Planning and Environmental Consultants

Environmental Impact Assessment Screening Report

Clonburris T3

DOCUMENT DETAILS

Client:	**Cairn Homes Properties Ltd**
Project Title:	**Clonburris T3**
Project Number:	**220523**
Document Title:	**Environmental Impact Assessment Screening Report**
Document File Name:	**220523 – EIA SR F1 – 2022.11.22**
Prepared By:	**MKO** **Tuam Road** **Galway** **Ireland** **H91 VW84**

Planning and Environmental Consultants

Rev	Status	Date	Author(s)	Approved By
01	Draft	03/11/2022	TM	OC
02	Draft	17/11/2022	TM	OC
03	Final	22/11/2022	TM	OC

Table of Contents

1. INTRODUCTION 3
1.1 Statement of Authority 4
2. DESCRIPTION OF THE PROPOSED DEVELOPMENT 5
2.1 Site Location and Description 5
2.2 The Proposed Development 8
2.3 Construction Methodology 9
3. EIA SCREENING METHODOLOGY 13
3.1 Legislative Context 13
3.2 Methodology and Guidance 13
3.3 Mandatory Environmental Impact Assessment 14
3.3.1 Schedule 5, Part 2, Class 13: Changes, Extensions, Development and Testing 15
3.3.2 Other Relevant Classes 15
3.4 Sub-Threshold Assessment 15
3.5 Schedule 7 Criteria 17
3.5.1 Characteristics of the Proposed Development 17
3.5.1.1 Size and Design of the Whole Proposed Development 17
3.5.1.2 Cumulation with Other Existing and Permitted Development 19
3.5.1.3 Nature of any Associated Demolition Works 26
3.5.1.4 Use of Natural Resources 27
3.5.1.5 Production of Waste 28
3.5.1.6 Pollution and Nuisances 29
3.5.1.7 Risk of Major Accidents including those caused by Climate Change 30
3.5.1.8 Risk to Human Health 30
3.5.2 Location of the Proposed Development 31
3.5.2.1 Existing and Approved Land Use 31
3.5.2.2 Abundance, Availability, Quality and Regenerative Capacity of Natural Resources 31
3.5.2.3 Absorption Capacity of the Natural Environment 32
3.5.3 Characteristics of Potential Impacts 34
3.5.3.1 Population and Human Health 34
3.5.3.2 Biodiversity 37
3.5.3.3 Land, Soil, Water, Air and Climate 40
3.5.3.4 Material Assets, Cultural Heritage and the Landscape 43
3.5.3.5 Interactions 45
3.5.4 Summary of Schedule 7 Criteria Examination 46
3.6 Schedule 7A Sub-threshold Criteria 48
3.6.1 Description of the Proposed Development 48
3.6.2 Aspects of the Environment likely to be Significantly Affected 49
3.6.3 Description of any Likely Significant Effects 50
3.6.4 Compilation of Paragraphs 1-3 52
3.6.5 Summary of Schedule 7a Criteria Assessment 52
3.7 Other Environmental Assessments 52
3.7.1 European Union Legislation 52
3.7.1.1 Directive 92/43/EEC, Habitats Directive and Directive 2009/147/EC, Birds Directive 53
3.7.1.2 Directive 2000/60/EC, Water Framework Directive 54
3.7.1.3 Directive 2001/42/EC, SEA Directive 56
3.7.1.4 Directive 2002/49/EC, Environmental Noise 56
3.7.1.5 Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe (CAFÉ) Directive 56
3.7.1.6 Directive 2007/60/EC, Floods Directive 57
3.7.1.7 Directive 2010/75/EU Industrial Emissions Directive 57
3.7.1.8 Directive 2012/18/EU Seveso-III Directive 58
3.7.1.9 Directive 2010/31/EU, Directive on the Energy Performance of Buildings 58
3.7.1.10 Directive 2008/98/EC, EU Waste Framework Directive 58
3.7.1.11 Directive 2008/56/EC, Marine Strategy Framework Directive 59
3.7.1.12 Directive 2012/19 EU, Waste Electrical and Electronic Equipment (WEEE) Directive 59
3.7.1.13 Directive 92/57/EEC Temporary or Mobile Construction Sites 59

4. CONCLUSIONS AND RECOMMENDATIONS 61
BIBLIOGRAPHY 63

TABLE OF FIGURES

Figure 2-1 Site Location 7
Figure 2-2 Site Layout Plan 12

1. INTRODUCTION

MKO has been appointed by Cairn Homes Properties Ltd to prepare an Environmental Impact Assessment (EIA) Screening Document for a proposed housing development at Clonburris, Co. Dublin.

This EIA Screening report was undertaken to determine if an EIA is required for the proposed development as set out in Schedule 5 of the *Planning and Development Regulations, 2001 (as amended)* (the Regulations). We have provided information in line with the above provisions for completeness and to ensure that the competent authority has all the necessary information.

Certain projects listed in Schedule 5 (Part 1) of the regulations require mandatory EIA due to their potential for significant environmental effects. Other projects, listed in the Schedule 5 (Part 2) of the regulations, contain threshold levels and for projects that fall below these thresholds it is the competent authority (in this case South Dublin County Council) to decide if an EIA and the associated Environmental Impact Assessment Report (EIAR) is required.

Whether a 'sub threshold' development should be subject to EIA is determined by whether the development would be likely to have significant effect on the environment. The Regulations state that the planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development. Where the planning authority concludes, based on such preliminary examination, that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed demolition works, it shall, by notice in writing served on the applicant, require the applicant to submit to the authority the information specified in Schedule 7A for the purposes of a screening determination unless the applicant has already provided such information.

Significant effects may arise due to the nature of the development, its scale or extent and its location in relation to the characteristics of the receiving area, particularly sensitive environments.

