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Statement of Screening for Appropriate Assessment of a Proposed Development at Clonshaugh Business Park, Clonshaugh, Co Dublin

In Line with the Requirements of Article 6(3) of the EU Habitats Directive

Clonmont Developments Ltd

c/o McGill Planning Ltd.
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Dublin 2

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1 INTRODUCTION

1.1 BACKGROUND

Article 6 of the EU Habitat's Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). The aim of this screening process is to establish whether or not a full Appropriate Assessment of the proposed plan or project is necessary.

A comprehensive assessment of the potential impacts on European designated sites of a proposed development in Clonshaugh Business Park, Clonshaugh, Dublin 17 was carried out in February 2019 by Noreen McLoughlin, MSc, MCIEEM of Whitehill Environmental. This assessment allowed areas of potential ecological value and potential ecological constraints associated with the development to be identified and it also enabled potential ecological impacts associated with the facility to be assessed and mitigated for.

The location of the proposed development is within 10km of sites designated under European Law. As such and in accordance with Article 6(3) of the EU Habitat's Directive (Council Directive 92/43/EEC) regarding Appropriate Assessment, this screening exercise for Appropriate Assessment was carried out in order to identify whether any significant impacts on designated sites are likely. This exercise will also determine the appropriateness of the proposed project, in the context of the conservation status of the designated sites.

1.2 REGULATORY CONTEXT

RELEVANT LEGALISATION

The Birds Directive (Council Directive 79/409/EEC) implies that particular protection is given to sites (Special Protection Areas) which support certain bird species listed in Annex I of the Directive and that surveys of development sites should consider the status of such species.

The EU Habitats Directive (92/43/EEC) gives protection to sites (Special Areas of Conservation) which support particular habitats and species listed in annexes to this directive. Articles 6(3) and 6(4) of this Directive call for the undertaking of an Appropriate Assessment for plans and projects likely to have an effect on designated sites. This is explained in greater detail in the following section.

The Wildlife Act 1976 (and its amendment of 2000) provides protection to most wild birds and animals. Interference with such species can only occur under licence. Under the act it is an offence to "wilfully interfere with or destroy the breeding place or resting place of any protected wild animal". The basic designation for wildlife is the Natural Heritage Area

(NHA). This is an area considered important for the habitats present or which holds species of plants and animals whose habitat needs protection. Under the Wildlife Amendment Act (2000) NHAs are legally protected from damage. NHAs are not part of the Natura 2000 network and so the Appropriate Assessment process does not apply to them.

The Water Framework Directive (WFD) (2000/60/EC), which came into force in December 2000, establishes a framework for community action in the field of water policy. The WFD was transposed into Irish law by the European Communities (Water Policy) Regulations 2003 (S.I. 722 of 2003). The WFD rationalises and updates existing legislation and provides for water management on the basis of River Basin Districts (RBDs). RBDs are essentially administrative areas for coordinated water management and are comprised of multiple river basins (or catchments), with cross-border basins (i.e. those covering the territory of more than one Member State) assigned to an international RBD. The aim of the WFD is to ensure that waters achieve at least good status by 2021 and that status doesn't deteriorate in any waters.

APPROPRIATE ASSESSMENT AND THE HABITATS DIRECTIVE

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora – the 'Habitats Directive' - provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 - 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservation of an EU-wide network of sites known as *Natura 2000*. Natura 2000 sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment:

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having

ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

Article 6(4) deals with the steps that should be taken when it is determined, as a result of appropriate assessment, that a plan/project will adversely affect a European site. Issues dealing with alternative solutions, imperative reasons of overriding public interest and compensatory measures need to be addressed in this case.

Article 6(4) states:

"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, the Member States shall take all compensatory measures necessary to ensure that the overall coherence of 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 beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest."

THE APPROPRIATE ASSESSMENT PROCESS

The aim of Appropriate Assessment is to assess the implications of a proposal in respect of a site's conservation objectives.

Appropriate Assessment is an assessment of the potential effects of a proposed plan - 'in combination' with other plans and projects - on one or more European sites. The 'Appropriate Assessment' itself is a statement which must be made by the competent authority which says whether the plan affects the integrity of a European site. The actual process of determining whether or not the plan will affect the site is also commonly referred to as 'Appropriate Assessment'.

If adverse impacts on the site cannot be avoided, then mitigation measures should be applied during the Appropriate Assessment process to the point where no adverse impacts on the site remain (European Commission, 2000, 2001).

The conclusions of the appropriate assessment report should enable the competent authority to ascertain whether the proposal would adversely affect the integrity of the site (European Commission, 2000, 2001).

Under the terms of the directive (European Commission, 2000, 2001), consent can only be granted for a project if, as a result of the appropriate assessment either (a) it is concluded that the integrity of the site will not be adversely affected, or (b) where an adverse effect is anticipated, there is shown to be an absence of alternative solutions, and there exists imperative reasons of overriding public interest for the project should go ahead.

2 METHODOLOGY

2.1 APPROPRIATE ASSESSMENT

This Statement of Screening for Appropriate Assessment (Stage 1) has been prepared with reference to the following:

- European Commission (2000). Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.
- European Commission (2002). 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 (2006). Nature and Biodiversity Cases: Ruling of the European Court of Justice.
- European Commission (2007). Clarification of the Concepts of: Alternative Solution, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence, Opinion of the Commission.
- Department of Environment, Heritage and Local Government (2009). Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities.

The EC Guidance sets out a number of principles as to how to approach decision making during the process. The primary one is 'the precautionary principle' which requires that the conservation objectives of Natura 2000 should prevail where there is uncertainty.

When considering the precautionary principle, the emphasis for assessment should be on objectively demonstrating with supporting evidence that:

- There will be no significant effects on a Natura 2000 site;
- There will be no adverse effects on the integrity of a Natura 2000 site;
- There is an absence of alternatives to the project or plan that is likely to have an adverse effect to the integrity of a Natura 2000 site; and
- There are compensation measures that maintain or enhance the overall coherence of Natura 2000.

