

# Report for the purposes of Appropriate Assessment Screening

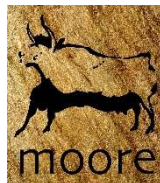
as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)

Proposed Data Storage Facility  
At Belgard Road, Tallaght,  
Dublin 24

Prepared by: Moore Group Environmental Services

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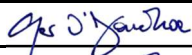

7<sup>th</sup> June 2018



On behalf of  
South Dublin County Council

<b>Client</b>	Kavanagh Tuite Architects
<b>Project</b>	Data Storage Facility At Belgard Road, Tallaght, Dublin 24, D24 DA27.
<b>Title</b>	Report for the purposes of Appropriate Assessment Screening Data Storage Facility At Belgard Road, Tallaght, Dublin 24

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

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### Appendix A – Finding of No Significant Effects Report

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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 to support an application for planning permission for a Project consisting of the construction of a Data Storage Facility at Belgard Road, Tallaght, Dublin 24, D24 DA27.

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

- 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 to allow South Dublin County Council to carry out AA screening, 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.

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

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).

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 Habitats 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 Bird 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 contains information required for the competent authority, in this case Fingal County Council, to undertake an AA Screening process on the effects of a Project consisting of the construction of a Data Storage Facility at Belgard Road, Tallaght, Dublin 24., referred to in this case as the Project.

## 2. Methodology

The Commission’s methodological guidance (EC, 2001: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC ) 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 a desktop assessment and report for screening of the Project by South Dublin County Council to determine if Stage 2 AA is required.

### 2.1. Guidance

This AA Screening Report 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, e.g. the South Dublin County Council Development Plan 2016 - 2022

## 3. Description of the Project

This report presents information necessary to carry out a screening assessment for a proposed data storage facility at Belgard Road, Tallaght, Dublin 24.

The proposed development involves the construction of a new data storage facility to complement the existing neighbouring data storage facility on the same site on Belgard Road, Tallaght, Dublin 24.

The proposed development will include surface water attenuation as per SuDS (Sustainable Urban Drainage System) requirements and wastewater will be directed to Municipal Sewer.

Figure 1 shows the location of the Project in Tallaght, County Dublin. Figure 2 shows a detailed view of the location of the Project, on Bing aerial photography. Note that the building covering the eastern half of the Project

site is the existing data storage facility. Figure 3 shows a detailed plan of the proposed Project, note again the location of the existing data storage facility.

