

October 2021

Environmental Impact Assessment Screening Report



Proposed Alterations to
Approved Strategic Housing Development
(Permitted under Ref. ABP-**307092-20** & ABP-**309899-21**)
Lands at Palmerstown Retail Park,
Kennelsfort Road Lower, Palmerstown, Dublin 20

Randelswood Holdings Ltd.

DOWNEY

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1.0 Introduction

1.1 Project Background

Downey Planning have been commissioned by Randelswood Holdings Ltd. to prepare this Environmental Impact Assessment (EIA) Screening Report for proposed alterations to the approved Strategic Housing Development (permitted under Ref. ABP-307092-20 and ABP-309899-21) on lands at Palmerstown Retail Park, Kennelsfort Road Lower, Palmerstown, Dublin 20.

This report seeks to identify the requirement for an Environmental Impact Assessment for this project in accordance with the Planning and Development Act, 2000 (as amended). The project under assessment, *Proposed Alterations to Approved Palmerstown Strategic Housing Development*, is fully detailed in Section 2.0 of this report. Please also refer to Appendix A for the detailed site plan drawing prepared by Downey Planning & Architecture.

1.2 Legislative Context

The EIA Directive 85/337 EEC, as amended (Directive 2011/92/EU; Directive 2014/52/EU), is the key legislation in EU Environmental Policy. The EIA Directive aims to determine the likely significant effects of a project on the environment. Screening is the first stage in the EIA process required by Article 4 of the EIA Directive and this process determines whether an EIA is required for a specific project. The Directive outlines in Article 4(1) 24 Annex 1 projects that require a mandatory EIA. Article 4 (2) outlines Annex 2 projects that require consideration for EIA further to a case by case examination or through thresholds and criteria set out by Member States. In an Irish context, projects requiring a mandatory EIA or consideration for EIA further to a case by case examination or thresholds are listed in Schedule 5 of the Planning and Development Regulations 2001 (as amended).

In the case of developments which are under the relevant EIA threshold, planning authorities are required under Article 103 of the Regulations to request an EIAR where it considers that the proposed development is likely to have significant environmental effects. In such cases, the significant effects of the project on the environment are assessed relative to criteria outlined in Schedule 7 of the Regulations, namely the project's characteristics, sensitivity of the project location and characteristics of potential impacts.

1.3 Methodology

This report relates to the screening for an EIA of proposed alterations to the approved Strategic Housing Development on lands at Palmerstown Retail Park, Kennelsfort Road Lower, Palmerstown, Dublin 20. In accordance with the EIA Directive and transposed National Legislation, the project will be assessed to determine if a mandatory EIAR is required or if the project is a sub-threshold project, it will also be screened in order to determine if there is likely to be significant effects on the environment from the implementation of the project. This report is written in accordance with guidelines provided in:

- European Union (Planning & Development) (Environmental Impact Assessment) Regulations 2018;
- Planning and Development Act, 2000 (as amended)
- Planning and Development Regulations 2001 (as amended)

- Planning and Development (Housing) and Residential Tenancies Act 2016 (as amended)
- Directive 2011/92/EU
- Directive 2014/52/EU
- Guidance for EIA Screening, European Commission (June 2001)
- Guidelines on the information to be contained in an EIS, EPA (March 2002)
- EIA Guidance for Consent Authorities regarding Sub-Threshold Development, DoEHLG (August 2003)
- Preparation of guidance documents for the implementation of EIA directive (Directive 2011/92/EU as amended by 2014/52/EU) – Annex I to the Final Report (COWI, Milieu; April 2017);
- Guidelines on the Information to be contained in Environmental Impact Assessment Reports, Draft (August 2017)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, DoEHLG (August 2018)

Using the above documents, it has been possible to carry out an EIA Screening using the best available guidance while operating within the applicable legislation. It is noted that Directive 2014/52/EU has been transposed into Irish Legislation through the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 which came into operation on 1st September 2018.

The methodology employed in this screening exercise is in accordance with the EIA Guidelines published in August 2018 by the DoHPLG and the contents of Schedule 7 and 7A of the Planning and Development Regulations 2001 (as amended).

1.4 Site Location and Description

The subject site, which extends to approximately 1.2708 hectares, is located in Palmerstown which is within the functional area of South Dublin County Council. The subject lands are situated at the junction of Kennelsfort Road Lower and the Chapelizod Bypass (N4), with extensive frontage onto this road. The lands are accessed via an existing vehicular entrance from Kennelsfort Road Lower. Part of the site is known locally as the former Vincent Byrne site and is referenced as such within the South Dublin County Council Development Plan 2016-2022.

The subject site enjoys excellent connectivity given its proximity to the adjoining Chapelizod Bypass, which provides access directly to the M50 and M4 motorways as well as to Dublin City Centre. The Chapelizod Bypass also comprises a Quality Bus Corridor (QBC) which ensures that the lands are easily accessible by public transport. The subject site is less than 100m from this QBC bus stop.

Planning permission was granted on this site last year for a Strategic Housing Development, under Ref. ABP-307092-20, for demolition works and the construction of 250 no. apartments, with a café and ancillary residential communal facilities, in 5 no. blocks ranging from 3 to 8 storeys in height, over basement car park. In recent months, proposed alterations to this approved scheme were submitted under Ref. ABP-309899-21, which the Board deemed would not be material and therefore made the said alterations to the permitted development on 20th May 2021. This strategic housing development is now under construction.