This EIA screening report will accompany the application for the proposed development which is located within the Clonburris SDZ. The application for the proposed development is also accompanied by the following reports:

- Planning Report
- Appropriate Assessment Screening Report
- Ecological Impact Assessment Report
- Energy Statement
- Air Quality Report
- Operational Waste Management Plan
- Acoustic Design Statement
- Resource and Waste Management Plan
- Mobility Management Plan and Parking Strategy
- Architects Design Statement
- Building Life Cycle Report
- Traffic and Transportation Assessment
- Archaeology Assessment
- Preliminary Construction and Environmental Management Plan
- Infrastructure Design Report
- Landscape Masterplan
- Landscape Design Report
- Arboricultural Report
- Bat Assessment Report

The findings of all technical reports prepared as outlined above have been considered in the preparation of this EIA Screening Report with all the results and findings from each report taken into

account within this EIA Screening. Where applicable, mitigation and the key results of these technical reports and assessments have been presented in this EIA Screening Report with a rationale as to how findings have been taken into account when determining the requirement for EIA.

This report documents the methodology employed to complete the EIA screening exercise, having regard to the relevant legislation and guidance documents.

1.1 Statement of Authority

The EIA Screening report has been compiled by Tom Madden of MKO. Tom holds a BSc (Hons) in Environmental Science from the University of Limerick. Tom has over three years' experience in the environmental sector. Tom's key strengths and expertise are Environmental Protection and Management, Environmental Impact Statements, Project Management and GIS Mapping.

The report was reviewed by Owen Cahill (BSc. MSc.) who has over ten years' experience in the environmental consultancy sector. Owen completed an MSc. in Environmental Engineering at Queens University, Belfast in 2010. Owen is full member of IEMA (MIEMA) as well as a Chartered Environmentalist (CEnv).

Michael Watson is Project Director and head of the Environment Team in MKO. Michael has over 19 years' experience in the environmental sector. Following the completion of his Master's Degree in Environmental Resource Management, Geography, from National University of Ireland, Maynooth he worked for the Geological Survey of Ireland and then a prominent private environmental & hydrogeological consultancy prior to joining MKO in 2014. Michael also has a Bachelor of Arts Degree in Geography and Economics from NUI Maynooth, is a Member of IEMA, a Chartered Environmentalist (CEnv) and Professional Geologist (PGeo).

Eoin O'Sullivan is a Senior Environmental Consultant with MKO with over 12 years of experience in the assessment of a wide range of energy and infrastructure related projects and working in the fields of environmental and human health risk assessment, waste management, waste policy and permitting. Eoin is a Chartered Member of the Chartered Institute of Water and Environmental Management and Chartered Environmentalist (CEnv) with the Society of Environment.

The listed Environmental and Planning Practitioners have a combined experience of more than 40 years in the areas of EIA and Planning & Environmental Consultancy.

2. DESCRIPTION OF THE PROPOSED DEVELOPMENT

2.1 Site Location and Description

The proposed development site is located in the townland of Clonburris/Cappagh, approximately 10.2km south-west of Dublin City Centre and 1.75km south-west of the M50 motorway. The site itself is part of the wider Clonburris Strategic Development Zones (SDZ) lands which encompass approximately 280 hectares in west Dublin. The SDZ lands are bisected from east to west by the Kildare railway, by the Grand canal to the south, and by two strategic roads – the Grange Castle Road in the centre of the site and the Fonthill road to the east. Grange Castle Business Park is located to the south of the SDZ lands. The Adamstown SDZ is located adjacent to the north-west boundary of the SDZ lands.

The proposed development site is accessed via the regional R113 road which is located approximately 304m to the east of the site. The R113 provides connectivity to the N7 and N4 national roads which are located 3.05km and 2.85km to the south and north of the site, respectively. ITM coordinates for the site centre are X 705632 Y 732602.

The application site extends overall to 3.45 ha in size. The site is currently in a state of greenfield, however has not been in agricultural use for several years. SDZ lands bound the site to the south, east and west. The Kildare rail line bounds the site to the north. The surrounding area is peri-urban in nature. Residential housing estates, industrial business parks and commercial premises are all located in the wider area. Agricultural lands are located further to the west. Dublin City Centre is located approximately 10.2km to the north-east.

With regard to topography, the lands are generally flat. The R113 road to the east is raised above the landscape of the area with a steep embankment down to the site. The railway line which runs in an east-west direction parallel to the sites northern boundary sits at a level which is slightly above the site.

Hedgerows are located within the site boundary. There is one archaeological monument site within the confines of the proposed site boundary. This monument is classified as an Enclosure (Monument Identifier Code: DU017-036).

The subject site is not located within a flood risk zone or has recorded any past flood events (following a review of Floodinfo.ie).

The applicant site is located within approximate proximity to the following designated Natura 2000 sites:

- 6km south of the Rye Water Valley/Carton SAC [001398]
- 8.6km north of the Glenasmole Valley SAC (Site Code: 001209)
- 10.7km north of the Wicklow Mountains SAC [002122]
- 13km east of the South Dublin Bay SAC [000210]
- 12.7km north of the Wicklow Mountains SPA [004040]
- 12.3km west of the South Dublin Bay and River Tolka Estuary SPA
- 15.5km south-west of North Dublin Bay SAC [000206]
- 15.5km south-west of North Bull Island SPA [004006

The Grand Canal pNHA (Site Code: 002104) is located approximately 285m to the south of the proposed development site.

The application site is located within the Liffey and Dublin Bay Catchment (Catchment ID: 09) and the Liffey_SC_090 subcatchment. There are no watercourses present within the site boundary. The nearest watercourse is the manmade Grand Canal which is located approximately 292m to the south of the site. The nearest natural watercourse is the River Camac (EPA Code: 09C02 – Order 4) which is located at its closest approximately 1.34km to the south-east.