This translates into a four stage process to assess the impacts, on a designated site or species, of a policy or proposal.

The EC Guidance states that "each stage determines whether a further stage in the process is required". Consequently, the Council may not need to proceed through all four stages in undertaking the Appropriate Assessment.

The four stage process is:

Stage 1: Screening – The process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether or not these impacts are likely to be significant;

Stage 2: Appropriate Assessment – The consideration of the impact on the integrity of the Natura 2000 site of the project or plan, 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 adverse impacts, an assessment of the potential mitigation of those impacts;

Stage 3: Assessment of Alternative Solutions – The process which examines alternative ways of achieving objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site;

Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain – An assessment of the compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

In complying with the obligations set out in Articles 6(3) and following the guidelines described above, this screening statement has been structured as a stage by stage approach as follows:

- Description of the proposed project;
- Identification of the Natura 2000 sites close to the proposed development;
- Identification and description of any individual and cumulative impacts on the Natura 2000 sites likely to result from the project;
- Assessment of the significance of the impacts identified above on site integrity. Exclusion of sites where it can be objectively concluded that there will be no significant effects;
- Screening statement with conclusions.

2.2 DESK STUDIES

Information on the site and the area of the proposed development was studied prior to the completion of this statement. The following data sources were accessed in order to complete a thorough examination of potential impacts:

- National Parks and Wildlife Service - aerial photographs and maps of designated sites, information on habitats and species within these sites and information on protected plant or animal species; conservation objectives, site synopses and standard data forms for relevant designated sites.
- Environmental Protection Agency (EPA)- Information pertaining to water quality, geology and licensed facilities within the area;
- National Biodiversity Data Centre (NBDC) – Information pertaining to protected plant and animal species within the study area;
- McGill Planning – Information pertaining to the plan and project;
- Coughlan DeKeyser Architects – Plans, Specifications and Design Statement;
- Dublin City Council – Information on planning history in the area to assess potential cumulative impacts.

3 SCREENING

3.1 DEVELOPMENT DESCRIPTION

Clonmont Developments Ltd. have indicated their intention to apply for planning permission for development at on a 3.1ha site, comprising Units 15/16 at the Clonshaugh Business & Technology Park Clonshaugh, Dublin 17. The development will comprise the following:

- Demolition of existing, former industrial buildings (c.7,400 sq.m total GFA), associated plant and hard-standing.
- Construction of a two storey data centre including data halls, offices/admin, staff areas, storage/loading areas, circulation, UPS rooms, and roof plant (total floor area c.9,250 sq.m).
- Provision of a generator yard with 3 no buildings (total floor area c.275 sq.m) housing 5 no. back-up generators.
- Provision of a substation building (floor area c.34.5 sq.m), waste compound building (floor area c.16 sq.m), 14 no. car parking spaces, 10 no. bicycle parking spaces, internal roads, docking/service yard, site lighting, new entrance gate, new security fencing to replace existing fencing.
- All associated site development works, landscape works and services provision. Total floor area of the proposed development is c.9,520.5.m.

A tree survey for this site has been prepared by Tree Management Services (2019). The trees surveyed included those within the site boundaries and on the narrow grassed margins between the footpaths and access roads around the property. A Landscape Plan has also been prepared for the application site by CPL (Casey Planning and Landscape Consultancy, 2019).