Fig. 1 – Aerial View (approximate boundaries of application site outlined in red)

2.0 Project Description

The project under assessment, *Proposed Alterations to Approved Palmerstown Strategic Housing Development*, will seek to amend the permitted development granted under Ref. ABP-307092-20 and ABP-309899-21. The approved Strategic Housing Development consisted of the following development:

Demolition of all existing structures on site and the construction of a residential development of 250 no. 'build to rent' apartments (134 no. 1 beds, 116 no. 2 beds) in 5 no. blocks; with a café and ancillary residential amenity facilities, to be provided as follows:

- *Block A containing a total of 27 no. apartments comprising of 13 no. 1 beds and 14 no. 2 beds, in a building ranging from 3-6 storeys over basement in height, with 1 no. communal roof garden (at third floor level), and most apartments provided with private balconies/terraces. Block A also provides a café, a reception/concierge with manager's office and bookable space at ground floor level; meeting rooms and workspace/lounge at first floor level; a gym at second floor level; and a cinema and a games room at basement level;*
- *Block B containing a total of 46 no. apartments comprising of 18 no. 1 beds and 28 no. 2 beds, in a building 6 storeys over basement in height, and all apartments provided with private balconies/terraces;*
- *Block C containing a total of 47 no. apartments comprising of 30 no. 1 beds and 17 no. 2 beds, in a building 6 storeys over basement in height, and all apartments provided with private balconies/terraces;*

- *Block D containing a total of 67 no. apartments comprising of 33 no. 1 beds and 34 no. 2 beds, in a building 7 storeys over basement in height, and most apartments provided with private balconies/terraces;*
- *Block E containing a total of 63 no. apartments comprising of 40 no. 1 beds and 23 no. 2 beds, in a building 8 storeys over basement in height, and all apartments provided with private balconies/terraces.*

The development also includes the construction of a basement providing 120 no. car parking spaces, 10 no. motorcycle spaces, 250 no. bicycle spaces, and a plant room and bin stores. The proposal also incorporates 5 no. car parking spaces and 26 no. bicycle spaces at surface level; upgrades and modifications to vehicular and pedestrian/cyclist access on Kennelsfort Road Lower; utilisation of existing vehicular and pedestrian/cyclist access via Palmerstown Business Park (onto Old Lucan Road); 1 no. ESB sub-station; landscaping including play equipment and upgrades to public realm; public lighting; boundary treatments; and all associated engineering and site works necessary to facilitate the development.

The recent alterations made to the permitted development on 20th May 2021 under Ref. ABP-309899-21, were as follows:

- *Proposed external and internal alterations to previously permitted Blocks A & B only including elevational changes; increase in height to accommodate construction method requirements including lift shaft overrun, AOV and parapet; minor increase in footprint of Blocks A & B to accommodate construction method requirements; alterations to and increase of residential amenity spaces within Block A and at basement level including removal of basement plant room; alterations to previously permitted apartment layouts and communal spaces within Block A; alterations to previously permitted apartment layouts and communal spaces within Block B and alterations to the previously permitted apartment unit mix within this block only from 18 no. 1 beds and 28 no. 2 beds (46 units) to now provide 12 no. 1 beds and 34 no. 2 beds (46 units)*
- *Proposed alterations to previously permitted landscaping proposals including relocation of vents and of 1 no. bike shelter; and,*
- *Proposed alterations to previously permitted basement plan.*

A further proposed alterations application to this approved scheme was submitted under Ref. ABP-310753-21 on 2nd July 2021. On 27th August 2021, the Board deemed the proposed alterations to be material and requiring advertisement with additional information also sought. The applicant will be submitting the relevant paperwork on this matter in due course. The proposed alterations lodged are as follows:

- *Proposed external and internal alterations to previously permitted Blocks C, D & E only including elevational changes; reduction in site levels; increase in height to accommodate construction method requirements including lift shaft overrun, AOV and parapet; minor increase in footprint/floor plans of Blocks C, D & E to accommodate construction method requirements and revised apartment mix/layouts;*
- *Proposed alterations to previously permitted apartment layouts and communal spaces within Block C, a proposed additional setback floor (i.e. proposed 7 storey building) comprising 7 no.*

additional units (6 no. 1 beds and 1 no. 2 bed), with alterations also proposed to the previously permitted apartment unit mix within this block, resulting in an overall increase of 8 no. units in total i.e. from 30 no. 1 beds and 17 no. 2 beds (47 no. units) to now provide 37 no. 1 beds and 18 no. 2 beds (55 no. units);

- *Proposed alterations to previously permitted apartment layouts and communal spaces within Block D, a proposed additional setback floor (i.e. proposed 8 storey building) comprising 5 no. additional units (2 no. 1 beds and 3 no. 2 beds), with alterations also proposed to the previously permitted apartment unit mix within this block, resulting in an overall increase of 8 no. units in total i.e. from 33 no. 1 beds and 34 no. 2 beds (67 no. units) to now provide 38 no. 1 beds and 37 no. 2 beds (75 no. units);*
- *Proposed alterations to previously permitted apartment layouts and communal spaces within Block E, a proposed additional setback floor (i.e. proposed 9 storey building) comprising 7 no. additional units (6 no. 1 beds and 1 no. 2 bed), with alterations also proposed to the previously permitted apartment unit mix within this block, resulting in an overall increase of 8 no. units in total i.e. from 40 no. 1 beds and 23 no. 2 beds (63 no. units) to now provide 47 no. 1 beds and 24 no. 2 beds (71 no. units). This results in an overall total increase of 24 no. units from the previously permitted 250 no. units (134 no. 1 beds and 116 no. 2 beds) to now provide 274 no. units (147 no. 1 beds and 127 no. 2 beds);*
- *Proposed alterations to previously permitted ESB sub-station;*
- *Proposed alterations to previously permitted landscaping proposals to accommodate minor increase in footprint of Blocks C, D & E;*
- *Proposed alterations to previously permitted basement plan layout and configuration including minor increase in size and provision of an additional 24 bicycle parking spaces and 26 car parking spaces*