The majority of the habitat within the proposed development site comprised formerly agricultural grassland that has not been recently managed through grazing. Areas of recolonising bare ground are present in the eastern portion of the site. Hedgerows and some treelines are present within the site and along the northern boundary. A number of drainage ditches are also present within the confines of the site boundary. The drainage ditches were dry in the southern section of the site but standing water was present in the ditches in the northern section and along the northern boundary.

There are no Annex I habitats listed under the EU Habitats Directive present within the Proposed development site boundary. No botanical species protected under the Flora (protection) Order (1999, as amended 2015), listed in the EU Habitats Directive (92/43/EEC), or listed in the Irish Red Data Books were recorded on the site and no suitable habitat occurs within the site. No invasive species listed on the third schedule of the EC (Birds and Natural Habitats) Regulations 2011 S.I. 477/2011 were recorded during the site visit. All species recorded are common in the Irish landscape.

2.2 The Proposed Development

Planning permission is sought by Cairn Homes Properties Ltd., (the applicant) for development on a site which extends to 3.45 ha on SDZ lands located at Clonburris, Co. Dublin. The proposed development site is within the administrative area of South Dublin County Council.

The development will consist of the construction of 157 no. dwellings in the Clonburris South-West Development Area of the Clonburris Strategic Development Zone (SDZ) Planning Scheme 2019 as follows:

1) *81 no. houses comprising 4 no. 2-bedroom houses, 65 no. 3-bedroom houses and 12 no. 4 bedroom houses (all 2-no. storey with associated private open space and parking);*

2) *76 no. apartments consisting of comprising 26 no. 1-bedroom and 50 no. 2-bedroom units within Block 1 (4 no. storeys);*

3) *Vehicular access will be provided from the permitted street under SDZ21A/0022 and the permitted Clonburris Southern Link Street (SDZ20A/0021) and R113 (Fonthill Road) to the east.*

4) *All ancillary site development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (170 no. spaces and bicycle parking (170 no. spaces), single-storey ESB sub-stations, bin and bicycle stores and all ancillary site development/construction works.*

There are a number of separate developments within the adjacent SDZ lands that have recently been approved or are with South Dublin County Council (SDCC) for consideration. These are as follows:

- **SDZ20A/0021 – Roads and Drainage Infrastructure works (Permitted)**
  - The construction of c.4km of new road, known as Clonburris Southern Link Street (CSLS).
  - A number of vehicular access points
  - Drainage infrastructure including 8 attenuation systems
  - Ducting for public electrical services and utilities and the diversion of existing utilities
- **SDZ21A/0022 Phase 1A (Tile 1) (Permitted)**
  - Development to be carried out by Cairn Homes
  - 569 no. dwellings,
  - Childcare facility
  - Innovation hub
- **SDZ22A/0010 (Lands to the east) (Currently under consideration by SDCC)**
  - Development to be carried out by Kelland Homes Ltd
  - 294 no. dwellings on a 6.3 ha site
  - Public and communal open spaces
  - Hard and soft landscaping
  - Surface car parking
  - Bicycle parking
  - Public lighting
  - 4 no. ESB Substations
- **SD228/0001 Part 8 Development (Canal Extension Area) (Permitted)**
  - Residential complex consisting of 118 no. residential units on a 2.5 ha site
- **Part 8 Development (Kishogue Southwest) (Currently under consideration by SDCC)**
  - The development of a Social, Affordable Rental and Affordable Purchase Housing project consisting of 263 new homes, new community facilities, three landscaped open spaces and associated site works

2.3 Construction Methodology

It is estimated that the works would be tendered in the first quarter of 2023 with commencement expected in the second quarter of 2023, subject to planning permission. The proposed development would have an estimated site program of 18 - 24 months, depending on phasing. The proposed development is likely to be constructed in conjunction with the recently permitted Clonburris Southern Link Street (CSLS) works and the adjacent Clonburris Phase 1A (Tile 1) development.
The key schedule of works will be typical of residential developments and would be as follows:

I. Site establishment and set-up
II. Enabling works and site clearance
III. Bulk earthworks & construction of underground services
IV. Construction of buildings
V. External Works (junctions) and Landscaping

These schedules of works are summarised in the following sections.

Site establishment and Set-up

The establishment of the site will comprise the installation of 2.4-metre-high hoarding which will be erected to establish a secure site boundary in agreement with the South Dublin County Council. The hoarding will be maintained and kept clean for the duration of the works. Access routes to the site will be clearly marked at this stage. Access during construction to any working areas will be restricted to land within the outlined works area.

Enabling works

The proposed development is likely to be constructed in parallel with the Clonburris Southern Link Street (CSLS) works and the adjacent Clonburris T1A development. Therefore, interactions will be required between the developments throughout the construction phase. Temporary service connections for the proposed development will connect into those provided by CSLS works at certain locations. Any necessary signage will be erected at site entrances. Retaining structures will be constructed at boundaries were necessary.

Site Clearance

The site is a greenfield site requiring minimal site clearance beyond topsoil and hedgerow removal. Site clearance of the existing hedgerows will be undertaken by a competent contractor. Site clearance works have the potential to expose the soils and geological environment to pollution associated with the works. Appropriate mitigation measures are outlined in the accompanying Construction Environmental Management Plan (CEMP) and are listed in Section 3.5.1 below.

Excess topsoil will be stockpiled to be recycled and reused within landscaped areas of the proposed development.

Bulk Earthworks & Construction of Underground Services

The proposed development will require regrading of the site as required by the design. Any excess material will be exported to a suitable waste management facility where it will be recovered or disposed of responsibly. Construction phase control measures to prevent impacts upon surface water and groundwater will be employed at the site. Such measures are outlined in the accompanying Construction Environmental Management Plan, Ecological Impact Assessment Report and Infrastructure Design Report.

Sub-base material for under roads or foundations will be installed and compacted during this project stage.

Underground services which include surface water and foul sewer networks, watermains and electricity cables will be laid. Internal site roads will be constructed to base level to form haul routes within the site.

