

Appropriate Assessment Consideration

IN ACCORDANCE WITH THE REQUIREMENTS OF

ARTICLE 6(3)

OF THE

EU HABITATS DIRECTIVE

FOR THE

ASSESSMENT OF A MASTERPLAN FOR THE REDEVELOPMENT OF THE GULISTAN DEPOT LANDS IN
RATHMINES

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This is an Appropriate Assessment Consideration of a proposed masterplan for the Gulistan Depot lands.

The proposed Masterplan sits within the framework of the operational Dublin City Development Plan 2016-2022 (Development Plan), which sets the strategic planning policy framework for all projects and development within the City, with all planning decisions being assessed against the policies and objectives of this plan. The Development Plan outlines a range of policies and objectives to safeguard the environment and to ensure that plans and projects facilitated by the Development Plan do not have the potential to result in significant effects on European Sites.

1.1 Terms of Reference

In compliance with Article 6(3) of the EU Habitats Directive (92/43/EEC) and EU Birds Directive (79/409/EEC), as transposed into Irish legislation by the Natura 2000 Communities (Birds and Natural Habitats) Regulations 2011 and Planning and Development Act 2000 (as amended), the potential effects of the policies and objectives of all statutory land use plans and projects on certain sites that are designated for the protection of nature under EU legislation must be assessed as an integral part of the plan process in accordance with S.177R of the Planning and Development Act, 2000 (as amended). Although not a statutory land use plan or project, it is considered prudent to carry out a consideration of the proposed Masterplan in relation to the requirements of the Habitats Directive.

For the purposes of Article 6 Assessments, Natura 2000 network sites or European Sites are those identified as Sites of Community Importance under the Habitats Directive (normally called Special Areas of Conservation) or classified as Special Protection Areas under the EU Birds Directive (79/409/EEC). The principal trigger for undertaking an ‘*Appropriate Assessment*’ would be if the proposed masterplan was likely, either directly or indirectly, to have significant effects on a Natura 2000 Network site.

For the purposes of this report, the proposed Masterplan is the plan being assessed in compliance with Article 6(3).

This AA Consideration assesses, 1) whether the making of the proposed Masterplan, is directly connected to or necessary for the conservation management of any European site, and 2) whether the proposed Masterplan, alone or in combination with other plans and projects, is likely¹ to result in significant² effects on any European site within the Natura 2000 network in view of its conservation objectives. The purpose of this Consideration is to identify whether any redevelopment facilitated by the proposed Masterplan will have the potential to adversely affect the conservation objectives of European Sites. Such a conclusion will be arrived at by assessing the nature of current and future land use activities that will be supported by the proposed Masterplan, the potential for these activities to interact with European Sites occurring within the Masterplan land’s Zone of

¹“likely” meaning any effect that may be reasonably predicted

²“significant” meaning not trivial or inconsequential but an effect that is potentially relevant to the Site’s conservation objectives (i.e. any effect, which would compromise the functioning and viability of a Site and interfere with achieving the conservation objectives of the Site would constitute a significant effect)

Influence, and the likely changes that will result from the proposed Masterplan, in combination with other plans and projects.

Circular Letter SEA 1/08 & NPWS 1/08 issued by the Department of Environment, Heritage and Local Government requires that, as a result of European Court of Justice Case 418/04 EC Commission v Ireland, any draft land use plan (or amendments or variations) proposed under the Planning & Development Act 2000 (as amended), specifically Section 177 of the Planning and Development (Amendment) Act 2010, must be considered for any potential impact on areas designated as Natura 2000 network sites. The results of the Consideration should be recorded and made available to the public.

The proposed masterplan has been considered to ascertain if it is required to be subject to an *'Appropriate Assessment'* under the EU Habitats Directive. Based on the *'Methodological guidance on the provision of Article 6(3) and (4) of the EU Habitats Directive 92/43/EEC, a 'Screening Matrix' and a 'Finding of No Significant Effects Matrix'* have been completed.

This Consideration was undertaken by the Planning and Property Development Department of Dublin City Council. It should be noted that a Strategic Environmental Assessment Consideration (SEA) Report has also been prepared for the proposed masterplan.

Section 2 – Methodology

The DoEHLG's *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities* (2009, 2010) outlines the stages involved in undertaking a Screening Assessment of a plan or project that has the potential to have likely significant effects on European Sites. The methodology adopted for the Consideration of the proposed masterplan is informed by this Guidance and was undertaken in the following stages:

2.1 The Proposed Masterplan

It is proposed to create a masterplan for the redevelopment of the Gulistan Depot lands, a c. 1.13-hectare land bank located in the heart of Rathmines village, to the rear of the Swan Shopping Centre and Rathmines College/former Town Hall.

Guiding Principles for Development

The main components of the Masterplan are arranged around and integrated within a new Civic Space as follows:

- a) A new primary Health Care Centre located on the northern part of the site, (gross floor area approx. 3,500 sq. m).
- b) A new Age Friendly housing scheme to the eastern side of the site adjacent to existing housing.
- c) A new Civic Space, approximately 1,500 sq. m in size.
- d) A new Cost Rental Scheme is proposed on the west side of the site, opposite the Age Friendly homes, across a new tree lined street.

e) The Stone Building (250 sq. m) is to be repurposed so that it can accommodate a variety of uses e.g. craft shops, artists' studios.

f) A new Private Mews Development for premises on Rathmines Road. It should be noted that this will be a private development and is not part of this scheme.

No change to the land use zoning to the lands is to result from the proposed Masterplan.