The proposed further alterations to the approved scheme which are now subject to this current Section 146B application and the project under assessment for the purposes of this EIA Screening, can be described as follows:

- *Proposed alterations to the previously permitted utilisation of the existing vehicular and pedestrian/cyclist access via Palmerstown Business Park (onto Old Lucan Road) to now limit this access to pedestrian/cyclist access only for Block E residents/visitors;*
- *Proposed alterations to the previously permitted site layout plan and landscaping proposals to accommodate the provision of a turning head; and,*
- *Proposed minor alterations to the configuration of the previously permitted access at Kennelsfort Road Lower*

3.0 Statutory Requirement for an EIAR

Development projects requiring an Environmental Impact Assessment Report (EIAR) are set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended). Part 1 of this schedule lists those projects that require a mandatory EIA irrespective of size in any EU Member State whereas Part 2 identifies the threshold limits for projects that require a mandatory EIA in Ireland. Part 2 of Schedule 5 lists the following that may be relevant to the project:

“10. Infrastructure Projects

(b)(i) Construction of more than 500 dwelling units

(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

14. Works of Demolition - Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7."

The project under assessment, *Proposed Alterations to Approved Palmerstown Strategic Housing Development*, will seek to amend the planning permission which was granted under Ref. ABP-307092-20 and ABP-309899-21. As previously mentioned, the approved scheme consisted of demolition works and the construction of 250 no. apartments, with a café and ancillary residential communal facilities, in 5 no. blocks ranging from 3 to 8 storeys in height, over basement car park, on a site which extends to approximately 1.2708 ha. That project did not meet the thresholds for which the preparation of an Environmental Impact Assessment Report (EIAR) is a mandatory requirement.

The Board completed an environmental impact assessment screening of that original permitted development (ABP-307092-20) and considered that *'the Environmental Impact Assessment Screening Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. Having regard to: (a) the nature and scale of the proposed development on an urban site served by public infrastructure, (b) the absence of any significant environmental sensitivities in the area, (c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended), the Board concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.'*

In addition, the Board in their assessment of the proposed alterations made to this permitted development on 20th May 2021 under Ref. ABP-309899-21 stated:

'Having regard to: (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-307092-20 for this site, (ii) the screening for appropriate assessment and environmental impact assessment carried out in the course of that application, (iii) the limited nature and scale of the alterations, and (iv) the absence of any significant new or additional environmental effects (including those in relation to Natura 2000 sites) arising as a result of the proposed alterations, and (v) the absence of any new or significant issues relating to the proper

planning and sustainable development of the area arising from the proposed alterations, (vi) the report of the Planning Inspector, it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Board hereby makes the said alterations.'

The project now under assessment, *Proposed Alterations to Approved Palmerstown Strategic Housing Development*, relate to minor site layout and access alterations only, and do not meet the thresholds for which the preparation of an Environmental Impact Assessment Report (EIAR) is a mandatory requirement.

The following section and basis of this screening is to screen for the requirement of EIAR on a sub-threshold project as the proposal does not exceed any other thresholds in Schedule 5.

4.0 EIA Screening Process

The criteria under which the project must be considered are outlined within EIA Directive 85/337 EEC (as amended- Directive 2011/92/EU; Directive 2014/52/EU) and the screening criteria categories include:

- (i) Characteristics of the Proposed Development;
- (ii) Location of the Proposed Development; and,
- (iii) Type and Characteristics of Potential Impacts.

This section assesses the proposed project relative to the aforementioned criteria. This will help determine whether or not the proposed project should be subject to an Environmental Impact Assessment. Utilising the documents as detailed above in Section 1.3, it has been possible to carry out a desktop EIA Screening using the best practice guidance whilst working within the applicable legislation. The methodology employed in this screening exercise updates previous guidance in line with the new Directive 2014/52/EU.

4.1 Characteristics of Proposed Development

The characteristics of the project must be considered, with particular regard to:

(a) the size and design of the whole project

The application site can be described as an underutilised, urban site with extensive hard standing. All structures on site are being demolished to facilitate the previously permitted development, now subject to proposed alterations, with site demolition and excavation works currently underway on site. The proposed alterations consist of proposed alterations to the previously permitted utilisation of the existing vehicular and pedestrian/cyclist access via Palmerstown Business Park (onto Old Lucan Road) to now limit this access to pedestrian/cyclist access only for Block E residents/visitors, proposed alterations to the previously permitted site layout plan and landscaping proposals to accommodate the provision of a turning head within the site and proposed minor alterations to the configuration of the permitted access at Kennelsfort Road Lower, which has been the subject of pre-planning consultation with South Dublin County Council prior to lodgement of this S.146B application.

Please refer to Section 2.0 of this report for a detailed description of the proposed alterations. Please also refer to Appendix A for the detailed site plan drawing prepared by Downey Planning &

Architecture. It is considered that the project i.e. proposed alterations to an approved scheme, is of a size and design which will not cause significant effects on the environment.

(b) cumulation with other existing and/or approved projects

A detailed search has been carried out of the existing and/or approved projects that may have the potential to result in cumulative impacts. Data sources included South Dublin County Council, An Bord Pleanála and the EIAR Portal.

The proposed alterations to the approved SHD scheme can be considered minor in nature and within the context of the broader consolidation of underutilised, zoned, serviced, brownfield lands that is accommodating the expansion and growth of Dublin, all of which is considered under the South Dublin County Council Development Plan 2016-2022 and indeed the National Planning Framework. The lands to the north of the application site are mature, established areas of Palmerstown village with a mix of uses which have been in existence for a considerable number of years. There are a number of recent planning applications shown on the South Dublin County Council website in the vicinity of the proposed development that are small in scale that would not give rise to a cumulative impact with this proposal. These developments would also be subject to the stringent planning controls and assessments of the Planning Authority. Other large-scale plans and projects assessed were located further from the proposed development with no identified pathways for cumulative impacts.