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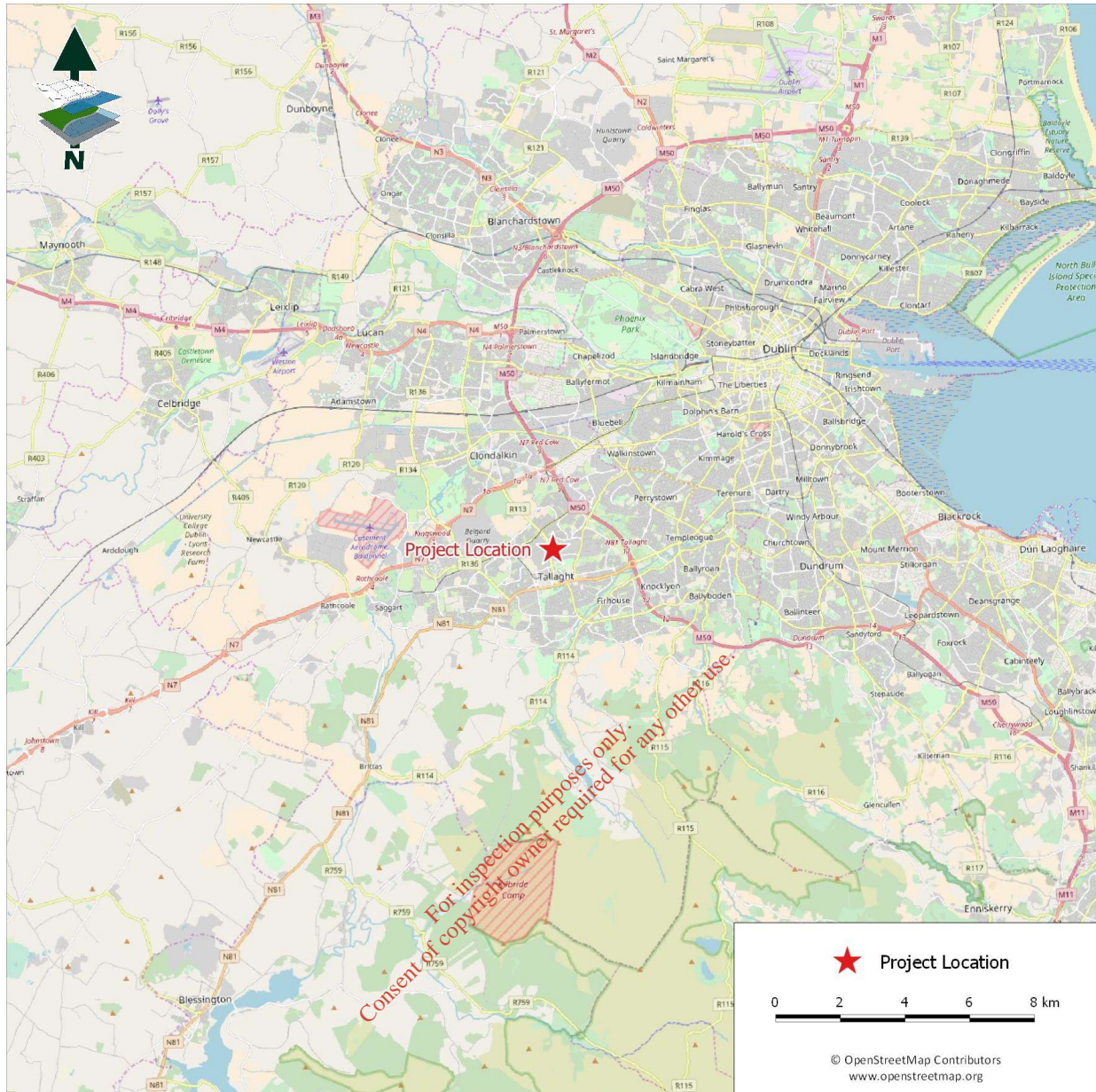


Figure 1. Showing the Project location at Tallaght, west Dublin.