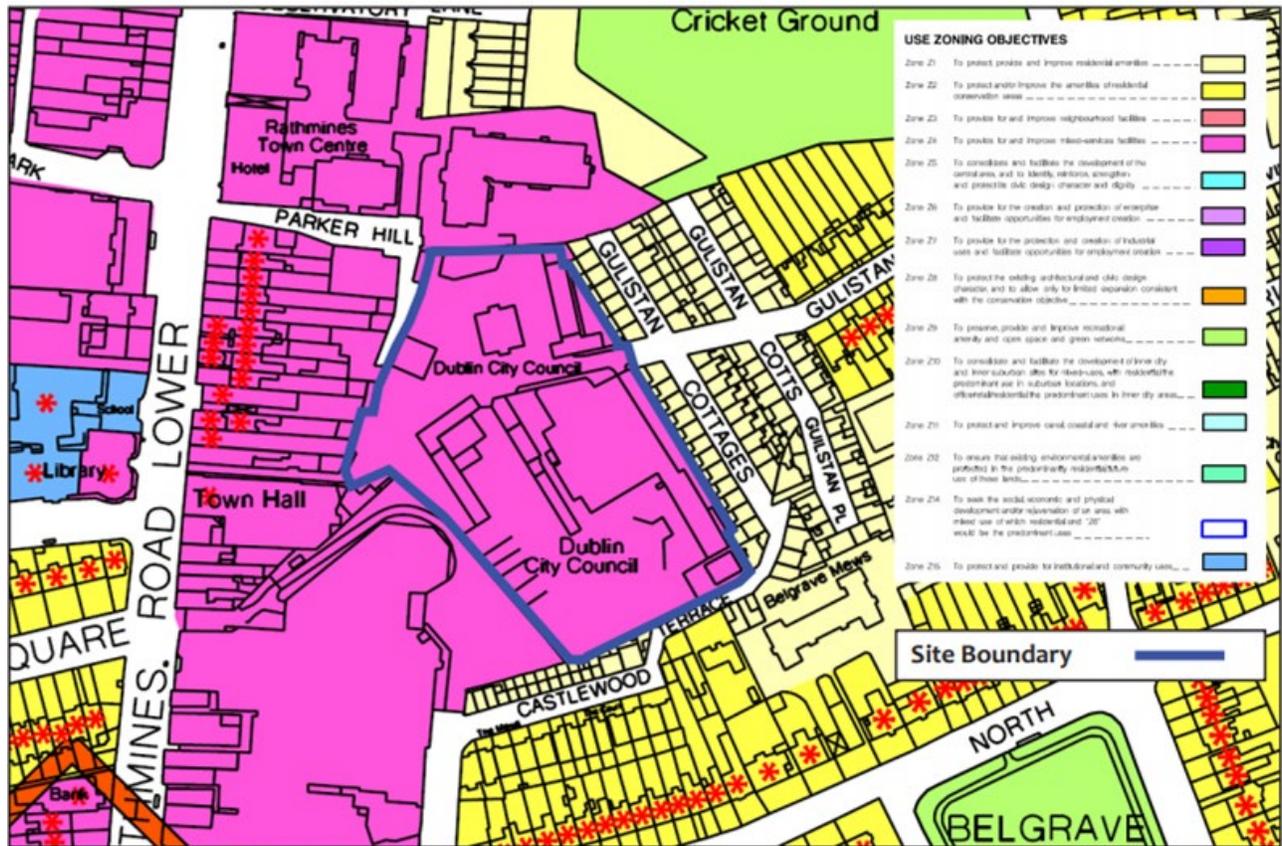
2.2 Site Location and Description

Gulistan Depot is a 1.13 ha site located in the heart of the Rathmines, to the rear of the Swan Shopping Centre and Rathmines College/former Town Hall. The site comprises a former depot, a Bring Centre and a defunct ESB premises, now acquired by DCC.

The site is zoned for Mixed Use Purposes (Z4) in the City Development Plan in order to enhance the role of Rathmines as a Key District Centre serving the wider Rathmines Area.

The site is well served by public transport, with pedestrian access to Rathmines Road and a vehicular entrance via Gulistan Terrace to Mountpleasant Avenue.

Figure 1 Location Map



Zoning map - Dublin City Development Plan 2016-2022

2.3 Purpose of the Proposed Masterplan

The purpose of the proposed Gulistan Depot Masterplan is provide guiding principles for the future redevelopment of the lands to more sustainable and efficient use and to fulfil National and Regional planning objectives on responding to climate change, delivering compact development and sustainable urban growth.

2.3.1 Policy Context

The **National Planning Framework (NPF)** (Project Ireland 2040) states that at least 50% of all new homes for Dublin City and suburbs are required to be delivered within and adjoining its existing built-up footprint. To achieve this, the NPF identifies the reusing of large and small 'brownfield' land/infill sites, and underutilised lands at locations well served by existing and planned public transport. The NPF particularly highlights the need to focus on underutilised lands within the canals and the M50 ring. The proposed masterplan supports this policy position.

The **Regional Spatial and Economic Strategy (RSES)** for the Eastern and Midlands Region seeks the consolidation and re-intensification of infill, brownfield, and underutilised lands within Dublin City and its suburbs. 50% of all new homes within Dublin City and its suburbs are to be located in the existing built-up area. The RSES identifies a population target increase for Dublin City (DCC's administrative area) of circa 100,000 people by 2031. To facilitate this growth the RSES also includes a **Metropolitan Area Strategic Plan**

(MASP) for Dublin. The MASP directs future growth to identified Strategic Development Areas located on existing and planned strategic transport corridors and anticipates future growth will also be accommodated on brownfield/infill development lands in the city. The proposed masterplan supports this policy position.