Construction of Buildings

The exact construction method for the structures must be confirmed by the main contractor when appointed, however, construction of the residential buildings typically follows the sequence below:

- Foundations
- Rising structural works
- Building envelopes and cladding
- Fit-out
- Commissioning

Foundations

It is anticipated that raft-type foundations will be required for the buildings within the development. These types of foundations are typically constructed of cast-in-situ reinforced concrete. Ready-mix concrete will be batched offsite and delivered by truck as required. Ready-mix concrete will be delivered directly to the foundation locations.

Conduits for services will be brought through the toe of the raft where necessary.

Rising Structural Works

Detailed structural design of the apartment block, houses and retaining structures will be undertaken during detailed design stage of the development. It is assumed buildings will be constructed of bricks and blockwork. Precast columns and walls will be considered on a specific basis once subcontractor input has been obtained.

Building Envelopes and Cladding

Weatherproofing of all buildings and installation of cladding to the architect's requirements and the manufacturers specifications. Construction of all non-load bearing walls, joinery, plastering, fire stopping elements of buildings. Cladding types will consist of metal. The use of stone on the main corner will provide additional variety of materials. Cladding materials and designs will be confirmed upon finalisation of the architectural design process.

Fit-Out

Installation of all mechanical and electrical plant for building and fitting of all sanitary ware, flooring, kitchens, soft furnishings, and decorations in each building.

Commissioning

The final stage before hand-over will be commissioning whereby all works will be inspected to ensure they meet the specifications and criteria as required by the relevant design.

External Works and Landscaping

Completion of all site services including attenuation tanks and permanent connection of the development to the utilities such as the Irish Water infrastructure networks. Completion of all roads,

private side SuDS elements, footpaths, bin storage, car and bicycle provisions and landscape features such as green areas.

3. EIA SCREENING METHODOLOGY

3.1 Legislative Context

Environmental Impact Assessment (EIA) requirements derive from Council Directive 85/337/EEC (as amended by Directives 97/11/EC, 2003/35/EC and 2009/31/EC) and as codified and replaced by Directive 2011/92/EU of the European Parliament and the Council on the assessment of the effects of certain public and private projects on the environment and as amended in turn by Directive 2014/52/EU.

The consolidated European Union Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (the 'EIA Directive'), was transposed into Irish planning legislation by the Planning and Development Acts 2000 (as amended) and the Planning and Development Regulations 2001 (as amended) (the 'Regulations'). The EIA Directive was amended by Directive 2014/52/EU (the 'amended Directive') which has been transposed into Irish law with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) on the 1st of January 2019, which were effectively an updating of the Planning and Development Act 2000 (as amended).

The legislation requires screening to be undertaken to determine whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made. The European Commission (2017) have published a Guidance on Screening document (Directive 2011/92/EU as amended 2014/52/EU) which summarises the need for an EIA based on specific measures and/or limits, according to predefined criteria such as characteristics of projects, the locations of projects and the type and characteristics of the potential impact as set out in Annex III of the amended Directive.

3.2 Methodology and Guidance

Screening the proposed development is a process used to establish whether an EIA is required to be undertaken. There are a number of steps in the screening process.

The mandatory requirement for an EIA is generally based on certain project categories as set out in Annex I and II of the amended EIA Directive. This identifies certain types and scales of development, generally based on thresholds of scale, for which EIA is mandatory. There is sometimes a requirement for EIA 'sub-threshold' developments to undergo a screening exercise to assess whether the proposed development requires the preparation of an EIAR.

A methodology was developed to formally screen the proposed development, which was based on Environmental Impact Assessment (EIA), Guidance for Consent Authorities regarding Sub-threshold Development (EPA, 2003) and the 2017 guidance issued by the European Commission. The screening exercise is divided into a section on Mandatory EIA and another on Sub-threshold or Discretionary EIA. In each section below a screening assessment has been undertaken which examines the requirement for EIA according to the criteria set out in the relevant legislation. The rationale behind the responses within the matrix is provided at the end of each section.
Summary of guidance documents used:

- Guidance for Consent Authorities regarding Sub-threshold Development (EPA, 2003)
- European Commission Guidance on the preparation of the Environmental Impact Assessment Report (EC, 2017)
- European Commission Guidance on Screening (EC, 2017)
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessments

3.3 Mandatory Environmental Impact Assessment

Section 172 of the Planning & Development Act 2000 (as amended) provides the legislative basis for mandatory EIA. It states the following:

"*An environmental impact assessment shall be carried out by a planning authority or the Board, as the case may be, in respect of an application for consent for proposed development where either:*

1. the proposed development would be of a class specified in –
(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either
I. such development would exceed any relevant quantity, area or other limit specified in that Part, or
II. no quantity, area or other limit is specified in that Part in respect of the development concerned

or

(ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either –
I. such development would exceed any relevant quantity, area or other limit specified in that Part, or
II. no quantity, area or other limit is specified in that Part in respect of the development concerned,

or

2. (i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part, and
(ii) it is concluded, determined or decided, as the case may be,
I. by a planning authority, in exercise of the powers conferred on it by this Act or the Planning and Development Regulations 2001 (S.I. No. 600 of 2001),
II. by the Board, in exercise of the powers conferred on it by this Act or those regulations,
III. by a local authority in exercise of the powers conferred on it by Regulation 120 of those regulations,
IV. by a State authority, in exercise of the powers conferred on it by regulation 123A of those regulations,
V. in accordance with section 13A of the Foreshore Act, by the appropriate Minister (within the meaning of that Act), or
VI. by the Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on him or her by section 8A of the Minerals Development Act 1940,

that the proposed development is likely to have a significant effect on the environment.

Further to the above, Schedule 5 of the Planning & Development Regulations 2001, as amended sets out a number of classes and scales of development that require EIA.