An extract from the planning drawings can be seen in Figure

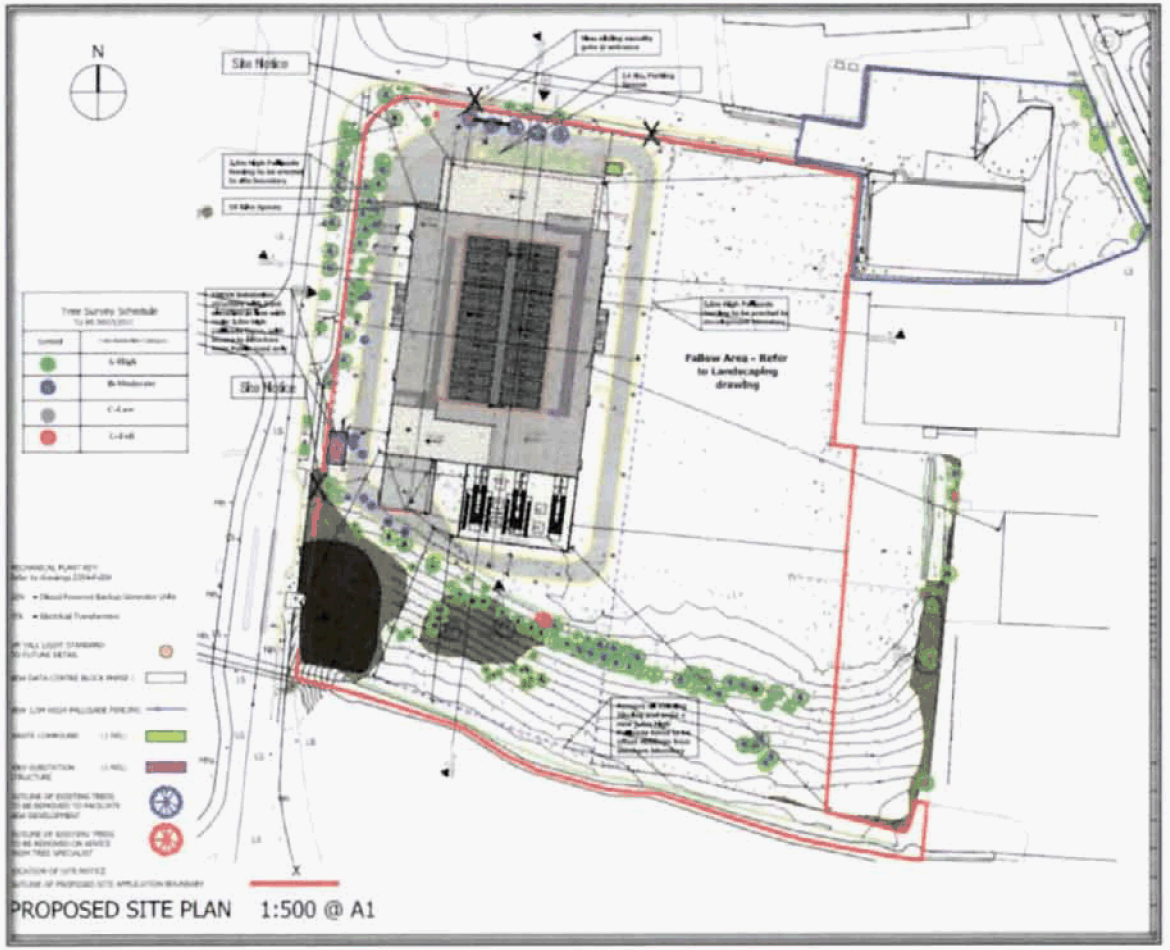

Figure 1 – Extract from Planning Drawing (As Prepared by Coughlan DeKeyser Architects

3.2 SITE LOCATION AND SURROUNDING ENVIRONMENT

The application site (3.642ha) is located within the Clonshaugh Business and Technology Park, which is on the northern outskirts of Dublin City, approximately 6km north-east of Dublin City Centre. It is located close to the sub-urban areas of Coolock, Kilmore and Santry. The site will be accessed via roads within the overall IDA Business Park, which is zoned for business and industrial use with existing precedents for data centre usage.

The site is bounded to the west and north by access roads, to the south by the Santry River and to the east by a neighbouring industrial site and the Clonshaugh Road.

The land-use surrounding the site largely consists of the urban fabric of the suburbs, including industrial, residential and amenity areas. The dominant habitats locally include buildings and artificial surfaces and amenity grasslands associated with the Santry River and its green corridor. Scattered trees and parkland are also a feature locally.

Site location maps are shown in Figures 2 and 3, whilst an aerial photograph of the site and its surrounding habitats is shown in Figure 4.