The **National Transport Authority's Transport Strategy for the Greater Dublin Area 2016-2035** provides a framework for developing a sustainable transport network. Augmenting the existing Luas Green Line, two key public transportation projects for Dublin City include:

- **Bus Connects** – enhancement of Dublin's bus network along with several identified Core Bus Corridors, including Rathmines.
- **Metrolink** – proposed rail link from the Charlemont to Dublin Airport / Swords.

The proposed masterplan supports and establishes a plan-led approach to maximising the development of the lands in line with significant State investment in the public transport infrastructure of the area.

2.3.2 Background to the Proposed Masterplan

The Gulistan Depot lands have been identified as suitable for redevelopment, having regard to its strategic location adjacent to the city centre and being well located with respect to sustainable transport infrastructure. This area represents well-connected but underutilised brownfield lands within the built-up area of the City with the potential to allow for more varied and appropriate mixed uses.

Further, the Rathmines Local Action Area Plan (2009) contained a comprehensive strategic assessment of the entire Rathmines area, and recognised the Gulistan Depot as a key opportunity site for re-development.

The masterplan lands comprise a total of c. 1.13 ha. The masterplan exercise identified capacity to accommodate approximately 90 Cost Rental homes, 66 Age-Friendly homes, a Primary Care Centre with approximately 3,500 sq. m of floor space, a community building 250 sq. m in size and a new civic plaza of approximately 1,500 sq. m in area. Further, it is envisaged that the redevelopment of the site will stimulate development of mews buildings at the rear of the privately owned properties to the west of the site that front Rathmines Road.

2.4 Identification of Relevant European Sites within the Zone of Influence of the proposed Masterplan

In order to identify the European Sites that could potentially be significantly affected by the implementation of the proposed Masterplan, the Appropriate Assessment Screening of the operational Development Plan was reviewed and those European Sites within a 15 km radius (determined to be the precautionary or potential Zone of Influence (ZOI)) of the Masterplan area were assessed in accordance with DoEHLG recommended procedures for identifying European Sites. In addition, and in line with the methodology followed in the Development Plan, potential connectivity between designated sites (such as river catchments etc.) were also reviewed to identify potential interactions with the plan area and designated sites outside the 15 km zone. It was found that the 15

km buffer zone captured all potentially significant impacts to European Sites arising from the implementation of the proposed Masterplan.