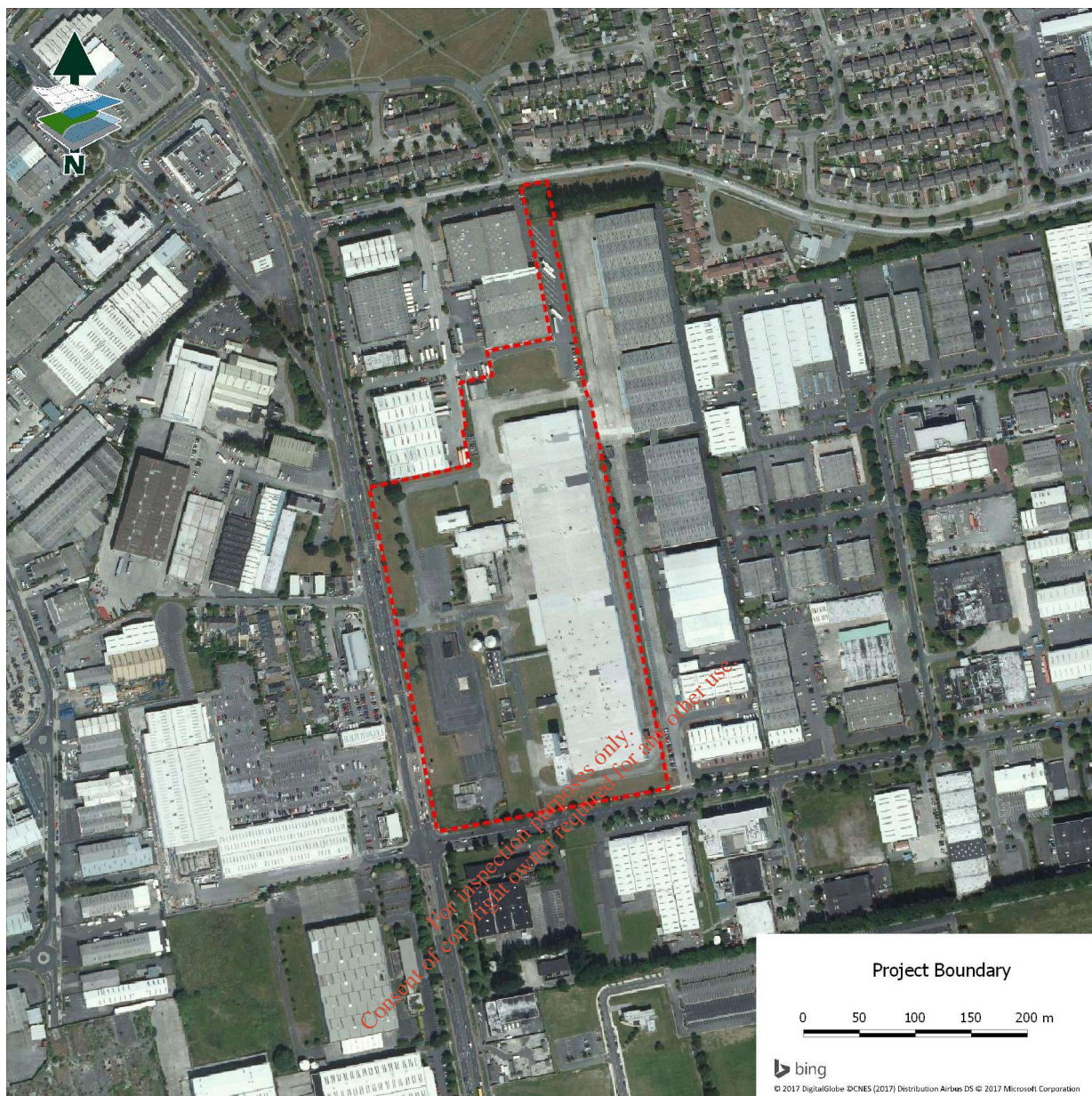


Figure 2. Showing the location of the Project

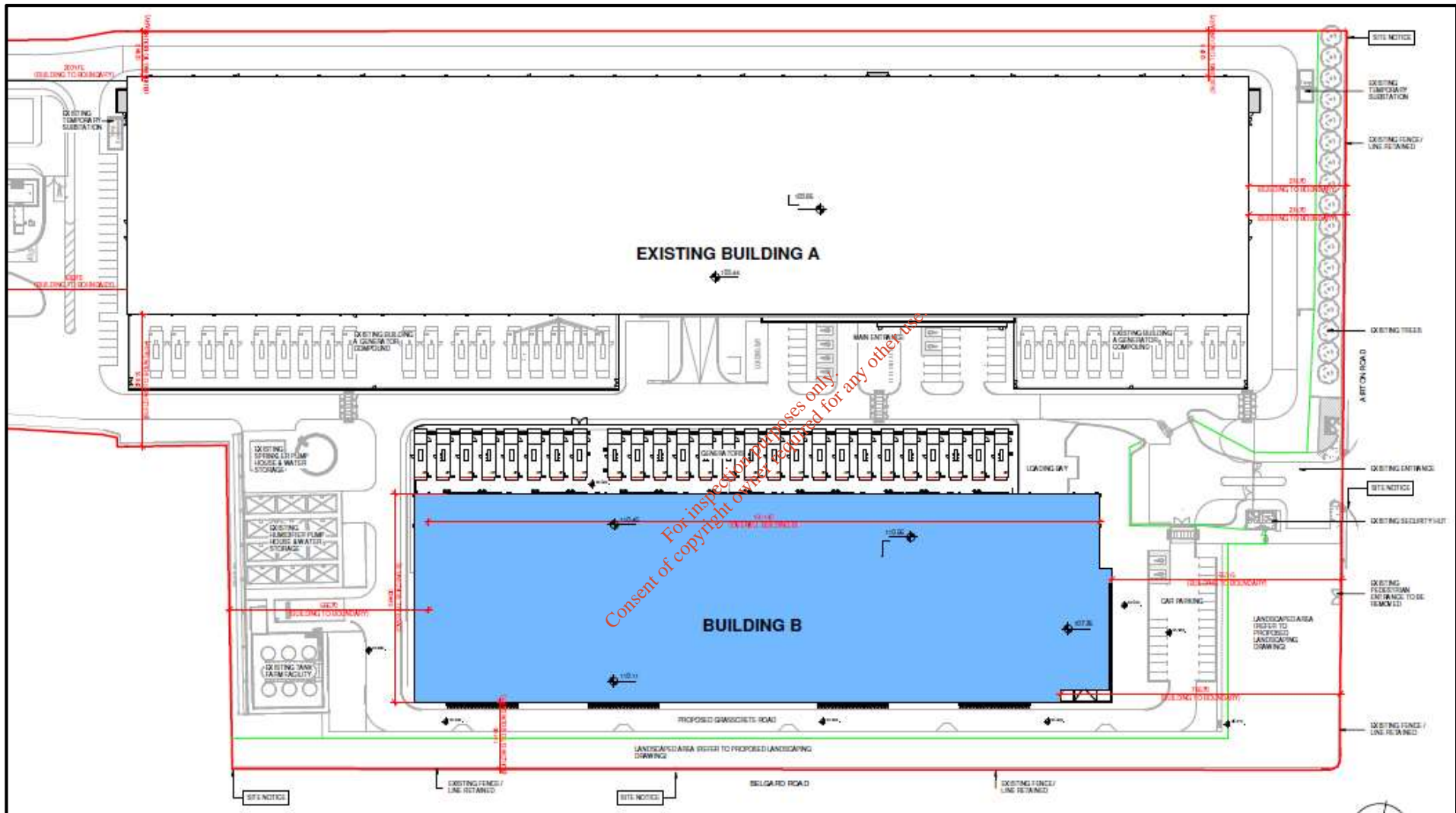


Figure 3. Detailed plan of the proposed new data storage facility

## 4. Identification of Natura 2000 Sites

### 4.1. Description of Natura 2000 Sites Potentially Affected

Departmental guidance recommends an assessment of European sites within a zone of impact of 15 km of the Project which can be revised depending on the nature and location of the proposed development and the connectivity with European sites. The project is located within the suburban environment of Dublin City and, at its closest, is approximately 3.82 km from Glenasmole Valley SAC, 6.21 km from Wicklow Mountains SAC, and 7.53 km from Wicklow Mountains SPA. However, it is evident from Figure 4 that these three European sites are located on elevated ground to the south of the development and that there is no meaningful connectivity to the proposed Project. The closest sites with potential connectivity to the Project are those associated with Dublin Bay, including Dublin Bay North and South, North Bull Island and the Tolka Estuary, which are located approximately 11 km to the east of the Project. There is no meaningful hydrological or biological connectivity to **these or any** any other European sites. European sites that are located within 15 km of the Project are listed in Table 1.

It is evident, given the scale of the proposed development, within an industrial area, in the suburban environment of Dublin City, that there is no potential for significant effects on the Dublin Bay European Sites. Given the above analysis, all European sites have been excluded from the assessment at this preliminary screening stage.