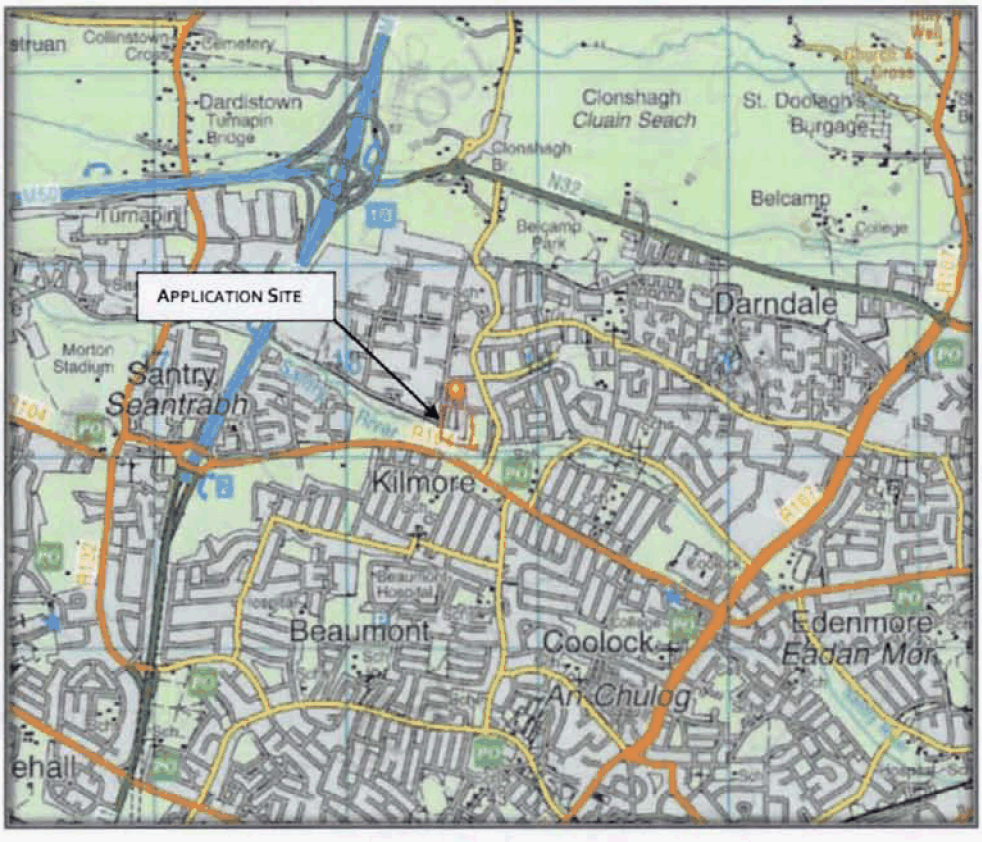

Figure 2 – Site Location Map

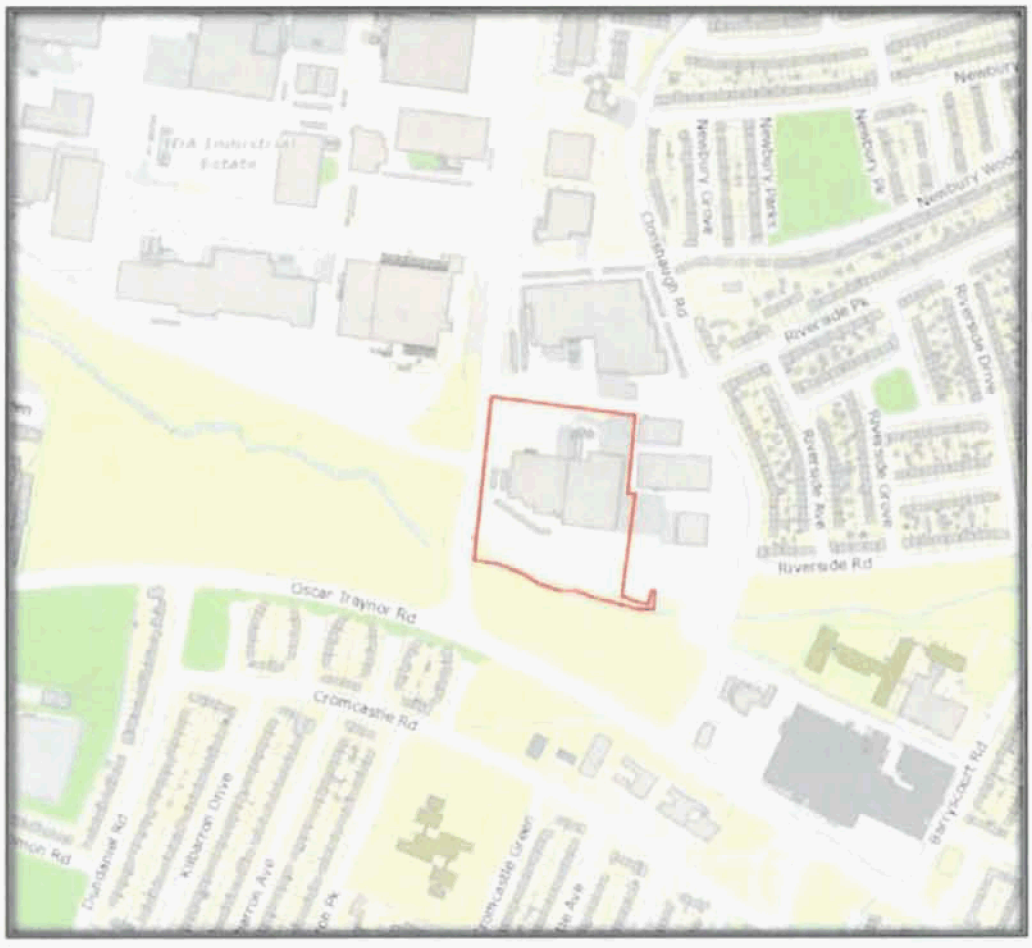

Figure 3 – Site Location Map (Site Outlined in Red)

HABITATS AND NOTABLE SPECIES

Within the application site itself, the dominant habitat currently is buildings and artificial surfaces. The southern boundary of the application site is formed by the Santry River and its riparian habitats. Between the footprint of the existing buildings and the river, there is an area of amenity grassland.

There are a number of trees within the application site, and these have been surveyed and assessed as part of the tree survey accompanying this application. The tree species within the site consist of a mixture of middle-aged broadleaf species including horse chestnut, birch, maple, sycamore, alder, elm, poplars, willows and other minor species. The trees are generally in fair to good condition.

There is also a small woodland copse in the south-western corner of the application site, and this consists mainly of willow and poplar.

An examination of the website of the National Biodiversity Data Centre, revealed that there are records for the presence of two protected mammal species from the relevant 1km

squares (O1840) of this proposed development. These species include the hedgehog *Erinaceus europaeus* and the Irish hare *Lepus timidus subsp. hibernicus* and they are fully protected under the Irish Wildlife Acts. A custom polygon generated for the application sites revealed that these records do not pertain from within the application site itself.

WATER FEATURES AND QUALITY

The application site is located within the Liffey and Dublin Bay Hydrometric Area and Catchment, the Mayne Sub Catchment and the Santry Sub-Basin. The Santry River forms the southern boundary of the application site. This river rises approximately 6km upstream (north-east) of the application site. It flows initially through areas of agricultural land before flowing through the sub-urban areas of Santry. It continues past the site in a south-easterly direction, though the sub-urban areas of Coolock, Edenmore and Raheny, following which it enters Dublin Bay near the Bull Island Causeway.

The EPA have defined the ecological status of the Santry River as poor for much of its course. It is *At Risk* of not achieving good ecological status within the required time frame (2021). Under the Requirements of the Water Framework Directive, this is unsatisfactory and all waterbodies must achieve good status by 2021.

Figure 4 – Aerial Photograph of the Site (Outlined in Red) and its Surrounding Habitats. The Santry River is Highlighted in Blue. Flow Direction is Indicated.

3.3 NATURA 2000 SITES IDENTIFIED

In accordance with the guidelines issued by the Department of the Environment and Local Government, a list of Natura 2000 sites within 15km of the proposed development have been identified and described according to their site synopses, qualifying interests and conservation objectives. In addition, any other sites further than this, but potentially within its zone of interest can also be considered. The zone of impact may be determined by an assessment of the connectivity between the application site and the designated areas by virtue of hydrological connectivity, atmospheric emissions, flight paths, ecological corridors etc.

There are fifteen Natura 2000 designated sites within 15km of the application site. These designated areas and their closest points to the application site are summarised in Table 1 and a map and aerial photograph showing their locations relative to the application site are shown in Figures 5 and 6. A full description of all these sites can be read on the website of the National Parks and Wildlife Service (npws.ie).