2.4.1 European Sites within 15km of the Masterplan Lands

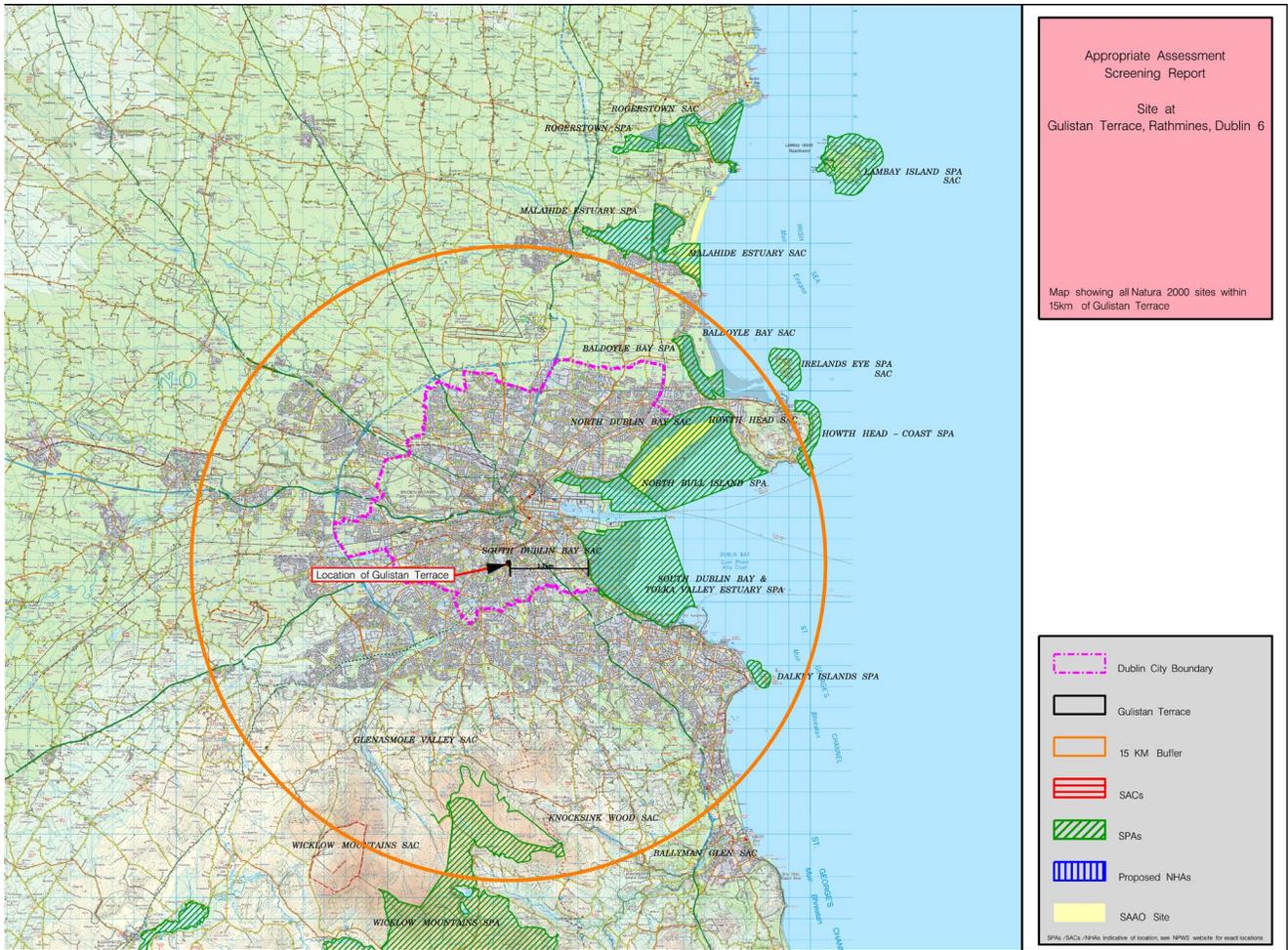


Figure 2 European Sites within the potential Zone of Influence of the Masterplan Lands

In line with the findings of the Development Plan, a total number of 21 European Sites, comprising 13 Special Areas of Conservation (SACs) and 8 Special Protection Areas (SPAs), were identified within a 15km radius of the proposed Masterplan area. These European Sites along with their qualifying features of interest are presented in Tables 3 and 4 below.

TABLE 1: SPECIAL AREAS OF CONSERVATION WITHIN 15KM OF THE SUBJECT SITE (THE POTENTIAL ZONE OF INFLUENCE)

Special Areas of Conservation (SACs)		
Site Code	European Site Name	Qualifying Features of Interest/Special Conservation Interests
000199	Baldoyle Bay SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]
000202	Howth Head SAC	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • European dry heaths [4030]
000205	Malahide Estuary SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]

000206	North Dublin Bay SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] • Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] • Embryonic shifting dunes [2110] • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] • Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] • Humid dune slacks [2190] • <i>Petalophyllum ralfsii</i> (Petalwort) [1394]
000210	South Dublin Bay SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide [1140] • Annual vegetation of drift lines [1210] • Salicornia and other annuals colonising mud and sand [1310] • Embryonic shifting dunes [2110]
000713	Ballyman Glen SAC	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] • Alkaline fens [7230]
000725	Knocksink Wood SAC	<ul style="list-style-type: none"> • Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220] • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] • Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]

001209	Glenasmole Valley SAC	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) • (* important orchid sites) [6210] • Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) [6410] • Petrifying springs with tufa formation (Cratoneurion) [7220]
002122	Wicklow Mountains SAC	<ul style="list-style-type: none"> • Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] • Natural dystrophic lakes and ponds [3160] • Northern Atlantic wet heaths with Erica tetralix [4010] • European dry heaths [4030] • Alpine and Boreal heaths [4060] • Calaminarian grasslands of the Violetalia calaminariae [6130] • Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230] • Blanket bogs (* if active bog) [7130] • Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] • Calcareous rocky slopes with chasmophytic vegetation [8210] • Siliceous rocky slopes with chasmophytic vegetation [8220] • Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] • Lutra lutra (Otter) [1355]
000714	Bray Head SAC	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] • European dry heaths [4030]
002193	Ireland's Eye SAC	<ul style="list-style-type: none"> • Perennial vegetation of stony banks [1220] • Vegetated sea cliffs of the Atlantic and Baltic coasts [1230]
003000	Rockabill to Dalkey Island SAC	<ul style="list-style-type: none"> • Reefs [1170] • Phocoena phocoena (Harbour Porpoise) [1351]

001398	Rye Water/ Carton Valley SAC	<ul style="list-style-type: none">• Petrifying springs with tufa formation (Cratoneurion) [7220]• <i>Vertigo angustior</i> (Narrow-mouthed Whorl Snail) [1014]• <i>Vertigo moulinsiana</i> (Desmoulin's Whorl Snail) [1016]
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TABLE 2: SPECIAL PROTECTION AREAS WITHIN 15KM OF THE MASTERPLAN LANDS (THE POTENTIAL ZONE OF INFLUENCE)

Special Protection Areas (SPAs)		
Site Code	European Site Name	Qualifying Features of Interest/Special Conservation Interests
004006	North Bull Island SPA	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Shelduck (<i>Tadorna tadorna</i>) [A048] • Teal (<i>Anas crecca</i>) [A052] • Pintail (<i>Anas acuta</i>) [A054] • Shoveler (<i>Anas clypeata</i>) [A056] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Black-tailed Godwit (<i>Limosa limosa</i>) [A156] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Curlew (<i>Numenius arquata</i>) [A160] • Redshank (<i>Tringa totanus</i>) [A162] • Turnstone (<i>Arenaria interpres</i>) [A169] • Black-headed Gull (<i>Larus ridibundus</i>) [A170] • Wetland and Waterbirds [A999]
004016	Baldoyle Bay SPA	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Shelduck (<i>Tadorna tadorna</i>) [A048] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Wetland and Waterbirds [A999]

<p>004024</p>	<p>South Dublin Bay And River Tolka Estuary SPA</p>	<ul style="list-style-type: none"> • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Ringed Plover (<i>Charadrius hiaticula</i>) [A137] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Sanderling (<i>Calidris alba</i>) [A144] • Dunlin (<i>Calidris alpina</i>) [A149] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Black-tailed Godwit (<i>Limosa limosa</i>) [A162] • Redshank (<i>Tringa totanus</i>) [A162] • Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194] • Wetland and Waterbirds [A999]
<p>004025</p>	<p>Malahide Estuary SPA</p>	<ul style="list-style-type: none"> • Great Crested Grebe (<i>Podiceps cristatus</i>) [A005] • Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] • Shelduck (<i>Tadorna tadorna</i>) [A048] • Pintail (<i>Anas acuta</i>) [A054] • Goldeneye (<i>Bucephala clangula</i>) [A067] • Red-breasted Merganser (<i>Mergus serrator</i>) [A069] • Oystercatcher (<i>Haematopus ostralegus</i>) [A130] • Golden Plover (<i>Pluvialis apricaria</i>) [A140] • Grey Plover (<i>Pluvialis squatarola</i>) [A141] • Knot (<i>Calidris canutus</i>) [A143] • Dunlin (<i>Calidris alpina</i>) [A149] • Black-tailed Godwit (<i>Limosa limosa</i>) [A156] • Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] • Redshank (<i>Tringa totanus</i>) [A162] • Wetland and Waterbirds [A999]