With regards to the proposed development, the below classes within the provisions of Schedule 5 are relevant to the proposed development.

3.3.1 Schedule 5, Part 2, Class 13: Changes, Extensions, Development and Testing

Schedule 5, Part 2, Class 13: Changes, extensions, development and testing

a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

- 25 per cent, or
- An amount equal to 50 per cent of the appropriate threshold, whichever is greater.

The permitted Tile 1 (Phase 1A) development has a site area of 17 hectares. In taking a conservative approach, if the current proposal comprising a site area of 3.4 hectares) is considered to be an extension (for the purposes of EIAR) the following is outlined. The appropriate threshold is 10 hectares, 50% of which is 5 hectares. The T1 permitted site comprises 17 hectares, 25% of which is 4.25 hectares. With the proposed T3 development having a site area of 3.4 hectares (<5 hectares), it is therefore considered that EIA is not required.

The permitted Tile 1 (Phase 1A) development comprises 569 units, which is above the relevant EIA threshold of 500 units. 50% of the threshold is 250 units. The T1 development comprises 569 no. units, 25% of which is 142.5 no. units. The 250-unit threshold is applicable here due to it being the greater. The proposed T3 development subject of this application will have a total of 157 no. dwellings (<250) and it is therefore considered that EIA is not required.

3.3.2 Other Relevant Classes

"Construction of more than 500 dwelling units", as per Class 10 (b)(i) of the Schedule and (iv) urban development which would involve an area greater than 2 hectares (business district) 10 hectares (built up area) or 20 hectares (elsewhere),

and also (possibly):

- Class 15 any sub-threshold project in Schedule 5 Part 2 which would be likely to have significant effects on the environment.

The proposed development of 157 no. units does not exceed the 500-unit mandatory threshold, does not propose urban development of an area greater than 20 hectares (being 3.45 hectares) and therefore is not subject to mandatory EIA.

Therefore, the proposed development is not subject to a mandatory EIA.

However, the proposed development is considered under the provisions of Class 15 for sub-threshold developments, an evaluation of the Schedule 7 criteria is provided in section 3.5 below to further consider if the development would be likely to have significant effects on the environment.

The information is provided in Sections that follow.

3.4 Sub-Threshold Assessment

Section 172 of the Planning & Development Act 2000, as amended, also sets out the basis for the requirement of EIA for developments which may not be of a scale included in Schedule 5 of the Planning

& Development Regulations 2001, as amended. This allows a consenting authority to carry out an EIA where it is of the opinion that the proposed development is likely to have a significant effect on the environment.

In this context, the consideration of 'significant effect' should not be determined by reference to size or scale only and the nature and location of a project must also be taken into account.

Class 15 of Schedule 5 of the Planning and Development Regulations 2001 as amended provides for EIA for developments which are under the sub-threshold, where the proposed development would be likely to have significant effects on the environment. This states the following:

> *"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 proposed residential development is a project which falls under Schedule 5 however is considered sub-threshold as the number of units is 157 rather than the 500-unit threshold, the area of the site is approximately 3.45 ha in area rather than 10 hectares.

The 1997 amending Directive (97/11/EC) introduced guidance for Member States in terms of deciding whether or not a development is likely to have 'significant effects on the environment'. This was codified and replaced by Directive 2011/92/EU (*EIA Directive*) and then Directive 2014/52/EU (*amended Directive*) which has been transposed into Irish law with the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) on 1st of January 2019 which was effectively an updating of the Planning and Development Act 2000 (as amended).

The Schedule 7 of the Planning and Development Regulations 2001 (as amended) are grouped under three headings as follows:

1) *Characteristics of the proposed development*
2) *Location of proposed development*
3) *Types and characteristics of potential impacts*

Schedule 7A of the Planning and Development Regulations 2001 (as amended), sets out the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment.

1) *A description of the proposed development, including in particular–*

   (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and

   (a) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

2) *A description of the aspects of the environment likely to be significantly affected by the proposed development.*

3) *A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from–*

   (a) the expected residues and emissions and the production of waste, where relevant, and

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

4) The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7

Each of the above groupings for Schedule 7 and 7A includes a number of criteria for consideration. The assessment on whether the proposed development would be likely to have significant effects on the environment is based on the overall consideration of all criteria and requires clear and rational judgment. The Department of Housing, Local Government and Heritage (DoEHLG) Guidance Document 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development' states that:

> *'Those responsible for making the decision must exercise their best professional judgment, taking account of considerations such as the nature and size of the proposed development, the environmental sensitivity of the area and the nature of the potential effects of the development. In general, it is not intended that special studies or technical evaluations will be necessary for the purpose of making a decision.'*

The Schedule 7 and 7A criteria are examined in more detail in the following subsections. The screening questions are based on the criteria listed under each grouped heading for each Schedule as set out in the Regulations.

In addition, the checklist of criteria set out in the European Commission (2017) Guidance on Screening document has been used to determine if the proposed development would be likely to have significant effects on the environment.

In addition, this EIA screening considers all questions to be considered as set out in the checklist of criteria set out in the European Commission (2017) Guidance on Screening document has been used to determine if the proposed development would be likely to have significant effects on the environment. The consideration of this criteria is captured within the sections that follow.

3.5 Schedule 7 Criteria

Class 15 of Schedule 5, Part 2 of the Regulations sets out a requirement for EIA to be undertaken for a project which is deemed to be subthreshold in accordance with the thresholds set out in that Part but would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7 of the Regulations. In this section, the proposed development is examined considering the scale, location and nature of the proposed development in accordance with the Schedule 7 criteria.

3.5.1 Characteristics of the Proposed Development

The nature, scale and characteristics of the proposed development are considered to determine if it would be likely to have significant effects on the environment in the sections below in accordance with Schedule 7 of the regulations.