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

Site Code	Site name	Distance (km)
000206	North Dublin Bay SAC	14.14
000210	South Dublin Bay SAC	10.99
000725	Knocksink Wood SAC	13.53
001209	Glenasmole Valley SAC	3.82
001398	Rye Water Valley/Carton SAC	10.84
002122	Wicklow Mountains SAC	6.21
004006	North Bull Island SPA	14.13
004024	South Dublin Bay and River Tolka Estuary SPA	11
004040	Wicklow Mountains SPA	7.53
004063	Poulaphouca Reservoir SPA	14.67

Spatial boundary data on the Natura 2000 network was extracted from the NPWS website on the 8<sup>th</sup> December 2017.

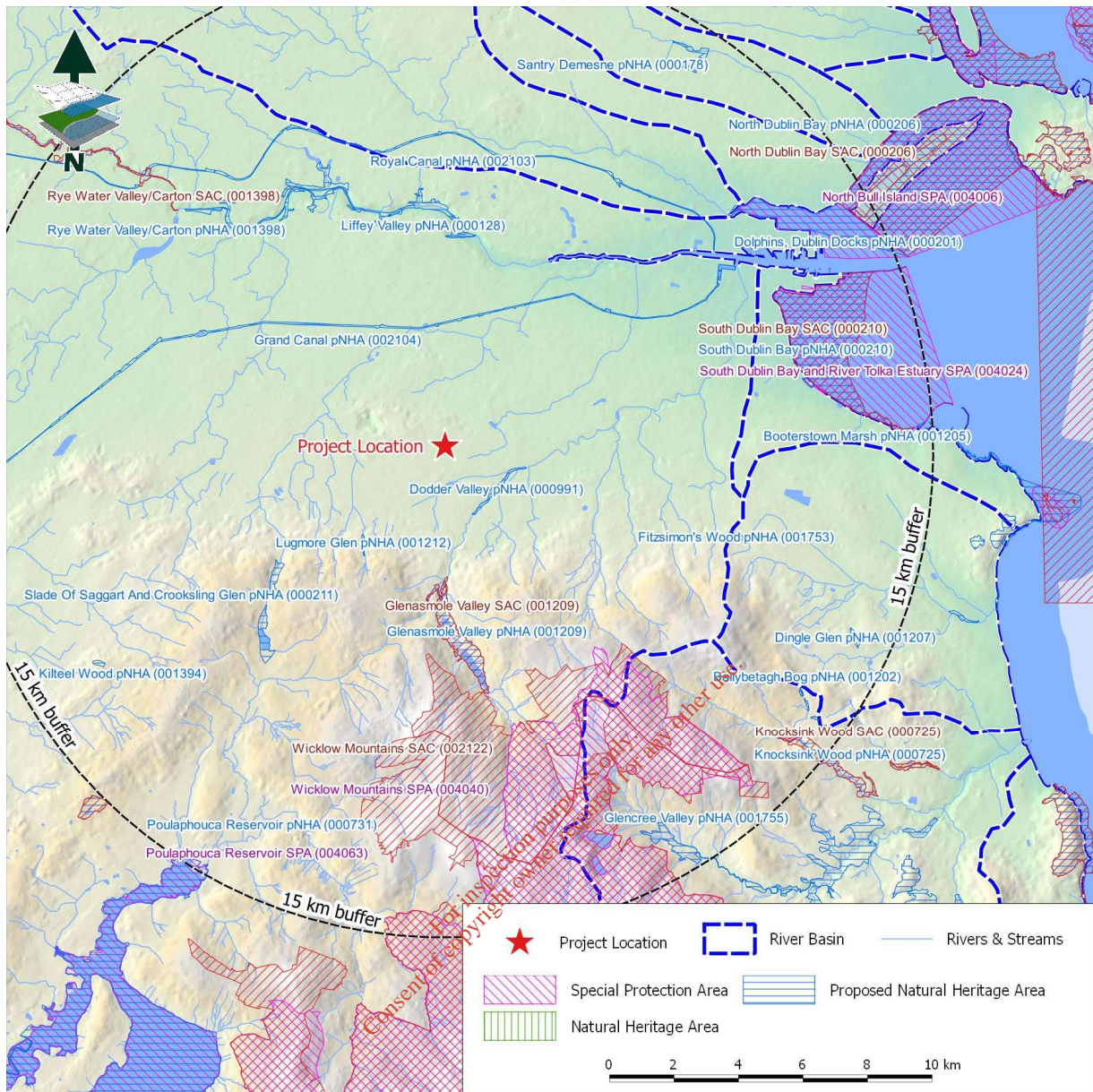


Figure 4. Showing European sites and NHAs/pNHAs in the vicinity of the Project.

## 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 screening process.

There are no other 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

It has been noted that the proposed Project is located in an industrial area within the suburban environment of Dublin City. Of the European sites located within the potential zone of impact of the Project:

- Glensmole Valley SAC, Wicklow Mountains SAC, and Wicklow Mountains SPA are all located on elevated ground to the south of the Project with no connectivity;
- European sites associated with Dublin Bay are located approximately 11 km to the east of the project and, given the scale of the proposed development, within an existing industrial estate, there is no meaningful connectivity to these sites; and
- there is no meaningful hydrological or biological connectivity to any other European sites.

There will be no direct impacts and no indirect impacts from the proposed Project. It is considered that the project is not likely to have significant effects on any of the European sites considered and these can be excluded at this 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 Natura 2000 sites.

The South Dublin County Council planning portal was searched for other projects in the vicinity of the site at Belgard Road for applications from the past three years. There have been no applications for Belgard Road but 8 cases were granted permission for the adjacent Broomhill Business Complex as follows:

SD17A/0460 refers to an application for retention of change of use from industrial/warehouse use to office use at ground.