004113	Howth Head Coast SPA	<ul style="list-style-type: none"> • Kittiwake (<i>Rissa tridactyla</i>) [A188]
004117	Ireland's Eye SPA	<ul style="list-style-type: none"> • Cormorant (<i>Phalacrocorax carbo</i>) [A017] • Herring Gull (<i>Larus argentatus</i>) [A184] • Kittiwake (<i>Rissa tridactyla</i>) [A188] • Guillemot (<i>Uria aalge</i>) [A199] • Razorbill (<i>Alca torda</i>) [A200]
004040	Wicklow Mountains SPA	<ul style="list-style-type: none"> • Merlin (<i>Falco columbarius</i>) [A098] • Peregrine (<i>Falco peregrinus</i>) [A103]
004172	Dalkey Islands SPA	<ul style="list-style-type: none"> • Roseate Tern (<i>Sterna dougallii</i>) [A192] • Common Tern (<i>Sterna hirundo</i>) [A193] • Arctic Tern (<i>Sterna paradisaea</i>) [A194]

In summary, Tables 3 and 4 illustrate that 21 European Sites are located within 15km of the potential zone of influence of the proposed Masterplan.

In order to determine if each of these 21 European Sites are located in the actual Zone of Influence of the proposed Masterplan, further consideration needs to be given to:

- Whether there is **connectivity / a pathway** between the European site (Receptor) and the land subject to proposed Masterplan lands. This is considered further in Table 5 below.
- If the Masterplan can be identified as having the potential to result in development/ land use **activities which could result in negative ecological effects** for any European Sites.

2.4.2 Assessment of connectivity /pathways between European Sites and Proposed Masterplan lands

European Sites and their associated qualifying features are identified as occurring in the Zone of Influence of a plan **where pathways establish a link** between the lands subject to that plan and European Sites, or where the lands subject to the plan are likely to play an important role in supporting populations of mobile species (i.e. migratory birds etc.) that are listed as special conservation interests/qualifying species for surrounding European Sites.

This assessment specifically relates to brownfield land which is subject to a masterplan proposal.

1. *Hydrological Pathways*

A hydrological pathway (incl. surface water and groundwater) is established where a European Site is located **downstream** of the plan area, or **upstream** of the plan area where qualifying feature of interest of the European Site includes freshwater dependent mobile qualifying species.

2. *Noise Pathway*

A noise disturbance pathway is established where the European Site is located within 500m of the boundary of the plan area. European Sites at a greater distance than **500m** will not be sensitive to noise emissions that could be generated by any land use activities that may arise as a result of the proposed Masterplan.

3. *Light Disturbance Pathway*

A light disturbance pathway is established where the European Site is located within 250m of the boundary of the plan area. European Sites at a greater distance than **250m** will not be sensitive to light emissions that could be generated by any land use activities that may arise as a result of the proposed Masterplan.

4. *General Disturbance Pathway*

A general disturbance (i.e. resulting from human-related terrestrial and other activities) pathway is established where the European Site is located within **500m** of the boundary of the plan area. European Sites at a greater distance than 500m will not be sensitive to human-related activities that may arise as a result of the proposed Masterplan.

Table 5 below shows an assessment of connectivity/pathways between the European sites and the proposed Masterplan lands.

TABLE 3: ASSESSMENT OF CONNECTIVITY / PATHWAYS BETWEEN EUROPEAN SITES AND PROPOSED MASTERPLAN

European Site	Hydrological Pathway	Noise Pathway	Light Pathway	Human-related Disturbance Pathway	Does the European Site occur within the Zone of Influence of the Plan?
Baldoyle Bay SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located 0.9km from the CDP plan area and c. 12.9 km from the proposed Masterplan site and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located 0.9km from the CDP plan area and c. 12.9 km from the proposed Masterplan site and is outside the Zone of Influence of any light generated within the plan area.	No. This SAC is located 0.9km from the CDP plan area and c. 12.9 km from the proposed Masterplan site and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site.
Howth Head SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located 1.5km from the CDP plan area and c. 14.3 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located 1.5km from the CDP plan area and c. 14.3 km from the site subject to zoning and is outside the Zone of Influence of any light generated within the plan area.	No. This SAC is located 1.5km from the CDP plan area and c. 14.3 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site
Malahide Estuary SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located 3.4km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any	No. This SAC is located 3.4km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan	No. This SAC is located 3.4km from the CDP plan area and c. 15.7 km from the site subject to the	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of

		noise generated within the plan area.	and is outside the Zone of Influence of any light generated within the plan area.	proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	any impact pathways between the plan area and this Site
North Dublin Bay SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located c. 6.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located c. 6.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area..	No. This SAC is located c. 6.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site
South Dublin Bay SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. Whilst this SAC is located c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site
Ireland's Eye SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located 3.6 km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any	No. This SAC is located 3.6km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light	No. This SAC is located 3.6km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways

		noise generated within the plan area.	generated within the plan area.	Zone of Influence of any human-related activity generated within the plan area.	between the plan area and this Site.
Rockabill to Dalkey Island SAC	No. There are no hydrological pathways connecting the plan area to this SAC.	No. This SAC is located 2.4km from the CDP plan area and c. 11.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located 2.4km from the CDP plan area and c. 11.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SAC is located 2.4km from the CDP plan area and c. 11.8 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site.
Rye Water/ Carton Valley SAC	No. This SAC is located upstream of the CDP plan area but not the Masterplan site.	No. This SAC is located 7.2km from the CDP plan area and c. 15.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SAC is located 7.2km from the CDP plan area and c. 15.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SAC is located 7.2km from the CDP plan area and c. 15.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site
North Bull Island SPA	No. There are no hydrological pathways	No. This SPA is located within the CDP plan area but c. 6.8 km from the site subject to the proposed	No. This SPA is located within the CDP plan area but c. 6.8km km from the site subject to the	No. This SPA is located within the CDP plan area but c. 6.8km from the site subject	No. This European Site is located outside the Zone of Influence of the proposed Masterplan

	connecting the plan area to this SPA.	Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	due to the absence of any impact pathways between the plan area and this Site
Baldoye Bay SPA	No. There are no hydrological pathways connecting the plan area to this SPA.	No. This SPA is located 0.9km from the CDP plan area and c. 12.2 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SPA is located 0.9km from the CDP plan area and c. 12.2 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SPA is located 0.9km from the CDP plan area and c. 12.2 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site.
South Dublin Bay And River Tolka Estuary SPA	No. There are no hydrological pathways connecting the plan area to this SPA.	No. This SPA is located within the CDP plan area but c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SPA is located within the CDP plan area but c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SPA is located within the CDP plan area but c. 3.6 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site

Broadmeadow/ Swords Estuary SPA (Malahide Estuary SPA)	No. There are no hydrological pathways connecting the plan area to this SPA.	No. This SPA is located 4.1km from the CDP plan area and c 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SPA is located 4.1km from the CDP plan area and c. 15.7km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SPA is located 4.1km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site.
Howth Head Coast SPA	No. There are no hydrological pathways connecting the plan area to this SPA.	No. This SPA is located 3.8km from the CDP plan area and c. 14.3 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise generated within the plan area.	No. This SPA is located 3.8km from the CDP plan area and c. 14.3km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light generated within the plan area.	No. This SPA is located 3.8km from the CDP plan area and c. 14.3km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any human-related activity generated within the plan area.	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways between the plan area and this Site.
Ireland's Eye SPA	No. There are no hydrological pathways connecting the plan area to this SPA.	No. This SPA is located 3.8km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any noise	No. This SPA is located 3.8km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of Influence of any light	No. This SPA is located 3.8km from the CDP plan area and c. 15.7 km from the site subject to the proposed Masterplan and is outside the Zone of	No. This European Site is located outside the Zone of Influence of the proposed Masterplan due to the absence of any impact pathways

		generated within the plan area.	generated within the plan area.	Influence of any human-related activity generated within the plan area.	between the plan area and this Site.
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Following the precautionary principle no potential hydrological or other pathways between European Sites and the lands subject to the Masterplan proposal have been highlighted in Table 5 above.

In line with the results of the AA Screening exercise undertaken for the Development Plan, Tables 3, 4 and 5 above illustrate that the proposed Masterplan will not, either directly or indirectly, impact on any European Sites by virtue of their physical proximity/ connectivity.

2.5 Conclusion

In summary, and in line with the findings of the AA Screening carried out on the Development Plan, no sites have been identified as coming within the Zone of Influence of the proposed Masterplan.

Section 3 - In-Combination Effect with Other Plans & Projects

As part of the Habitats Directive Article 6(3) assessment process, consideration must be given to the potential for the proposed Masterplan to combine with other plans or projects to result in cumulative negative effects to European Sites.

The Development Plan sits at the Local Government level of the Spatial Planning Hierarchy in Ireland - below the Regional Assembly and Government levels. The Development Plan sits at the top of the Local Government Level Spatial Planning Hierarchy and it influences Local Area Plans and any other plans at a more focused level (such as the propose Masterplan), with the requirement that all lower plans must be consistent with the Development Plan.

In this context, consideration has been given to the proposed Masterplan's potential to combine with a number of other plans relevant to the wider surrounding area.

These plans include:

- The National Planning Framework (NPF)
- Regional Spatial and Economic Strategy (RSES)
- Climate Change Action Plan for Dublin City 2019-2024 (CCAP)
- The Transport Strategy for the Greater Dublin Area, 2016-2034
- Water Services Strategic Plan
- Neighbouring County Development Plans
- River Basin District Management Plans
- CFRAMS Study
- Greater Dublin Drainage

Given that the proposed Masterplan, as identified in Section 2 above, will not result in significant land use effects or activities that have the potential to result in likely significant effects on European Sites, there will be no potential for the Masterplan to combine with the above listed plans and projects, or any other plans or projects to result in likely significant effects to European Sites.

Section 4 - Consideration Matrix for the proposed Masterplan

A Consideration Matrix, in line with European Commission (2001) Guidelines is provided below in the Table below.

Table 4 Consideration Matrix

Brief Description of Project or Plan (proposed Masterplan)
It is proposed to create a masterplan for the redevelopment of the Gulistan Depot lands, a c. 1.13-hectare land bank located in the heart of Rathmines village, to the rear of the Swan Shopping Centre and Rathmines College/former Town Hall.