3.5.1.1 Size and Design of the Whole Proposed Development

The proposed development will comprise the construction of 157 residential units and all associated infrastructure on a 3.45 ha site. The assessment for EIA under the appropriate threshold for residential developments and development in an urban setting in Section 3.3 above demonstrate that the project is significantly below the thresholds set in the Regulations.

The construction phase of the development along with the final constructed development (in its operational phase) will essentially be confined to the extents of the 3.45ha site with some off-site works

associated with services connections and infrastructural improvements. The proposed development will be constructed in conjunction with the adjacent and previously granted permission Clonburris Southern Link Street (CSLS) works.

The proposed development comprises 157 no. residential units, with an overall total gross floor space (residential) of 14,932sqm on a developable site area of 3.45ha (347,500 sqm).

In terms of density as a consideration of Size and Design of the Whole of the proposed development, the Planning Report prepared as part of this application stated that;

The development of the entire Clonburris Planning 2019 scheme is expected to deliver a target of 8,437 new residential units, a minimum of 7,300 sq.m gross community floor space, approximately 21,520sq.m gross retail floorspace and between 30,000 and 40,000 sq.m employment floorspace. It is envisaged that the Clonburris Strategic Development Zone (SDZ) would support a population of c.21,000 people with approximately 2,400 jobs and 6,000 school places. It is also envisaged that the scheme will provide four no. primary schools and four no. post-primary schools.

The Open Space and Parking Areas have been designed in accordance with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, the Greater Dublin Regional Code of Practice for Drainage Works and the agreed Clonburris Joint Infrastructure Works.

The application site is located within the boundary of the Clonburris Planning Scheme 2019. The Planning Scheme, as adopted, is in accordance with strategic planning policy and guidelines and it follows that any planning application which is in compliance with the Clonburris Planning Scheme is in compliance with strategic planning policy and guidelines.

The Planning Scheme notes that to allow for more accurate management of densities and ensure that higher densities are achieved within appropriate areas, densities under this Planning Scheme are prescribed according to Sub-Sector. Development within each Sub-Sector shall be consistent with the density margins set out in Table 2.1.8 of the Planning Report. Tile 3 has a density range of 51-61 units per hectare. The proposed net density of 51.9 units per hectare is in compliance with the 51-61 units per hectare density range for T3. The proposed development of 157 no. dwellings will contribute to the target of 1,441 no. units as identified in Clonburris SDZ scheme.

Having regard to the above, it is considered that the proposed development is in accordance with both the density and quantum of dwellings for the particular sub-sector within the Development Area of Clonburris South-West.

In regard to the height of the proposed buildings, the Planning Report prepared as part of this application further states;

Buildings will have a height range of 2–4 storeys throughout the subject site. A height range of 3–4 storeys is applicable to the development in the south-western sector of the site while 2–4 storeys apply to the remainder of the site. This demonstrates that the proposal complies with the overall key objectives for the character area and the design guidance as set out in Section 2.8.6 of the Clonburris Planning Scheme.

Communal Open Space is provided within the Development Area consisting of 525sq.m that is designated specifically for use by residents of the apartment blocks. This green space will be well overlooked and inviting with clearly defined edges and space for informal passive and active recreation. The space will be framed with formal hedges and trees to provide a more manicured appearance closer to the buildings. As set out in the Landscape Design Report, these spaces will be simple and robust that are easy to maintain and allow a range of uses. The play area will be designed to act as instigator of interactive and informal play rather than a director of what that play will be and to inspire the imagination. It will include elements that invoke and entice children to play.

The subject site's internal road layout has been designed with a number of junctions and meandering alignment through the development to promote traffic calming and discourage "ratrunning" through the development. The proposed road hierarchy and typologies are generally consistent with those set out in Section 2.2.4 of the Clonburris SDZ and DMURS.

The Planning Report prepared by John Spain Associates concluded that the proposed development would provide an appropriate form of high-quality residential development and open space on the subject lands. The proposed development seeks to provide a good mix of high-quality dwellings, of a high-quality design, which meet the requirements of the Clonburris SDZ Planning Scheme 2019 and the market, and which will result in a high-quality residential development. The mix of dwelling types have been designed to ensure that the scheme caters for a wide range of choices and demographics including starter homes for young professionals and families, older people trading down etc.

3.5.1.2 Cumulation with Other Existing and Permitted Development

An examination of the whether the proposed development would be likely to have significant effects on the environment through cumulation with other existing developments is considered in this section. The National Planning Application Database was consulted on the 24/08/2022 for recently granted planning applications and those under consideration located in the immediate vicinity of the proposed development site. Granted and pending projects identified within an approximately 500m radius of the site from the last 5 years include:

3.5.1.2.1 *Clonburris Phase 1A*

The construction of 569 dwellings, a creche, innovation hub and open space in the Clonburris South West Development Area of the Clonburris SDZ Planning Scheme 2019 as follows: 173 houses comprising 8 two bedroom houses, 153 three bedroom houses and 12 four bedroom houses (147 dwellings in CSW-S4 consisting of 8 two bedroom houses, 127 three bedroom houses & 12 four bedroom houses & 26 three bedroom dwellings in CSW-S3}, all 2 storey comprising semi-detached, terraced, end terrace units (with parking and private open space); (B) 148 duplex apartments/apartments {88 in CSW-S4 & 60 in CSW-S3) comprising 74 two bedroom units and 74 three bedroom units, in 16 three storey buildings. In CSW-S4 Duplex Blocks A,B,C,D,E,F,G,J,K, comprise 8 units (4 two bed & 4 three bed units), Duplex Block H comprises 16 units (8 two bed & 8 three bed units), In CSW-S3 Blocks L, N & O comprise 8 units (4 two bed & 4 three bed units), Block M comprises 14 units (7 two bed & 7 three bed units), Block P comprises 10 units (5 two bed & 5 three bed units), Block Q comprises 12 units {6 two bed & 6 three bed units), all to have terraces/pitched roof; (C) 396 apartments as follows: within CSW-S4, Block 1 consists of 172 apartments (76 one bedroom, 91 two bedroom and 5 three bedroom apartments), in a 2-building arrangement both 6 storeys in height. Within CSW-S3, Block 2 {4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments, Block 3 (4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments (all apartments to have terrace or balcony); (D) Provision of an innovation hub (626sq.m) and creche (c. 547sq.m) in a part 3/4 storey 'local node' building in CSW-S4; (E) Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R113 to the east {along with provision of internal haul routes {for construction) to connect to the R136 to the west); (F) Public Open Space/landscaping of c. 4.1 hectares (to include Local Park and MUGA in CSW-S3, Grand Canal Park, along the southern and eastern boundaries of the site to connect to existing Grand Canal towpath) as well as a series of communal open spaces to serve apartments and duplex units (c. 0.39 ha); (G) all ancillary development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (656 spaces) and bicycle parking (672 spaces), single storey ESB substations/bike/bin stores, 'Gateway' entrance signage (2), solar panels at roof level of apartments, and all ancillary site development/construction works; (H) Permission is also sought for revisions to attenuation permitted under SDZ20A/0021 as well as connection to water supply, and provision of foul drainage infrastructure; this application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory

Instrument No. 604 of 2015; an Environmental Impact Assessment Report accompanies this planning application; the application applies for 7-year planning permission for development at this site of c. 17 .02 hectares (on two parcels of land to include entrance area) within the townlands of Cappagh, Clonburris Little & Kishoge, Co. Dublin all on wider lands bounded generally by undeveloped lands and the Dublin-Cork railway line to the north, undeveloped lands and the Grand Canal to the south, the R113 {Fonthill Road) to the east and the R136 to the west (Planning ref. SDZ21A/0022).

3.5.1.2.2 Clonburris Infrastructure

10 year permission for roads and drainage infrastructure works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) to form part of the public roads and drainage networks providing access and services for the future development of the southern half of the overall Strategic Development Zone (SDZ) lands; the roads infrastructure works are for the construction of c. 4.0km of a new road, known as Clonburris Southern Link Street, generally consisting of 7m wide single carriageway, plus on either side of the carriageway landscaped verges, 1.75m wide off-road cycle tracks and 2m wide footpath including public lighting, trees, 288 on-street car parking spaces (including 26 disabled parking spaces), pedestrian crossings, bus stops, a number of vehicular access spurs to facilitate future development of adjoining lands, a total of 8 new junctions (including 3 junctions to facilitate future road developments within the SDZ; 2 junctions with proposed local access roads and 3 new junctions with Hayden's Lane, Lynch's Lane and Ninth Lock Road) and alterations to 4 existing junctions on Newcastle Road (R120), Grange Castle Road (R136), Fonthill Road (R113) and also to the existing access road to Park and Ride facilities at both Kishoge Station and at Fonthill Station; alterations to the existing public roads Newcastle Road (R120), Hayden's Lane Access Road, Hayden's Lane, Lynch's Lane, Grange Castle Road (R136), Fonthill Road (R113) and Ninth Lock Road arising from new junctions with the Clonburris Southern Link Street consisting of reconfiguration of a c.165m long section of Newcastle Road (R120) including road widening and revisions to layout of junction with Hayden's Lane Access Road; incorporation of Hayden's Lane Access Road into proposed Clonburris Southern Link Street; provision of new junction with Hayden's Lane and Clonburris Southern Link Street; incorporation of a c. 26m long section of Lynch's Lane into proposed Southern Link Street and provision of a new junction with Clonburris Southern Link Street; reconfiguration of a c. 260m long section of Grange Castle Road, including road widening and replacement of existing roundabout with signalised junction; reconfiguration of a c. 250m long section of Fonthill Road, including road widening and replacement of existing roundabout with signalised junction; reconfiguration of a c.125m long section on Ninth Lock Road including road widening and provision of a new junction with Clonburris Southern Link Street; construction of 2 local access roads, consisting of c. 110m long road extending north from Clonburris Southern Link Street and providing access to proposed foul pumping station and generally consisting of a 6m wide single carriageway plus on either side of the carriageway 2m wide footpath including public lighting , 2 set-down parking spaces and vehicular access to proposed foul water pumping station; north/south Link Street (c. 240m in length) extending north from southern Link Street to the Kildare-Cork railway line and generally consisting of a 7m wide single carriageway plus on either side of the carriageway 1.3m wide landscaped verge, 1.75m wide off-road cycle lane, 2m wide footpath including public lighting and 2 vehicular access spurs to facilitate future development of adjoining lands; the drainage infrastructure works include 8 attenuation systems (with outfalls to Griffeen River, Kilmahuddrick Stream and existing storm sewers) including 4 ponds , 2 modular underground storage systems and 2 detention basins combined with modular underground storage systems all adjacent to proposed Clonburris Southern Link Street; surface water drainage culverts to existing watercourses; flood water compensation area adjacent to Griffeen River; surface water drainage and water supply trunk infrastructure within proposed road corridors; wastewater infrastructure including a foul pumping station and pipe network within proposed road corridors to facilitate drainage connections to future wastewater drainage infrastructure within the adjoining SDZ lands (including future Irish Water pumping station) and to connect to the existing sewer network in Cappaghmore housing estate; ducting for public electrical services and utilities and the diversion of existing utilities is provided for within the proposed road corridor; Permission is also sought for all ancillary site and development and landscape works associated with the development including hard and soft landscaping, boundary treatments, road markings and signage, enabling works and temporary construction works (including site accommodation, site compounds and temporary boundary fencing);

the application is made in accordance with Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Zone Planning Scheme Area as defined by Statutory Instrument No. 604 of 2015; an Environmental Impact Assessment Report accompanies the application. (Planning ref. SDZ20A/0021).