SD17A/0253 refers to an application for part change of use of building from ancillary warehouse use to ancillary warehouse/logistics training use; (ii) internal alterations and partitioning to provide for training room (149.08sq.m), canteen (82.3sq.m) and toilets at ground floor level and storage/training at new first floor/mezzanine level (82.3sq.m); (iii) widening of existing door on front (east facing) elevation and replacement of 2 windows to match existing windows on front (east facing) elevation; (iv) refurbishment and demarcation of existing car parking; and (v) all associated site works.

SD10A/0337 refers to an application for a 10m guyed pole carrying 3 no. 1.7m antennae and 1 no. 0.3m radio link dishes, with associated equipment cabinet at Unit 4 (formerly Blue Wave), Broomhill Business Complex, Broomhill Road, Tallaght, Dublin 24 which forms part of the 3G broadband network as previously granted under planning reference SD04A/0569.

SD03A/0895 refers to an application for internal revisions to a previously approved industrial / warehouse development, Reg. Ref. SD02A/0610 and SD03A/0312, to include additional first floor ancillary office, tea room, toilet, shower room, (81.3sq.m.) and revised elevational treatment.

SD03A/0582 refers to an application for Internal revisions to a previously approved industrial / warehouse development, Reg. Ref. SD02A/0610 and SD03A/0312, to include additional first floor ancillary offices (94.5sq.m.), 2 no. internal access stairs, ground floor canteen and toilets (36.5sq.m.) and revised elevational treatment.

SD03A/0312 refers to an application for revised elevational treatment to a previously approved development (Reg. Ref. SD02A/0610).

SD02A/0610 refers to an application for Subdivision of the existing warehouse into 5 industrial/warehouse units with ancillary offices, associated site works and elevational changes.

None of these projects have the potential to have effects on the European sites considered in this assessment.

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

The South Dublin County 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 impact 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 South Dublin County 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 that the Project is likely to have 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 on any relevant European sites 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).



## 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 92/43/EEC. 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

Data Storage Facility at Belgard Road, Tallaght, Dublin 24.

