Technology Park in North Dublin. The lands in which the proposed development is located have no formal designations. The nearest European sites are located at Baldoyle Bay and North Dublin Bay. There are no water courses on the site and no relevant hydrological connectivity or biological connectivity to the European sites considered in this assessment.

European sites that are located within the potential zone of influence the Project are listed in Table 1.

*Table 1 European Sites located within 15km of the Project.*

Site Code	Site name	Distance (km)
000199	Baldoyle Bay SAC	5.33
000202	Howth Head SAC	9.06
000205	Malahide Estuary SAC	5.93
000206	North Dublin Bay SAC	5.16
000208	Rogerstown Estuary SAC	10.14
000210	South Dublin Bay SAC	7.53
002193	Ireland's Eye SAC	10.16
003000	Rockabill to Dalkey Island SAC	9.91
004006	North Bull Island SPA	5.16
004015	Rogerstown Estuary SPA	10.42
004016	Baldoyle Bay SPA	5.47
004024	South Dublin Bay and River Tolka Estuary SPA	4.61
004025	Broadmeadow/Swords Estuary SPA	5.93
004113	Howth Head Coast SPA	11.26
004117	Ireland's Eye SPA	9.94

Given the above analysis, all European sites may be excluded from the assessment at this preliminary screening stage. Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on the 10<sup>th</sup> of January 2018.