(c) the use of natural resources, in particular land, soil, water and biodiversity

The overall development is of a scale which will require some natural resources associated with the construction phase. Large amounts of aggregates will be used during construction phase of the permitted SHD scheme and will have to be imported to the site. Potable water will also be required for the site. Waste is being generated from the demolition, site clearance and basement excavation phases of the development which are underway but will be reused on site as much as is practical. The application site can be described as an underutilised brownfield urban site which comprised buildings and warehouses, all of which were surrounded by extensive hard standing. Very little natural vegetation exists on the site. The permitted SHD, subject to the proposed alterations, is now under construction, with demolition and excavation works well underway on site. The permitted development provides for new, extensive planting across the site as part of the high-quality landscaping proposals for the project. It is considered that the proposed alterations to the approved SHD scheme are minor in nature and will not cause significant effects on the environment.

(d) the production of waste

Quantities of unsuitable material such as soil, hard standing, demolition waste, etc. will be produced as a result of the previously permitted development which is now under construction and now subject to the proposed alterations. Although every effort will be made to reuse this on site, it may have to be disposed of off-site as it may not all be reused during the construction phase. Whilst the exact amount of this unsuitable material has not been evaluated in detail, an assessment will be undertaken to identify exact locations for recovery/disposal at construction stage, in accordance with a detailed Construction and Demolition Waste Management Plan for the overall development. Any waste produced as part of the project will be dealt with in accordance with all relevant waste management legislation and guidance. An Outline Construction and Demolition Waste Management Plan was

enclosed as part of the application for the previously permitted development which is now under construction and is now subject to the current proposed alterations.

(e) pollution and nuisances

The subject site is not located within or directly adjoining any designated Natura 2000 sites. During construction, polluting material has the potential to cause environmental effects, however the likelihood and severity of these effects will be minimised through the employment of construction management best practice. During the construction stage, minor temporary impacts will be experienced by those property owners in the vicinity of the site and those road users on the existing network for the duration of the build. When the permitted development which is subject to the proposed alterations is operational, there will be some increase in noise and traffic levels on the adjoining road network. However, the road network will still operate within its capacity and the development will have a minimal impact. It is AECOM's considered opinion that there is no traffic or transportation reason why this development should not proceed. In light of this, it is considered that the project will not have a significant effect on the environment.

(f) the risk of major accidents and/ or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge

During the construction stage, the likelihood of an accidental spillage of construction materials into any sensitive environment will be managed through the adoption of strict best practice construction management in accordance with an approved Construction and Demolition Waste Management Plan for the development. Standard health and safety precautions will also be required. During the operational stage, it is anticipated that there will not be any risk of major accidents or disasters affecting the environment.

As the previously permitted development which is subject to the proposed alterations involves upgrades and modifications to the vehicular access onto Kennelsfort Road Lower and to the public realm, this project is likely to reduce the potential risk of accidents in the future. As part of this, current best practice design standards will be implemented such as DMURS, with the introduction of pedestrian and cyclist accessibility to the surrounding environs of Palmerstown village. Thus, the needs of vulnerable road users are taken into account as part of the overall development.

(g) the risks to human health (for example due to water contamination or air pollution)

During the construction stage, the likelihood of risks to human health due to water contamination, air pollution, noise pollution, visual impacts, etc. will be temporary and not considered to be significant. These risks will be managed through the adoption of strict best practice in accordance with an approved Construction and Demolition Waste Management Plan for the overall development. In terms of water quality, the scheme is to be connected to public foul and storm water systems, all upgrade works will be carried out in accordance with an approved Construction and Demolition Waste Management Plan. During the operational phase, there is potential for noise and vibration impacts as a result of vehicular movements to and from the development, however, it is not expected that this will give rise to any significant noise nuisance in the area.

4.2 The Location of the Proposed Development

The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:

(a) the existing and approved land use

The subject site, which extends to approximately 1.2708 ha, is located in an urban context and was a retail park with a number of commercial buildings and warehouses on site. These structures are being demolished in order to facilitate the approved Strategic Housing Development which is now subject to the proposed alterations, with site demolition and excavation works currently underway on site. The existing land uses consisted of units in multiple occupation including car showrooms/car dealerships, furniture stores, barbers, etc.

A large mixed-use scheme, extending to c.30,000sq.m. of development, was also previously granted planning permission on the application site. It is noted that this planning permission was granted by South Dublin County Council and An Bord Pleanála (Reg. Ref. SD09A/0021, ABP Ref. PL06S.234178).

The existing surrounding land uses are quite mixed, offering uses which include residential, commercial, retail including a large supermarket (Aldi), industrial, medical, ecclesiastical, educational, leisure, etc. In this regard, the approved Strategic Housing Development (ABP-307092-20 & ABP-309899-21), now subject to the proposed alterations, will integrate successfully with the existing surrounding built environment as the proposed development will create a new, sustainable community which will integrate with Palmerstown village centre and surrounding land uses, and will revitalise the area through the introduction of high-quality designed 'Build to Rent' units with associated residential communal facilities, and a café and amenity spaces for the enjoyment of the residents of the development and the Palmerstown community. Palmerstown village has a stagnant, declining population and as such the permitted strategic housing development, subject to the proposed alterations, seeks to provide an injection of population into the area to ensure the viability and vitality of services and facilities within Palmerstown into the future. In light of this, it is considered that the project will not have a significant effect on the environment.