Brief description of the European Sites
21 European Sites were identified within a 15km radius of the proposed Masterplan area. These European Sites are identified and described in Tables 3 and 4 of Section 2 above.

Assessment Criteria
<p>Describe the individual elements of the proposed Masterplan (either alone or in combination with other plans or projects) likely to give rise to impacts on the European Sites.</p> <p>The land use implications of the proposed Masterplan have been and it has been found that the proposed Masterplan will not have the potential, alone or in-combination with other plans or projects, to result in likely significant effects to European Sites.</p>
<p>Describe any likely direct, indirect or secondary impacts of the proposed Masterplan (either alone or in combination with other plans or projects) on the European site by virtue of:</p> <p>Size and scale;</p> <p>The size and scale of the area subject to the proposed Masterplan is in keeping with that of the operational Development Plan, with any relevant future/new development (or intensification of the use of the lands in line with current Development Plan policy) facilitated by the proposed Masterplan to be integrated into the established urban pattern. It is not predicted to have any likely impacts on the conservation function of any European site in respect to its size or scale. The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by virtue of its size and scale.</p>

Land-take;

There is not predicted to be additional land-take arising from the implementation of the proposed Masterplan. The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by way of additional land-take.

Distance from European site or key features of the site;

Full details are provided in Tables 3 and 4 of Section 2 above.

Resource requirements (water abstraction etc);

There are not predicted to be significant additional resource requirements arising from the implementation of the proposed Masterplan. In line with the operational Development Plan, resource supply, including potable water, will be provided from existing municipal infrastructure/established networks in line with NPF and RSES water demand allocations for the Greater Dublin Area. The Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner. The proposed Masterplan will not, either alone or in combination with other plans or projects, have any impact on European Sites by way of resource requirements.

Emission (disposal to land, water or air);

There are not predicted to be additional emissions arising from the implementation of the proposed Masterplan. Any future development proposal will be subject to a planning application which is required to satisfy the requirements of the Development Plan and to be subject to a project specific AA Screening, with any forthcoming planning permissions to be subject to conditions to ensure disposal to land, water and air has no impact on any European site. The operational Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner.

The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by way of emissions (disposal to land, water or air).

Excavation requirements;

There is not predicted to be additional excavation requirements arising from the implementation of the proposed Masterplan. The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by way of excavation requirements.

Transportation requirements;

The subject site is situated within the existing built fabric of Rathmines and the built up area of Dublin City, which is served by existing, and will be served by planned, public transport. In line with Development Plan policy, local traffic/mobility assessments may be required in respect of future developments. The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by way of transportation requirements.

Duration of construction, operation, decommissioning, etc;

There are not predicted to be additional construction, operation or decommissioning requirements arising from the implementation of the proposed Masterplan (i.e. over and above what would be allowed under the current zoning). The operational Development Plan includes the necessary policies, objectives and standards to ensure that no adverse impact will arise, singularly or in a cumulative manner. The proposed Masterplan will not, either alone or in combination with other plans or project, have any impact on European Sites by way of construction, operation or decommissioning requirements.

Other

None.

In summary, the proposed Masterplan will not result in land use effects that have the potential, alone or in combination with other plans or projects, to result in likely significant effects to European Sites.

In light of this conclusion, there will be no potential for the proposed Masterplan to result in direct, indirect or secondary effects to European Sites.

Describe any likely changes to the site arising as a result of:

Reduction of habitat area:

Not applicable.

Disturbance to key species;

Not applicable.

Habitat or species fragmentation;

Not applicable.

Reduction in species density;

Not applicable.

Changes in key indicators of conservation value

Not applicable.

Climate change:

Not applicable.

In summary, the proposed Masterplan will not result in land use effects that have the potential to result in the: reduction in the extent of qualifying habitats of European Sites in the wider surrounding area; disturb qualifying species of European Sites in the wider surrounding area, or disturb the species that underpin the status of qualifying habitats of European Sites in the wider surrounding area; fragmentation of qualifying habitats or species populations; changes in key indicators of conservation value such as water quality or the

attributes that underpin the conservation status of qualifying feature of interest of European Sites in the wider surrounding area; emission of greenhouse gases that could contribute towards climate change.

Describe any likely impacts on the European Sites as a whole in terms of:

Interference with the key relationships that define the structure of the site;

No predicted likely impact on the structure of any European Site.

Interference with key relationships that define the function of the site;

No predicted likely impact on the conservation function of any European Site.

In summary, as the proposed Masterplan, alone or in combination with other plans or projects, will not have the potential to interact with any European Sites or their qualifying features of interest, it will not have the potential to interfere with key relationships that define the structure and function of European Sites.

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

Loss;

Not applicable.

Fragmentation;

Not applicable.

Disruption;

Not applicable.

Disturbance;

Not applicable.

Change to key elements of the site (e.g. water quality etc);

Not applicable.

In summary, as the proposed Masterplan, alone or in combination with other plans or projects, will not have the potential to interact with any European Sites or their qualifying features of interest it will not have the potential to result in the loss of qualifying habitats or habitats upon which qualifying species rely; fragmentation qualifying habitats or habitats upon which qualifying species rely; disruption qualifying habitats or habitats upon which qualifying species rely; disturbance qualifying habitats, habitats upon which qualifying species rely or qualifying species; and, change to key elements of European Sites (e.g. water quality etc.).

Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts are not known.

There are no predicted likely impacts on the conservation function of any European Sites arising from the proposed Masterplan in combination with the above plans or projects.