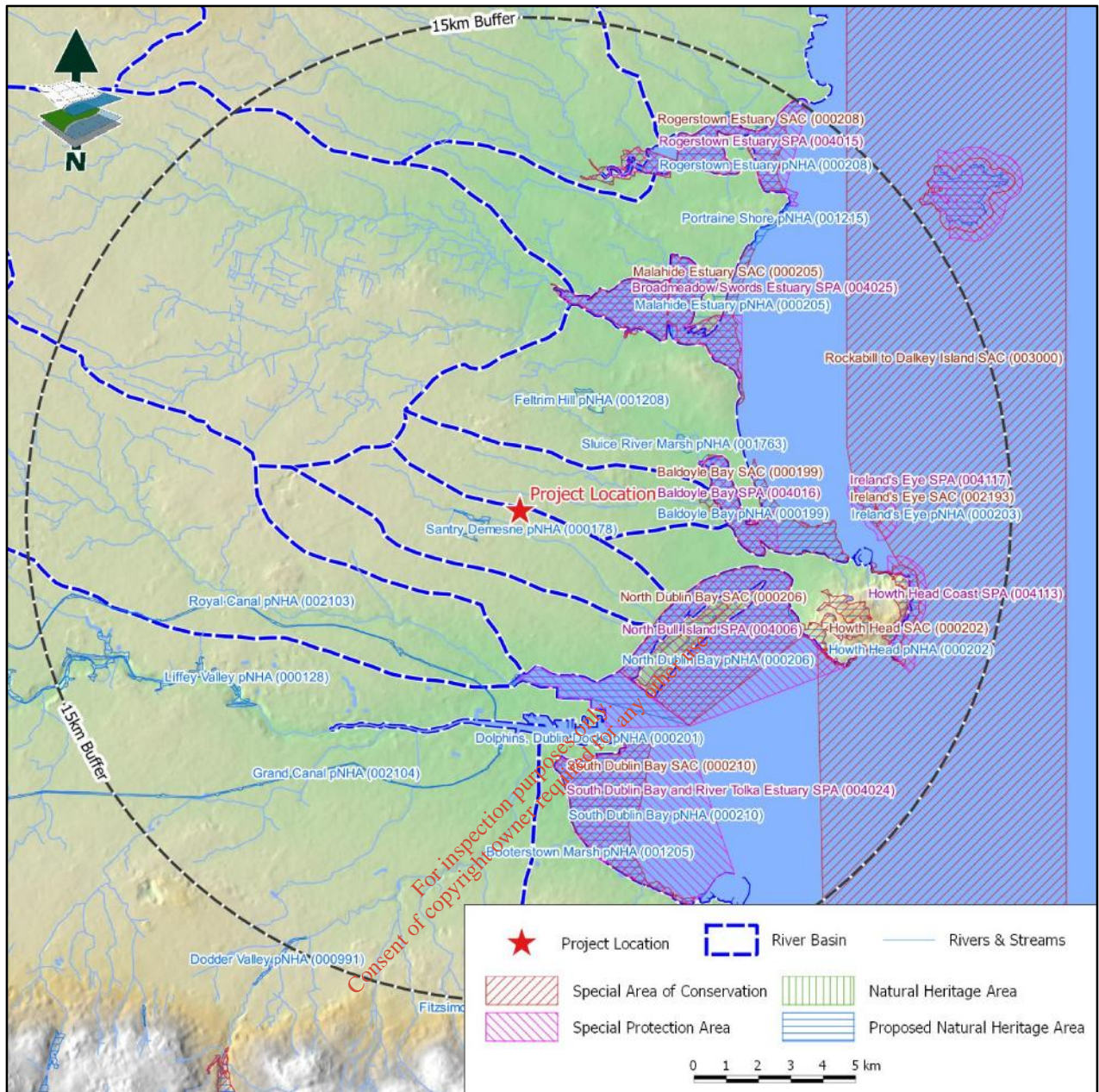


Figure 4. Showing European sites and NHAs/pNHAs in the vicinity of the Project.



Figure 5. Showing conservation sites in the vicinity of the Project.

## 4.2. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the rest of the AA process.

There are no conservation sites with biological connectivity to the subject site that would be affected by the proposed project.

## 5. Identification of Potential Impacts & Assessment of Significance

### 5.1. Potential Impacts

The project is located within suburban environment of Clonshaugh Business & Technology Park in North Dublin. The lands in which the proposed development is located have no formal designations. The nearest European sites are located at Baldoyle Bay and North Dublin Bay. There are no water courses on the site and no relevant hydrological connectivity or biological connectivity to the European sites considered in this assessment.

Given the scale of the proposed works and that there are no significant emissions predicted from the construction or operational phases, it is considered that there will be no potential for significant effects on any of the European sites listed and these can be excluded at a preliminary screening stage.

### 5.2. Assessment of Potential Cumulative Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the proposed works, other relevant projects and plans in the region must also be considered at this stage. This step aims to identify at this early stage any possible significant in-combination or cumulative effects / impacts of the proposed development with other such plans and projects on the European sites.

The site is industrial in nature and is presently occupied by Building A data storage facility (which is operational) and Building B data storage facility which is currently under construction (being well advanced) and due to be complete by the end of Q3 2018. The south western portion of the site, where it is proposed to locate the new data storage facility, is currently primarily a construction site.

A new underground double circuit 110 kilovolt (kV) transmission cable installation from the existing Belcamp 220kV and 110 kV Substation to the permitted 110kV Substation on the site is proposed to the north of the site and the cumulative impact assessment of the Project and the proposed cable installation, to which the author contributed, determined that there would be no significant impacts on nearby European sites.

The proposed development will have no predicted impacts on European sites, therefore in-combination impacts can be ruled out.

The Dublin City Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of influence of the project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the development area and surrounding townlands in which the development site is located, would be avoided.

Any new applications for the project area will be assessed on a case by case basis by Dublin City Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

## 6. Screening Statement

It has been objectively concluded by Moore Group Environmental Services that:

1. The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment.
3. It is possible to rule out likely significant impacts on any European sites considered in the assessment.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.



A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2001).

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## 7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43EEC. European Commission, Brussels.