(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground

There will be no significant likely effect on the environment in relation to natural resources in the area. The main use of natural resources will be the use of land. However, the site is a brownfield site in an urban context. The scale of natural resources used at both the construction and operation stages is not such that would cause concern in terms of significant likely effects on the environment. In addition, the approved Strategic Housing Development (ABP-307092-20 & ABP-309899-21), now subject to the proposed alterations, will see the improvement of natural resources in the area through the provision of high-quality landscaping, planting, etc. of a sensitive landscape design which will avoid or reduce potential impacts where possible. The proposed landscaping seeks to increase the natural resources of the site which will in turn promote biodiversity. All drainage works will be carried out in accordance with an approved Construction and Demolition Waste Management Plan.

(c) the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths

There are no wetlands or watercourses located within or adjacent to the subject site that could be affected by the proposed development. The application site is located a considerable distance to the south of the valley of the River Liffey. This is designated as the Liffey Valley Special Amenity Area Order (SAAO). It is recognised that there is a risk to water quality during the construction phase of any development. However, the approved Strategic Housing Development (ABP-307092-20 & ABP-309899-21), now subject to the proposed alterations, will be managed through the adoption of strict best practice construction management in accordance with an approved Construction and Demolition Waste Management Plan. During the operation phase of the project, surface water can carry pollutants to water courses, especially hydrocarbon residues and grit/sediment. The SUDS measures which have been incorporated are likely to ensure that pollution is avoided. This represents an enhancement over the existing situation which includes no attenuation.

(ii) coastal zones and the marine environment

There are no coastal zones or marine environments that could be affected by the proposed development.

(iii) mountain and forest areas

There are no mountains or forest areas that could be affected by the proposed development.

(iv) nature reserves and parks

The proposed development is not located within a nature reserve or park and is a considerable distance from any nature reserve or park such that this form of natural environment could not be affected by the proposed development.

(v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC

This proposed development is not located within or directly adjacent to any SAC or SPA. An assessment of the aspects of this project has shown that significant negative effects are not likely to occur to these areas with regard to their conservation objectives, either alone or in combination with other plans or projects. This was confirmed in the Screening Reports for Appropriate Assessment that were prepared by Faith Wilson Ecological Consultant as part of the overall project (ABP-307092-20 & ABP-309899-21).

(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure

There are no known areas in which the environmental quality standards shall be exceeded.

(vii) densely populated areas

The proposed development is located in Palmerstown village with access via Kennelsfort Road Lower. This area is within an urban context with an existing population and is a strategic area to support Dublin's sustainable growth. The current lands are considered brownfield lands. The development of this site will provide a residential scheme with complementary, ancillary land uses on a valuable land resource. The site is zoned land and serviced for residential development, and the use is compatible with the existing development and uses in the vicinity. The overall character of the surrounding area will not materially change as a result of the proposed alterations to the approved Strategic Housing Development. Therefore, there are no anticipated likely significant effects on the environment in relation to the geographic location of densely populated areas.

(viii) landscapes and sites of historical, cultural or archaeological significance

There are no recorded monuments within the application site. An Archaeological Report was prepared for the approved Strategic Housing Development by Courtney Deery Heritage Consultancy. Archaeological inspection/monitoring is being carried out during the demolition and site clearance works associated with the overall development.

4.3 Type and Characteristics of Potential Impacts

This section of the report shall consider the criteria under Schedule 7, which relates to the characteristics of the potential impacts and the location of the development being proposed, paying particular regard to the following:

“The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of ‘environmental impact assessment report’ in section 171A of the Act, taking into account–

- (a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),*
- (b) the nature of the impact,*
- (c) the transboundary nature of the impact,*
- (d) the intensity and complexity of the impact,*
- (e) the probability of the impact,*
- (f) the expected onset, duration, frequency and reversibility of the impact,*
- (g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and*
- (h) the possibility of effectively reducing the impact.”*

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)

The subject site extends to c.1.2708ha of brownfield, zoned, serviced lands which are located in an urban context within the M50 ring of Dublin. The project can be briefly described as proposed alterations to the approved Strategic Housing Development which consisted of 250 no. 'Build to Rent' apartments, with a café and ancillary residential communal facilities, in 5 no. blocks ranging from 3 to 8 storeys in height, over basement car park, as granted under Ref. ABP-307092-20 & ABP-309899-21.

The proposed alterations consist of proposed alterations to the previously permitted utilisation of the existing vehicular and pedestrian/cyclist access via Palmerstown Business Park (onto Old Lucan Road) to now limit this access to pedestrian/cyclist access only for Block E residents/visitors, proposed alterations to the previously permitted site layout plan and landscaping proposals to accommodate the provision of a turning head within the site and proposed minor alterations to the configuration of the permitted access at Kennelsfort Road Lower, which has been the subject of pre-planning consultation with South Dublin County Council prior to lodgement of this S.146B application. The proposed alterations do not meet the thresholds for which the preparation of an Environmental Impact Assessment Report (EIAR) is a mandatory requirement.

The proposed alterations to this approved scheme can be described as follows:

- *Proposed alterations to the previously permitted utilisation of the existing vehicular and pedestrian/cyclist access via Palmerstown Business Park (onto Old Lucan Road) to now limit this access to pedestrian/cyclist access only for Block E residents/visitors;*
- *Proposed alterations to the previously permitted site layout plan and landscaping proposals to accommodate the provision of a turning head; and,*
- *Proposed minor alterations to the configuration of the previously permitted access at Kennelsfort Road Lower*

This proposed development is not located within or directly adjacent to any SAC or SPA. No significant adverse impacts have been identified. Any minor impacts envisaged to occur will be localised in nature (noise, dust, potential for surface water pollution) and minimised by way of best practices in the environmental management of construction works, in accordance with an approved Construction Management Plan and Waste Management Plan. It is anticipated that with the adoption of best practice construction management techniques, sensitive detailed design of the proposed development and consultation with key stakeholders, there will be no likely significant effects on the receiving environment or neighbouring areas of environmental significance.