Section 5 – Consideration Conclusion

The Consideration of the proposed Masterplan, as set out in Section 2 and assessed in Sections 3 and 4 above, shows that the land use elements of the proposed Masterplan will not result in land use effects that will have the potential, alone or in-combination with other plans or projects, to result in likely significant effects to European Sites. In light of the findings of this report, it can be concluded by Dublin City Council that the proposed Masterplan is not likely, alone or in-combination with other plans or projects, to have a significant effect on any European Sites in view of their conservation objectives.

TABLE 5 FINDING OF NO SIGNIFICANT EFFECTS MATRIX

Name of Project or Plan:	Proposed Masterplan for the disposal and redevelopment of the Gulistan Depot lands in Rathmines.
Name and location of European Sites:	European Sites in the wider vicinity of the proposed Masterplan area are provided in Section 2 above.
Description of the Project or Plan	As provided in the Consideration Matrix in Section 4 above
Is the Project or Plan directly connected with or necessary to the management of the site (provide details)?	No. See Section 2.1 above
Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	No. Full details in Section 3 above

The Assessment of Significance of Effects	
Describe how the project or plan (alone or in combination) is likely to affect the European Sites:	No predicted likely impact on the conservation function of any European Sites.
Explain why these effects are not considered significant:	<p>The proposed Masterplan provides for sustainable development in accordance with the Development Plan and the principles of proper planning and sustainable development.</p> <p>Section 2 examines the proposed Masterplan and concludes that it will not have the potential to result in land use activities over and above those previously assessed, identified (and mitigated against) as part of the Appropriate Assessment (Screening and NIS) of the Development Plan, and on this basis, there are not predicted likely impacts on the conservation structure or function of any European Sites arising from the proposed Masterplan.</p> <p>The land subject to this draft Masterplan proposal is brownfield in nature and accommodates a range of low intensity, low density uses – with some sites exhibiting underuse, vacancy and dereliction.</p> <p>Taking into consideration the unused and underused nature of the subject lands at present, the proximity of the lands to the heart of Rathmines village, designated as a Key District Centre in the Development Plan, and the projected requirements for significant additional housing provision over the coming years, the proposed Masterplan and disposal of the lands will facilitate a more appropriate use for these lands.</p> <p>There are not predicted to be additional requirements arising from the proposed Masterplan in terms of:</p> <ul style="list-style-type: none"> • size and scale • land-take • resources • excavation • emissions

	<ul style="list-style-type: none"> • transportation • construction, operation or decommissioning <p>On this basis, it is concluded that there are not likely to be changes to the sites habitats or species arising as a result of:</p> <ul style="list-style-type: none"> • loss • fragmentation • disruption • disturbance • changes to other key indicators of significance
<p>List of Agencies Consulted: Provide contact name and telephone or email address:</p>	<p>The Manager, Development Applications Unit, Department of Housing, Planning, Community and Local Government.</p> <p>Email: sea@environ.ie</p> <p>Co-ordination Unit, Department of Communications, Climate Action and Environment.</p> <p>Email: corporatesupport.unit@dccae.gov.ie</p> <p>Tadhg O'Mahony, Environmental Protection Agency, Regional Inspectorate, Iniscarra, County Cork.</p> <p>Email: t.omahony@epa.ie</p>
<p>Response to Consultation</p>	<p>No comments relevant to the consideration received.</p>

Data Collected to Carry out the Assessment	
Who carried out the Assessment?	Planning and Property Development Department of Dublin City Council
Sources of Data	<p>Existing data</p> <p>As part of the Appropriate Assessment Consideration process for the proposed Masterplan, particular reference has been made to the following documents/ data sources:</p> <ul style="list-style-type: none"> • <i>Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities.</i> Department of Environment, Heritage and Local Government (2009) • <i>Assessment of plans and projects significantly affecting Natura 2000 sites Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.</i> (2002) Natura 2000 Commission (2001) • Circular letter SEA 1/08 and NPWS 1/08. Department of the Environment Heritage and Local Government (DoEHLG, February 2008) • Department of the Environment Heritage and Local Government (DoEHLG) Circular letter NPWS 1/10 and PSSP 2/10 (March 2010) • <i>Dublin City Council Climate Change Action Plan 2019-2024</i> (2019) • <i>Dublin City Council Climate Change Action Plan 2019-2024 – Appropriate Assessment Conclusion Statement</i> (2019) • <i>Dublin City Council Climate Change Action Plan 2019-2024 – Final Natura Impact Statement</i> (2019) • <i>Dublin City Council Climate Change Action Plan 2019-2024 – Appropriate Assessment Determination</i> (2019) • <i>Dublin City Development Plan 2016-2022.</i> (incl. Appropriate Assessment (Volume 6) (2016)

	<ul style="list-style-type: none"> Existing NPWS Data. (Source: https://www.npws.ie/ Accessed 03/08/21) <i>Managing Natura 2000 sites. The provisions of Article 6, of the 'Habitats' Directive 92/43/EEC. (2000)</i> <i>OSI Map Viewer (accessed 03/08/21)</i> http://map.geohive.ie/mapviewer.html Regional Spatial & Economic Strategy for the Eastern & Midlands Region (incl. AA Screening and NIS) The National Planning Framework (NPF) (Project Ireland 2040) (incl. AA Screening and NIS)
Level of Assessment Completed	Desktop study.
Where can the full results of the assessment be accessed and viewed	This document contains the full results of the Appropriate Assessment Consideration exercise and will be placed on display with the proposed Masterplan
Overall Conclusion	Stage 1 Consideration indicates that the proposed Masterplan will not have any significant cumulative, direct or indirect impacts upon any of the Natura 2000 network sites. Therefore it is not considered necessary to undertake any further stages of the Appropriate Assessment process.