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 interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

NPWS (2013) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

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# Appendix A

## FINDING OF NO SIGNIFICANT EFFECTS REPORT

### Finding no significant effects report matrix

#### Name of project or plan

Clonshaugh Data Storage Facility Development

#### Name and location of the Natura 2000 site(s)

The project is located within suburban environment of Clonshaugh Business & Technology Park in North Dublin. The lands in which the proposed development is located have no formal designations. The nearest European sites are located at Baldoyle Bay and North Dublin Bay. There are no water courses on the site and no relevant hydrological connectivity or biological connectivity to the European sites considered in this assessment.

#### Description of the project or plan

The proposal is for a data storage facility at Clonshaugh Business & Technology Park, Dublin 17. The development will comprise: (1) The construction of a new two-storey c. 16,860 sq. m. building for use as a data storage facility containing; data storage rooms, electrical & mechanical plant rooms and support areas including offices and welfare facilities, loading bays, back-up generators and water storage tanks; mechanical plant at roof level is screened from view on all sides by permanent screens. The facility will also include (2) 40 no. car parking spaces; (3) amendment to previously permitted site landscaping and associated site infrastructure (Planning Permission Reg. Ref. DCC 4449/16).

It is proposed to use all soil/subsoil arising from site clearance/levelling in proposed landscaped berms along the western boundary of the site. The surface water runoff from hardstanding areas will pass through attenuation and oil interception before passing to the local storm drainage system. The site storm water drainage system will pass through oil interception before passing to storm drainage. Foul drainage will be collected from site and discharged to the local foul drainage network which ultimately discharges to Ringsend WWTP.

#### Is the project or plan directly connected with or necessary to the management of the site(s)

No

#### Are there other projects or plans that together with the projects or plan being assessed could affect the site

The site is industrial in nature and is presently occupied by Building A data storage facility (which is operational) and Building B data storage facility which is currently under construction (being well advanced) due to be complete by the end of Q3 2018. The south western portion of the site, where is it proposed to locate the new data storage facility, is currently primarily a construction site.

A new underground double circuit 110 kilovolt (kV) transmission cable installation from the existing Belcamp 220kV and 110 kV Substation to the permitted 110kV Substation on the site is proposed to the north of the site and the cumulative impact assessment of the Project and the proposed cable installation, to which the author contributed, determined that there would be no significant impacts on nearby European sites.

The proposed development will have no predicted impacts on European sites, therefore in-combination impacts can be ruled out.

The Dublin City Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of influence of the project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any, in-combination impacts with Plans or Projects for the development area and surrounding townlands in which the development site is located, would be avoided.

Any new applications for the project area will be assessed on a case by case basis by Dublin City Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

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## THE ASSESSMENT OF SIGNIFICANCE OF EFFECTS

### Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.

The project is located within suburban environment of Clonshaugh Business & Technology Park in North Dublin. The lands in which the proposed development is located have no formal designations. The nearest designated area to the site is the Baldoyle Bay and North Dublin Bay. There are no water courses on the site and no relevant hydrological connectivity or biological connectivity to the European sites considered in this assessment.

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### Explain why these effects are not considered significant.

Given the scale of the proposed works and that there are no significant emissions predicted from the construction or operational phases, it is considered that there will be no potential for significant effects on any of the European sites listed and these can be excluded at a preliminary screening stage.

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### List of agencies consulted: provide contact name and telephone or e-mail address

The requirement for Appropriate Assessment Screening was determined through informal pre-planning consultation with Dublin City Council.

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### Response to consultation

N/A.

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## DATA COLLECTED TO CARRY OUT THE ASSESSMENT

### Who carried out the assessment

Moore Group Environmental Services.

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### Sources of data

NPWS database of designated sites at [www.npws.ie](http://www.npws.ie)

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

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### Level of assessment completed

Desktop Assessment with EIAR fieldwork.

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### Where can the full results of the assessment be accessed and viewed

Dublin City Council Planning Section.

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## OVERALL CONCLUSIONS

It has been objectively concluded by Moore Group Environmental Services that:

1. The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment.
3. It is possible to rule out likely significant impacts on any European sites considered in the assessment.
4. It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects if the project were to proceed.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.