Overall it is considered that impacts are likely to be positive, particularly in respect of impacts on human health and material assets as a consequence of the provision of the high-quality landscaped areas and amenity facilities. The delivery of a new residential development within Palmerstown village will provide for new properties in the area and assist in alleviating the ever-increasing housing demand within Dublin. Once operational, this area will see increased population to Palmerstown village which will assist in sustaining the vitality and viability of existing community and social services and facilities within the area and surrounding environs.

The apartments are of a diverse mix of unit types, sizes and aspect which will provide a high standard of living and this will be beneficial to the overall wellbeing of future residents. In addition, this project will provide high-quality landscaping and public realm for pedestrians and cyclists and improve connectivity to and accessibility between the proposed development, Palmerstown village and the Old Lucan Road area. In general, impacts are likely to be positive on human health and extend beyond the immediate vicinity of the site and will benefit people from the wider area using the proposed facilities and amenities.

(b) the nature of the impact

The main adverse impacts include potential for impacts on water quality associated with the construction phase and disturbance to residential amenities within the immediate vicinity of the subject site during the course of construction.

(c) the transboundary nature of the impact

There are no transboundary impacts associated with the proposed development.

(d) the intensity and complexity of the impact

The main adverse impacts include potential for impacts on water quality associated with the construction phase. The project will be managed through the adoption of strict best practice construction management in accordance with an approved Construction and Demolition Waste Management Plan.

Potential impacts also include disturbance to residential amenities within the immediate vicinity of the subject site during the course of construction. These impacts are not considered to be overly high in magnitude or complex in nature and are standard considerations with respect to such developments.

(e) the probability of the impact

The application site is located a considerable distance to the south of the valley of the River Liffey. This is designated as the Liffey Valley Special Amenity Area Order SAAO. There is a risk to water quality during the construction phase of any development a sediment or other harmful substances can enter watercourses and damage aquatic life. However, the project will be managed through the adoption of strict best practice construction management in accordance with an approved Construction and Demolition Waste Management Plan. During the operation phase of the project, surface water can carry pollutants to water courses, especially hydrocarbon residues and grit/sediment. The SUDS measures which have been incorporated are likely to ensure that pollution is avoided. This represents an enhancement over the existing situation which includes no attenuation.

Best practice during the construction works phase coupled with the relatively short timescale of works involved are sufficient to ensure that no significant risks are likely to occur in this instance. As part of this, it is noted that no sediments or potentially other harmful pollutants will be permitted to enter watercourses. The control measures implemented will be in accordance with best practice. Therefore, the potential for significant water quality impacts can be discounted in this instance.

This proposed development is not located within or directly adjacent to any SAC or SPA. An assessment of the aspects of this project has shown that significant negative effects are not likely to occur to these areas with regard to their conservation objectives, either alone or in combination with other plans or projects. This was confirmed in the Screening Reports for Appropriate Assessment that were prepared by Faith Wilson Ecological Consultant as part of the overall project (ABP-307092-20 & ABP-309899-21).

During the operation phase of the project, surface water can carry pollutants to water courses, especially hydrocarbon residues and grit/sediment. The SUDS measures which have been incorporated are likely to ensure that pollution is avoided. This represents an enhancement over the existing situation which includes no attenuation. The control measures implemented will be in accordance with best practice.

During the operational stage of the proposed development, it is likely that visual impact and increased traffic will also be the most probable potential impacts. However, the proposal has been designed to prevent undue impact on third party properties such as overlooking, overshadowing and loss of daylight/sunlight and in this regard any potential impact is expected to be slight. Furthermore, the traffic associated with the development is within the carrying capacity of the adjoining road network.

Those living and working in the area will be temporarily disrupted during the construction works phase. Thus, potential exists for temporary impacts on residential amenity from noise, traffic, dust and possibly on water quality associated with the construction works required. This disturbance to residential amenities within the immediate vicinity of the subject site will however be temporary in nature. The implementation of best practice during the construction works phase and the timescale of works involved are sufficient to ensure that no significant impacts are likely to occur in this instance. Once operational, this area will see increased population to Palmerstown village which will assist in sustaining the vitality and viability of existing community and social services and facilities within the area.

(f) the expected onset, duration, frequency and reversibility of the impact

The construction impacts are going to be temporary in nature. The anticipated impacts at operational stage which would predominantly be of a visual nature are anticipated to be permanent and irreversible but overall not deemed a significant impact when considered in the context of the overall wider area.

(g) the cumulation of the impact with the impact of other existing and/or approved projects

The proposed alterations to the approved SHD scheme can be considered within the context of the broader consolidation of underutilised, zoned, serviced, brownfield lands that is accommodating the expansion and growth of Dublin, all of which is considered under the South Dublin County Council Development Plan 2016-2022 and indeed the National Planning Framework. The lands to the north of the application site are mature, established areas of Palmerstown village with a mix of uses which have been in existence for a considerable number of years. There are a number of recent planning applications shown on the South Dublin County Council website in the vicinity of the proposed development that are small in scale that would not give rise to a cumulative impact with this proposal. These developments would also be subject to the stringent planning controls and assessments of the

Planning Authority. Other large-scale plans and projects assessed were located further from the proposed development with no identified pathways for cumulative impacts. However, potential does exist for cumulative temporary impacts on residential amenity from noise, traffic, dust and on water quality associated with the construction works required for the proposed development and any ongoing construction works in the wider area. However, the proposed works will be carried out in accordance with strict best practice construction management as required by an approved Construction Management Plan for the overall development.