Site Name & Code	Distance from Proposed Development	Qualifying Interests
North Bull Island SPA 004006	4.4km east *Hydrological Link (4.6km) via the Santry River which flows into this Dublin Bay within the Boundary of this SPA*	• Light-bellied Brent Goose (*Branta bernicla hrota*) • Shelduck (*Tadorna tadorna*) • Teal (*Anas crecca*) • Pintail (*Anas acuta*) • Shoveler (*Anas clypeata*) • Oystercatcher (*Haematopus ostralegus*) • Golden Plover (*Pluvialis apricaria*) • Grey Plover (*Pluvialis squatarola*) • Knot (*Calidris canutus*) • Sanderling (*Calidris alba*) • Dunlin (*Calidris alpina*) • Black-tailed Godwit (*Limosa limosa*) • Bar-tailed Godwit (*Limosa lapponica*) • Curlew (*Numenius arquata*) • Redshank (*Tringa totanus*) • Turnstone (*Arenaria interpres*) • Black-headed Gull (*Chroicocephalus ridibundus*) • Wetland and Waterbirds
North Dublin Bay SAC 000206	4.4km south-east *Hydrological Link (4.6km) via the Santry River which flows into this Dublin Bay within the Boundary of this*	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals colonising mud and sand

	SAC	• Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (*Juncetalia maritimi*) • Embryonic shifting dunes • Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes) • Humid dune slacks • *Petalophyllum ralfsii* (Petalwort)
Baldoyle Bay SAC 000199	5.1km east	• Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (Juncetalia maritimi)
Baldoyle Bay SPA 004016	5.4km east	• Light-bellied Brent Goose (*Branta bernicla hrota)* • Shelduck (*Tadorna tadorna*) • Ringed Plover (*Charadrius hiaticula*) • Golden Plover (*Pluvialis apricaria*) • Grey Plover (*Pluvialis squatarola*) • Bar-tailed Godwit (*Limosa lapponica*) • Wetland and Waterbirds
Malahide Estuary SPA 004025	6.8km north	• Shelduck *(Tadorna tadorna)* • Pintail *(Anas acuta)* • Goldeneye *(Bucephala clangula)* • Oystercatcher *(Haematopus ostralegus)* • Redshank *(Tringa totanus)* • Knot *(Calidris canutus)* • Bar-tailed Godwit *(Limosa lapponica)* • Black-tailed Godwit *(Limosa limosa)* • Golden Plover *(Pluvialis apricaria)* • Light-bellied Brent Goose *(Branta bernicla hrota)* • Dunlin *(Calidris alpina)* • Grey Plover *(Pluvialis squatarola)* • Red-breasted Merganser *(Mergus serrator)* • Great Crested Grebe *(Podiceps cristatus)*
South Dublin Bay SAC 000201	6.8km south-east	• Mudflats and sandflats not covered by seawater at low tide • Annual vegetation of drift lines • Salicornia and other annuals

		colonising mud and sand • Embryonic shifting dunes
Malahide Estuary SAC 000205	6.8km north-east	• Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonising mud and sand • Atlantic salt meadows (Glauco-Puccinellietalia maritimae) • Mediterranean salt meadows (*Juncetalia maritimi*) • Shifting dunes along the shoreline with Ammophila arenaria (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes)
South Dublin Bay / River Tolka Estuary SPA 004024	6.9km south	• **Light-bellied Brent Goose (*Branta bernicla hrota*)** • Oystercatcher (*Haematopus ostralegus*) • Ringed Plover (*Charadrius hiaticula*) • Grey Plover (*Pluvialis squatarola*) • Knot *(Calidris canutus)* • Sanderling *(Calidris alba)* • Dunlin *(Calidris alpina)* • Bar-tailed Godwit *(Limosa lapponica)* • Redshank *(Tringa totanus)* • Black-headed Gull *(Chroicocephalus ridibundus)* • Roseate Tern *(Sterna dougallii)* • Common Tern *(Sterna hirundo)* • Arctic Tern *(Sterna paradisaea)* • Wetland and Waterbirds
Howth Head SAC 000202	8.4km east	• Vegetated sea cliffs of the Atlantic and Baltic coasts • European dry heaths
Rockabill to Dalkey Island SAC 0030000	9.2km east	• Reefs • *Phocoena phocoena* (Harbour Porpoise)
Ireland's Eye SPA 004117	9.6km east	• Cormorant (*Phalacrocorax carbo*) • Herring Gull (*Larus argentatus*) • Kittiwake (*Rissa tridactyla*) • Guillemot (*Uria aalge*) • Razorbill (*Alca torda*)
Ireland's Eye SAC 002193	9.9km east	• Perennial vegetation of stony banks • Vegetated sea cliffs of the Atlantic and Baltic coasts

Howth Head SPA 004113	10.8km east	• Kittiwake (*Rissa tridactyla*)
Rogerstown Estuary SAC 000208	11.2km north	• Estuaries • Mudflats and sandflats not covered by seawater at low tide • Salicornia and other annuals colonizing mud and sand • Spartina swards (*Spartinion maritimae*) • Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) • Mediterranean salt meadows (*Juncetalia maritimi*) • Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes) • Fixed coastal dunes with herbaceous vegetation (grey dunes)
Rogerstown Estuary SPA 004015	11.4km north	• Light-bellied Brent Goose(*Branta bernicla hrota)* • Grey Plover (*Pluvialis squatarola*) • Greylag Goose (*Anser anser*) • Knot (*Calidris canutus*) • Ringed Plover (*Charadrius hiaticula*) • Oystercatcher (*Haematopus ostralegus)* • Shelduck (*Tadorna tadorna*) • Shoveler (*Anas clypeata*) • Dunlin (*Calidris alpina*) • Redshank (*Tringa totanus*) • Black-tailed Godwit (*Limosa limosa)*

Table 1 – Natura 2000 Sites Within 15km of the Proposed Site

The Generic Conservation Objective of all these sites is:

To maintain / restore the favourable conservation status of the qualifying interests of the SAC / SPA.