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

The project is located within the suburban environment of Dublin City and, at its closest, is approximately 3.82 km from Glenasmole Valley SAC, 6.21 km from Wicklow Mountains SAC, and 7.53 km from Wicklow Mountains SPA. However, it is evident that these three European sites are located on elevated ground to the south of the development and that there is no meaningful connectivity to the proposed Project. The closest sites with potential connectivity to the Project are those associated with Dublin Bay, including Dublin Bay North and South, North Bull Island and the Tolka Estuary, which are located approximately 11 km to the east of the Project. There is no meaningful hydrological or biological connectivity to these or any other European sites.

#### Description of the project or plan

The proposed development involves the construction of a new data storage facility to complement the existing facility on the same site at Belgard Road, Tallaght, Dublin 24.

The proposed development will include surface water attenuation as per SuDS requirements and wastewater will be directed to Municipal Sewer.

#### 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 South Dublin County Council planning portal was searched for other projects in the vicinity of the site at Belgard Road for applications from the past three years. There have been no applications for Belgard Road but 8 cases were granted permission for the adjacent Broomhill Business Complex as follows:

SD17A/0460 refers to an application for retention of change of use from industrial/warehouse use to office use at ground.

SD17A/0253 refers to an application for part change of use of building from ancillary warehouse use to ancillary warehouse/logistics training use; (ii) internal alterations and partitioning to provide for training room (149.08sq.m), canteen (82.3sq.m) and toilets at ground floor level and storage/training at new first floor/mezzanine level (82.3sq.m); (iii) widening of existing door on front (east facing) elevation and replacement of 2 windows to match existing windows on front (east facing) elevation; (iv) refurbishment and demarcation of existing car parking; and (v) all associated site works.

SD10A/0337 refers to an application for a 10m guyed pole carrying 3 no. 1.7m antennae and 1 no. 0.3m radio link dishes, with associated equipment cabinet at Unit 4 (formerly Blue Wave), Broomhill Business Complex, Broomhill Road, Tallaght, Dublin 24 which forms part of the 3G broadband network as previously granted under planning reference SD04A/0569.

SD03A/0895 refers to an application for internal revisions to a previously approved industrial / warehouse development, Reg. Ref. SD02A/0610 and SD03A/0312, to include additional first floor ancillary office, tea room, toilet, shower room, (81.3sq.m.) and revised elevational treatment.

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SD03A/0312 refers to an application for revised elevational treatment to a previously approved development (Reg. Ref. SD02A/0610).

SD02A/0610 refers to an application for Subdivision of the existing warehouse into 5 industrial/warehouse units with ancillary offices, associated site works and elevational changes.

None of these projects have the potential to have effects on the European sites considered in this assessment.

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

The South Dublin County 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 impact 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 South Dublin County 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.**

It has been noted that the proposed Project is located in an industrial area within the suburban environment of Dublin City. Of the European sites located within the potential zone of impact of the Project:

- Glenasmole Valley SAC, Wicklow Mountains SAC, and Wicklow Mountains SPA are all located on elevated ground to the south of the Project with no connectivity;
- European sites associated with Dublin Bay are located approximately 11 km to the east of the project and, given the scale of the propose development, within an existing industrial estate, there is no meaningful connectivity to these sites; and
- there is no meaningful hydrological or biological connectivity to any other European sites.

There will be no direct impacts and no indirect impacts from the proposed Project. It is considered that the project is not likely to have significant effects on any of the European sites considered and these can be excluded at a preliminary screening stage.

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

See above.

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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 in pre-planning consultation with South Dublin County 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.

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

South Dublin County Council Planning Section.

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## ***OVERALL CONCLUSIONS***

It has been noted that the proposed Project is located in an industrial area within the suburban environment of Dublin City. There will be no direct impacts and no indirect impacts from the proposed Project. It is considered that the project is not likely to have significant effects on any of the European sites considered and these can be excluded at a preliminary screening stage.

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.

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