(h) the possibility of effectively reducing the impact

During the construction stage, all works will be carried out in accordance with strict best practice construction management as required by an approved Construction Management Plan for the development to effectively reduce the potential impacts. Standard health and safety precautions will also be implemented at all times during the construction phase.

4.4 Section 171A of Planning and Development Act 2000, as amended

The effects of the proposed development on the following factors needs to be evaluated in an “environmental impact assessment” as defined under Section 171A of the 2000 Act:

- i. *“population and human health;*
- ii. *biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;*
- iii. *land, soil, water, air and climate;*
- iv. *material assets, cultural heritage and the landscape;*
- v. *the interaction between the factors mentioned in clauses (I) to (IV)” (Section 171A of the Planning and Development Act 2000, as amended)*

These topics shall now be considered and assessed:

(i) Population and Human Health

Population

The Core Strategy of the South Dublin County Council Development Plan 2016-2022 seeks to accommodate an additional 43,262 people during the lifetime of the Development Plan and would require approximately 40,650 housing units to provide for the population growth.

According to the total housing capacity under the 2016-2022 County Development Plan, approximately 9,620 units can be accommodated within the ‘Consolidation Areas within the Gateway’ (includes Palmerstown), within which the subject site is located.

The development is considered to be consistent with the policies of the National Planning Framework, which seeks to deliver more compact urban development with Objective 3A of the NPF stating that half of new homes to be constructed in Ireland’s cities are to be located within the city’s existing urban envelope.

Human Health

Having regard to the nature and use of the proposed development, any potential effects on human health are likely to arise from during the construction phase of the proposed development, as opposed to the operational phase. Such issues would include the likes of water contamination, air pollution, noise pollution, visual impacts, etc, which will be temporary and not considered to be significant. These issues will be managed through the adoption of strict best practice in accordance with an approved Construction and Demolition Waste Management Plan for the overall development.

In terms of water quality, the overall scheme is to be connected to public foul and storm water systems and as such, no significant effects on the environment are likely. During the operational phase, there is potential for noise and vibration impacts as a result of vehicular movements to and from the development, however, it is not expected that this will give rise to any significant noise nuisance in the area.

At operational stage, it is not expected that there would be any risks of effects on human health. This project will provide high-quality landscaping and public realm for pedestrians and cyclists and improve connectivity to and accessibility between the proposed development, Palmerstown village and the wider area. In general, impacts are likely to be positive on human beings and extend beyond the immediate vicinity of the site and will benefit people from the wider area using the proposed facilities and amenities. The site is not located within an environmentally sensitive location and as such there is no risk to human health in terms of any Seveso site.

(ii) Biodiversity

A Screening for Appropriate Assessment was carried out by Faith Wilson Ecological Consultant under both Ref. ABP-307092-20 and Ref. ABP-309899-21. These screening reports noted that given the nature of the project and implementation of best practice construction measures particularly in relation to protection of water quality, it is concluded that there will be no negative impacts on the qualifying interests or species of any Natura 2000 site within a 15km radius of the proposed development at Palmerstown. It is submitted that no new considerations arise as part of this minor alterations application in relation to impacts on SACs and SPAs / Natura 2000 sites which were not considered in the assessment of the approved SHD scheme ABP-307092-20 & ABP-309899-21. The proposed alterations to the permitted development at Palmerstown, either individually or cumulatively in combination with the other identified plans and projects, will not adversely affect the integrity of any Natura 2000 site. Thus, there will be no impact on SACs and SPAs / Natura 2000 sites.

(iii) Land, Soil, Water, Air and Climate

The development is located on a brownfield site that accommodated a number of existing buildings and warehouses, all of which were surrounded by extensive hard standing. Demolition and excavation works are now underway for the permitted SHD scheme on site. It is fully serviced and is not located at or adjoining a designated environmental site or on lands at risk from flooding.

No significant effects are anticipated on land, soil, water, air or climate during the construction phase or operational phase of the overall development.

(iv) Material Assets, Cultural Heritage and Landscape

Material Assets

The site is zoned for residential development under the South Dublin County Council Development Plan 2016-2022. The overall development, now subject to minor proposed alterations, has been subject to a traffic assessment which states that the trip generation assessment completed as part of the parent application (250 no. units) has been adopted for this amendment application. Given the alteration to the subject site, the traffic arriving to and departing from the development is to be all from the Kennelsfort Road Lower site access with the wider trip distribution onto the network being cognisant of current and future traffic patterns. A percentage impact assessment has been completed in line with TII guidance. This has established that the following percentage impacts are anticipated at local junctions:

- Junction 1 – Kennelsfort Road Lower / R148 / Site Access (0.5% increase in the morning and 1.5% increase in the evening);
- Junction 2 – Kennelsfort Road Lower / Lucan Road (9.7% in the morning and 5.4% In the evening);
- Junction 3 – Lucan Road / R148 (1.3% in the morning and 0.9% in the evening); and
- Junction 4 – M50 / R148 (0.27% in the morning and 0.52% in the evening)

The removal of the secondary access onto the Lucan Road results in a relatively minor increase over the permitted and in accordance with TII Guidelines, the amended application does not meet the threshold requirements for traffic modelling analysis. It is AECOM's considered opinion that there is no traffic or transportation reason why this development should not proceed. For further information in this regard, please refer to the enclosed traffic drawings and documentation prepared by AECOM Consulting Engineers.