The favourable conservation status of a habitat is achieved when:

- Its natural range and area it covers within that range is stable or increasing and the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future;

- The conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- The 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;

- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;

There is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

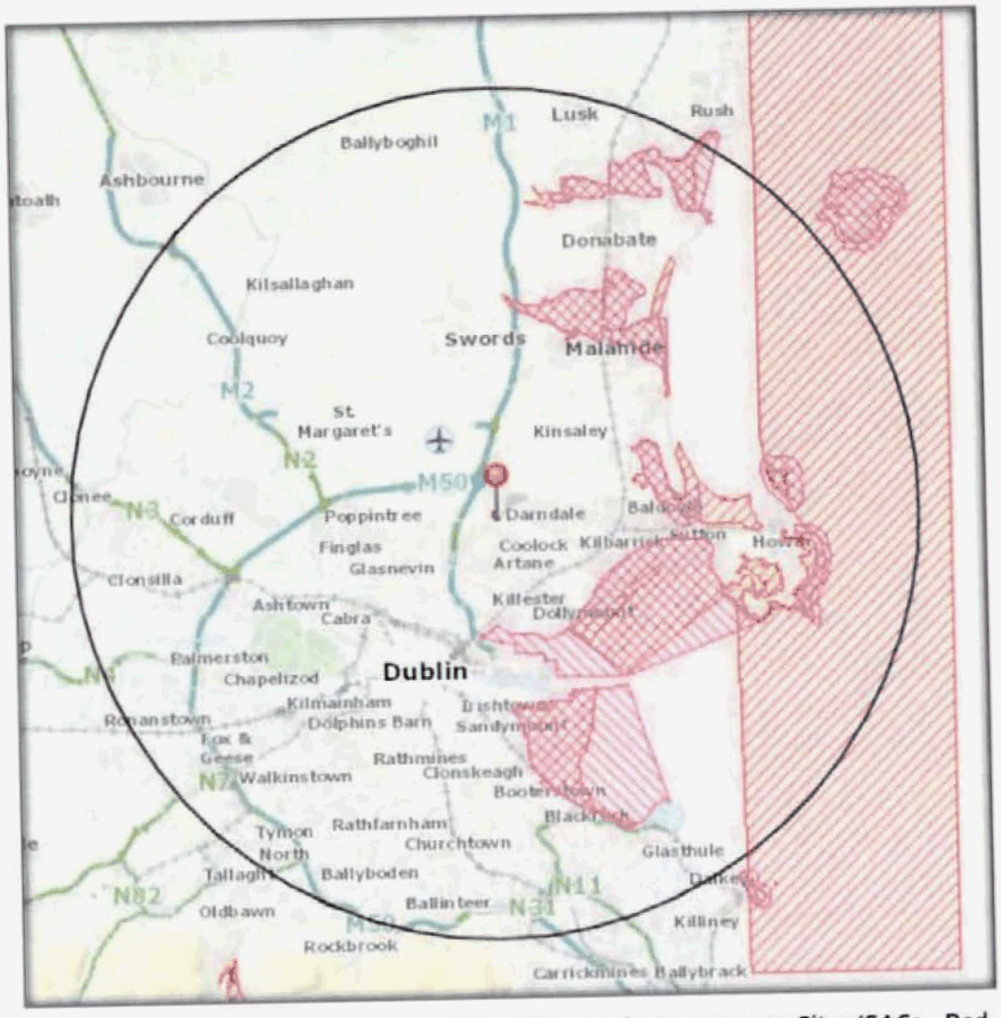

Figure 5 – The Application Site (Pinned) in relation to the Natura 2000 Sites (SACs – Red Hatching; SPAs – Pink Hatching) 15km Boundary Shown.

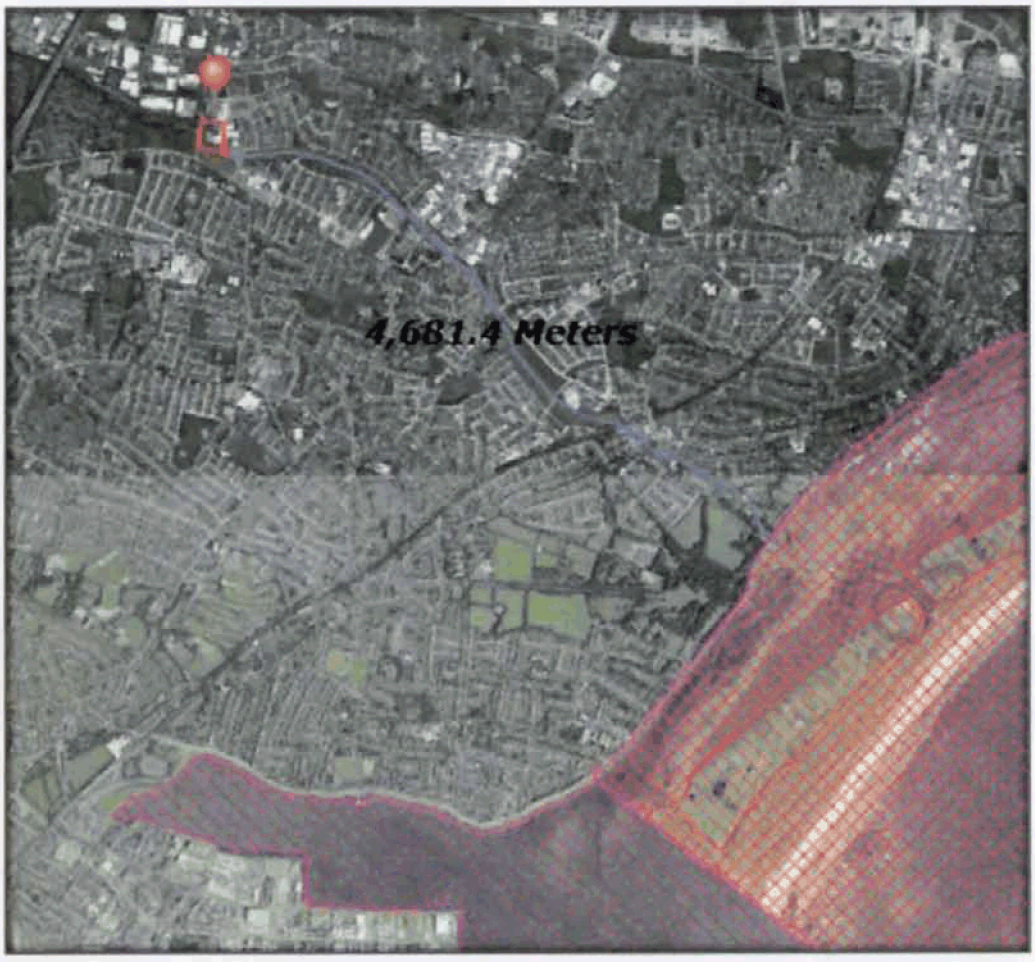

Figure 6 – The Application Site (Pinned) in relation to the Bull Island SPA (Pink Hatching) and the North Dublin Bay SAC (Red Hatching). The Source-Pathway-Receptor Linkage Between the Application Site and the Designated Area is via the Santry River and this is Highlighted in Blue.

3.4 IMPACT ASSESSMENT

The impacts (if any) of the proposed development on the Natura 2000 sites identified above are described below.

Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on nearby Natura 2000 site:

The construction and operation of the proposed development will have **no impacts** upon the integrity or the site structure of the designated sites identified. There are no individual elements of the proposed project that are likely to give rise to negative impacts on these sites.

There is a source-pathway-receptor linkage between the application site and the designated habitats of North Dublin Bay, i.e., the North Bull Island SPA and the North Dublin Bay SAC. However, in this instance, the downstream distance is considered sufficient to ensure that no impacts will arise. The construction elements of the project will occur within the site a point removed from the corridor of the Santry River (55m), thus reducing the potential for run-off from the site into the river. The green buffer zones between the construction works and the river will be maintained and the majority of trees on the site will be retained.

Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the nearby Natura 2000 sites by virtue of:

Size and scale: Given the small size and scale of the development in relation to the overall size of the Natura 2000 sites identified, the likelihood of any direct, indirect or cumulative impacts on these designated sites arising from the continued operation of the facility are low.

Land-take: There will be no land-take from any designated site. There will be no interference with the boundaries of any designated site. There will be no loss of undesignated habitats of biodiversity value.

Distance from Natura 2000 site or key features of the site: The closest Natura 2000 site to the application site is the North Bull Island SPA and the North Dublin Bay SAC. These sites are 4.4k east / 4.6km downstream of the application site. These distances are sufficient to ensure that no impacts will occur.

Resource requirements (water abstraction etc.): No resources will be taken from any Natura 2000 site and there are no resource requirements that will impact upon any designated site.

Emissions: Emissions arising during the construction phase will be contained using standard best practice measures and will include the following:

- There will be no direct or indirect discharge of surface or ground water generated during construction activities to the Santry River;
- Stockpiles for sand and gravel will be sited over 50m from the river. Stockpiles or areas of

bare soil will be covered or seeded if not required in the short term;

- Best practice in bulk-liquid concrete management will be employed on site addressing pouring and handling, secure shuttering, adequate curing times etc;
- Activities which result in the creation of cement dust will be controlled by dampening down the areas;
- Raw and uncured waste concrete will be disposed of by removal from the site;
- All fuels, lubricants and hydraulic fluids will be kept in secure bunded areas remotely from the Santry River. The bunded area will accommodate 110% of the capacity of the containers within it. Containers will be properly secured to prevent unauthorised access and misuse. An effective spillage procedure will be put in place with all staff properly briefed. Any waste oils or hydraulic fluids will be collected, stored in appropriate containers and disposed of offsite in an appropriate manner.
- All refuelling and lubrication of equipment shall take place on sealed and bunded surfaces in order to avoid the potential for accidental spillage of hydrocarbons.
- All plant and machinery shall be regularly maintained and serviced to minimise release of hydrocarbons. Spill kits will be present in all plant machinery.
- Oil booms and oil soakage pads will be kept on site to deal with any accidental spillages.
- Waste oils and hydraulic fluids will be collected in leak-proof containers and removed from site for disposal and recycling.
- Once operational, the green spaces adjacent to the Santry River will be managed at a low intensity level. No fertiliser applications will be allowed on these areas. A natural un-mowed verge will be maintained along the stream edge.

Excavation requirements: Construction and demolition waste and excavated material from the construction will be used on site. Any remaining will be disposed of in a responsible manner in a licensed facility away from any designated sites.

Transportation requirements: Access to the work site will be via the existing entrance. No access to any areas of any designated site will be required during any phase of project.

In-Combination / Cumulative Impacts: The proposed application was considered in combination with other developments or proposed developments in the Clonshaugh area and potential cumulative impacts were considered. Any individual application that has the potential to impact upon a Natura 2000 site will be subject to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. The construction and operation of the proposed development will have no impacts when considered in combination with other plans and projects that have been screened for Appropriate Assessment or where mitigation measures have been included as part of Appropriate Assessment (Natura Impact Statement).

Duration of construction, operation, decommissioning etc: Construction will take approximately one year.

Describe any likely changes to the nearby Natura 2000 sites arising as a result of:

Reduction of habitat area: The proposed development lies outside the boundaries of the Natura 2000 sites identified in Section 3.3. There will be no reduction of designated habitat area or interference with any protected habitat within any SAC or SPA. There will be no interference with the boundaries of any designated site. There are nine habitat qualifying features of the North Dublin Bay SAC and one botanical species. These features include:

- Mudflats and sandflats not covered by seawater at low tide
- Annual vegetation of drift lines
- Salicornia and other annuals colonising mud and sand
- Atlantic salt meadows (Glauco-Puccinellietalia maritimae)
- Mediterranean salt meadows (*Juncetalia maritimi*)
- Embryonic shifting dunes
- Shifting dunes along the shoreline with *Ammophila arenaria* (white dunes)
- Fixed coastal dunes with herbaceous vegetation (grey dunes)
- Humid dune slacks *Petalophyllum ralfsii* (Petalwort)

There will be no loss or fragmentation of or disturbance to any of these qualifying features that are listed within the SAC. There will be no emissions from the construction or operation of the site that will lead to any impacts upon these specific habitats or species.