An appropriate separation distance is being provided between the development and any existing services and sewers that may traverse the site and a letter of design acceptance was provided by Irish Water in terms of the capacity of the network regarding the approved SHD scheme.

Detailed daylight/sunlight assessments carried out by Digital Dimensions assessed the permitted SHD scheme and confirmed that the development will not give rise to any adverse effect on third parties and that the development will receive adequate light to serve the future population being proposed. The minor alterations subject to this current application relate to access and site layout alterations only.

Cultural Heritage

There are no protected structures or buildings listed on the NIAH within or immediately adjoining the site. An Archaeological Desk Study was carried out by Courtney Deery Archaeology & Cultural Heritage, submitted as part of the application for the approved SHD scheme, which indicates that the previous development of the subject site significantly reduces the potential to reveal intact archaeological remains within the proposed development footprint. However, as an appropriate mitigation strategy archaeological inspections of topsoil stripping are being carried out during groundworks/topsoil removal phase of the overall development.

Landscape

The site can be described as an underutilised, brownfield, urban site with extensive hard standing. It is not located within a sensitive landscape and is not affected by any protected or preserved views or habitats. There will be a change to the scale as a result of the approved scheme (now subject to proposed alterations) being developed and as such will change the view of the site. However, in light of the fact that it is in the Metropolitan area of Dublin City and the nature and scale of existing and granted development in the surrounding area, it is considered that this is not an adverse impact.

(v) Interaction between the factors

From the interaction between the factors considered in this EIA Screening Report, it is respectfully considered that there are no likely significant effects anticipated as a result of the proposed alterations to the approved SHD scheme (granted under Ref. ABP-307092-20 & ABP-309899-21), either individually or in combination with other plans and projects.

5.0 Recommendation and Conclusion

This report has assessed the potential impact of the proposed alterations to the approved SHD scheme on the environment, permitted under Ref. ABP-307092-20 & ABP-309899-21 i.e. 250 no. 'Build to Rent' apartment units with a café and ancillary residential facilities along with landscaping and all associated site works on a site of 1.2708 hectares on lands at Palmerstown Retail Park, Kennelsfort Road Lower, Palmerstown, Dublin 20.

The project now under assessment, *Proposed Alterations to Approved Palmerstown Strategic Housing Development*, does not meet the thresholds for which the preparation of an Environmental Impact Assessment Report (EIAR) is a mandatory requirement.

The proposed development does not exceed any of the thresholds outlined in the Planning and Development Regulations 2001 (as amended) that would trigger a mandatory requirement to prepare an EIAR. The proposed development is sub-threshold and therefore is assessed in accordance with Article 27 of the European Communities EIA Regulations 2018.

The screening exercise has been completed in this report and the methodology used has been informed by the available guidance, legislation and directives including *Environmental Impact Assessment (EIA) (2018)*, *Guidance for Consent Authorities regarding Sub-Threshold Development (EPA, 2003)* and *Guidance on the information to be contained in environmental impact assessment reports (Draft, 2017)*.

Having regard to Annex III of the EIA Directive 2014/52/EU and the guidance contained in the Department's Environmental Impact Assessment Guidance for Consent Authorities regarding Sub-Threshold Development (2003), and in particular:

- The size and design of the whole project;
- Cumulation with other existing and/or approved projects;
- The use of natural resources, in particular land, soil, water and biodiversity;
- The production of waste;
- Pollution and nuisances;

- The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge; and
- The risks to human health (for example due to water contamination or air pollution).

It is considered that the proposed alterations would not result in any significant changes to environmental impacts from those permitted under ABP-307092-20 & ABP-309899-21. The Board completed an environmental impact assessment screening of that original permitted development (ABP-307092-20) and considered that *'the Environmental Impact Assessment Screening Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment. Having regard to: (a) the nature and scale of the proposed development on an urban site served by public infrastructure, (b) the absence of any significant environmental sensitivities in the area, (c) the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended), the Board concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment. The Board decided, therefore, that an environmental impact assessment report for the proposed development was not necessary in this case.'*

In addition, the Board in their assessment of the proposed alterations made to this permitted development on 20th May 2021 under Ref. ABP-309899-21 stated:

'Having regard to: (i) the nature and scale of the Strategic Housing Development permitted under An Bord Pleanála Reference Number ABP-307092-20 for this site, (ii) the screening for appropriate assessment and environmental impact assessment carried out in the course of that application, (iii) the limited nature and scale of the alterations, and (iv) the absence of any significant new or additional environmental effects (including those in relation to Natura 2000 sites) arising as a result of the proposed alterations, and (v) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations, (vi) the report of the Planning Inspector it is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Board hereby makes the said alterations.'

It is therefore submitted that no new considerations arise in relation to impacts on the environment which were not considered in the assessment of impacts for the approved SHD scheme ABP-307092-20 & ABP-309899-21. The Screening Reports for Appropriate Assessment prepared by Faith Wilson Ecological Consultant also confirmed that the approved SHD scheme will not give rise to any significant effect on designated and protected sites. It is submitted that no new considerations arise as part of this minor alterations application in relation to impacts on SACs and SPAs / Natura 2000 sites which were not considered in the assessment of the approved SHD scheme ABP-307092-20 & ABP-309899-21. The proposed alterations to the permitted development at Palmerstown, either individually or cumulatively in combination with the other identified plans and projects, will not adversely affect the integrity of any Natura 2000 site. Thus, there will be no impact on SACs and SPAs / Natura 2000 sites.

Thus, having regard to the above, and in particular to the nature, scale and location of the proposed project, by itself and in combination with other plans and projects, the proposed development is not likely to have significant effects on the environment and it is considered that an Environmental Impact Assessment is not required for this project.

Appendix A – Proposed Works