Disturbance to key species: There are seventeen wading bird species listed as qualifying features of the North Bull Island SPA. These species include:

- Light-bellied Brent Goose (*Branta bernicla hrota)*
- Shelduck (*Tadorna tadorna*)
- Teal (*Anas crecca*)
- Pintail (*Anas acuta*)
- Shoveler (*Anas clypeata*)
- Oystercatcher (*Haematopus ostralegus)*
- Golden Plover (*Pluvialis apricaria*)
- Grey Plover (*Pluvialis squatarola*)
- Knot (*Calidris canutus*)
- Sanderling (*Calidris alba*)
- Dunlin (*Calidris alpina*)
- Black-tailed Godwit (*Limosa limosa)*
- Bar-tailed Godwit (*Limosa lapponica)*
- Curlew (*Numenius arquata*)
- Redshank (*Tringa totanus*)
- Turnstone (*Arenaria interpres*)

- Black-headed Gull (*Chroicocephalus ridibundus*)

Wetland and Waterbirds is also a qualifying interest. These bird species use the estuarine and coastal habitats of North Bull Island and the surrounding areas. They will not be impacted upon by the construction or operation of the proposed development. There will be no deterioration in water quality within the SPA that may lead to indirect impacts upon these bird species. There are no suitable feeding sites within the application site for these birds.

Habitat or species fragmentation: There will be no habitat or species fragmentation within any SAC or SPA. No ecological corridors between the site and any Natura 2000 site will be damaged or destroyed.

Reduction in species density: There will be no reduction in species density within the SAC and SPA. There will be no reduction of bird density in any SPA arising from the application. There will be no loss of any non designated feeding areas used by birds that are listed in Annex I of the Birds Directive.

Changes in key indicators of conservation value (water quality etc.): There will be no negative impacts upon surface or ground water quality within any SAC or SPA. There will be no negative impacts upon the water quality in any designated site.

Describe any likely impacts on the nearby Natura 2000 sites as a whole in terms of:

Interference with the key relationships that define the structure or function of the site: It is not considered likely that there will be any impacts on the key relationships that define the structure or function of the Natura 2000 sites identified.

Provide indicators of significance as a result of the identification of effects set out above in terms of:

Loss - Estimated percentage of lost area of habitat: None

Fragmentation: None

Disruption & disturbance: None

Change to key elements of the site (e.g. water quality etc.): None

3.5 FINDING OF NO SIGNIFICANT EFFECTS

Finding of No Significant Effects Report Matrix	
Name of project	Construction of a Data Centre at Clonshaugh Business Park, Clonshaugh, Co. Dublin .
Name and location of Natura 2000 site	The closest Natura 2000 site to the application site is the North Bull Island SPA and the North Dublin Bay SAC. These sites are 4.4k east / 4.6km downstream of the application site. These distances are sufficient to ensure that no impacts will occur.
Description of project	A Development within an Area Zoned for Industry and Commerce
Is the project directly connected with or necessary to the management of the site?	No
Are there other projects or plans that together with project being assessed could affect the site?	No
The Assessment of Significance of Effects	
Describe how the project is likely to affect the Natura 2000 site	Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects.
Explain why these effects are not considered significant	Not applicable as there is no potential for negative impacts
Describe how the project is likely to affect species designated under Annex II of the Habitats Directive.	No impacts likely
Data Collected to Carry out the Assessment	
Who carried out the assessment	Noreen McLoughlin, MSC, MCIEEM. Consultant Ecologist
Sources of data	NPWS, EPA, National Biodiversity Data Centre, Dublin County Council
Level of assessment completed	Stage1 Appropriate Assessment Screening
Where can the full results of the assessment be accessed and viewed	Full results included

4 APPROPRIATE ASSESSMENT CONCLUSION

In accordance with Article 6(3) of the Habitats Directive, the relevant case law, established best practice and the precautionary principle, this AA Screening Report has examined the details of the project in relation to the relevant Natura 2000 sites within 10km of the application site. This report has analysed the potential impacts and effects of the proposed project on the Special Conservation Interests of these designated sites. It has evaluated the significance of these potential impacts and effects in view of these sites' conservation objectives.

In view of best scientific knowledge and on the basis of objective information, it can be concluded that this application, whether individually or in combination with other plans and projects, will have no impacts upon the Natura 2000 sites. The integrity of these sites will be maintained and the habitats and species associated with these sites will not be adversely affected. It is of the opinion of this author that this application does not need to proceed to Stage II of the Appropriate Assessment process.

Noreen Mc Loughlin

Noreen McLoughlin, MSc, MCIEEM.
Ecologist.

(PI Insurance details available on request)

Appendix I: ECOLOGICAL RECOMMENDATIONS

Whilst the proposed development will have no impacts upon the integrity of any area that has been designated as a Natura 2000 site, it is usually best practice to undertake certain measures during the construction and operation of any development. These recommendations will help to protect the local biodiversity of the surrounding area and ensure the protection of local wildlife and water quality. Therefore it is recommended that the following measures are implemented: *(It should be noted that they are not designed for the protection of any Natura 2000 site and that they are fully outside of the Appropriate Assessment process)*

- Landscaping should only involve the use of native species that are indigenous to the area.
- Bat friendly lighting should be considered, in line with the recommendations issued by Bat Conservation Ireland *(http://www.batconservationireland.org/wpcontent/uploads/2013/09/BCIrelandGuidelines_Lighting.pdf)*
- The riparian edges of the Santry River should be managed appropriately and biodiversity along this stretch should be encouraged. The edges of the stream should not be regularly mowed.
- The site security fencing should allow the safe passage of mammals along the corridor of the Santry River.