3.5.1.2.3 SDZ22A/0010 (Lands to the east)

On the 4th of July 2022, Kelland Homes Ltd. applied for a proposed development within the SDZ on a 6.3Ha site within the townland of Cappagh, Dublin 22. The proposed development is located to the west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road).

The proposed development consists of the construction of 294 no. dwellings, creche and retail / commercial unit, which are comprised of 118 no. 2, 3 and 4-bedroom, 2 storey semi-detached and terraced houses, 104 no. 2 and 3-bedroom duplex units accommodated in 10 no. 3-storey buildings, 72 no. 1 and 2-bedroom apartments in 2 no. 4 and 6 storey buildings, 1 no. 2-storey creche and 1 no. 2-storey retail /commercial unit. The proposed development also provides for all associated site development works above and below ground, public & communal open spaces, hard & soft landscaping and boundary treatments, surface car parking (401 no. spaces), bicycle parking (797 no. spaces), bin & bicycle storage, public lighting, plant (M&E), utility services & 4 no. ESB sub-stations.

The application is currently under consideration by South Dublin County Council. On the 29th of August 2022 the Planning Authority requested additional information.

3.5.1.2.4 SD228/0001 Part 8 Development (Canal Extension Area)

On the 13th of June 2022, South Dublin County Council approved a Part 8 residential development comprising 118 residential units made up of houses, duplexes, triplexes, an apartment building, landscape works, total site area approx. 2.5 ha at Bawnogue Road/Ashwood Drive, Clonburris, Clondalkin, Dublin 22.

3.5.1.2.5 Part 8 Development (Kishogue Southwest)

The development of a Social, Affordable Rental and Affordable Purchase Housing project consisting of 263 new homes, new community facilities, three landscaped open spaces and associated site works was approved at the Council meeting held on the 11th of July 2022 on a site located on lands within Clonburris SDZ, primarily in the subsector known as Kishogue Southwest which is located on Lynches Lane to the West of the R136 Outer Ring Road.

3.5.1.2.6 Other Small-Scale Developments

The majority of other granted or pending planning applications in the immediate vicinity of the proposed development site are related to the provision and/or alteration of one-off housing or amenity developments:

- Wastewater pumping station comprising of (a) below ground 24-hour emergency storage tank; (b) below ground inlet, wet well, flow meter and valve chambers; (c) control and welfare building with green roof and 2 odour control units; (d) boundary wall, fencing, entrance gate and landscaping; (e) site drainage system including a swale; (f) all associated ancillary and enabling works including hardstanding and access, located within the Clonburris Strategic Development Zone. (Planning ref. SDZ21A/0006)
- Internal separation of the house and associated granny flat to provide for 2 permanent houses and extension of rear garden. Part of the development site is located within the Clonburris Strategic Development Zone. (Planning ref. SDZ22A/0004)

- Retention of construction of: (1) single storey extension to front; (2) single storey kitchen/dining room extension to side and rear of dwelling and associated site works.(Planning ref. SD18B/0460)
- Single storey extension to front and rear; conversion of garage to habitable room and a first-floor extension on the side. (Planning ref. SD18B/0475)
- Ground floor garage conversion & porch extension with lean-to roof; first floor extension to side (above existing flat roof) with extended main hipped roof & new roof windows to side and rear; two off street car parking spaces and associated site works. (Planning ref. SD18B/0507)
- First floor extension to side over converted garage, with projecting bay window to rear; ground floor extension to front incorporating porch and extended living and play rooms; attic conversion to utility/storage incorporating 'Velux' type rooflights to all aspects with solar panels to rear; external insulation to all elevations; demolition of garden shed replacing with new shed; all associated site works and drainage. (Planning ref. SD19B/0207)
- Attic conversion with dormer window to rear consisting of wet room and sensory playroom area for family use and all associated site works. (Planning ref. SD18B/0393)
- 59sq.m single-storey extension to the side and rear of existing dwelling. (Planning ref. SD18B/0260)
- Single storey extension at side. (Planning ref. SD20B/0420)
- Removal of single storey outbuilding to side of dwelling and construction of new single storey extension (36.68sq.m) to front and side of dwelling and associated site works. (planning ref. SD18B/0094)
- Retention of a single storey extension to rear and existing storey garage to front side and rear; erect a first floor extension to front side and rear above existing garage and all ancillary site works. (Planning ref. SD20B/0010)
- Two storey side extension to existing two storey semi-detached house, permission to widen the existing vehicular entrance and all associated site works. (Planning ref. SD18B/0267)
- Permission to sub-divide site; construct a two storey family home to incorporate existing garage and extend over portion of the living room of the existing dwelling house, also a new entrance to front of site, opening a new pedestrian side access and all necessary and ancillary site works and services to side of existing house. (Planning ref. SD18A/0252)

The proposed development has been assessed and designed for:

I. Minimising Traffic impacts
II. Energy saving measures
III. Managing Drainage, Wastewater and Storm water
IV. Landscape and Visual effects
V. Environmental impacts and mitigation measures
VI. Minimising Ecological impacts (EcIA) and Appropriate Assessment Screening Report to ensure no significant impacts on European Sites.

The findings of these reports in terms of a cumulation of the proposed development with existing development and whether it would be likely to have significant effects on the environment are summarised as follows:

The Traffic and Transport Assessment (TTA), prepared by DBFL Consulting outlines site access via the Clonburris Southern Link Street (CSLS). The TTA identified f the local network's existing transport conditions and vehicle movement characteristics. The proposed Clonburris residential development lies within the Clonburris SDZ. The SDZ is well connected to both the local and national road network with a number of key corridors found close by.

The CSLS was granted planning permission in 2021 and will provide a connection between the proposed development site and the R113 road as well as the wider SDZ area. The new CSLS road will consist of 4.0km of new road generally in the form of a 7m wide single carriageway with 1.75m wide off-road cycle tracks, 2m wide footpaths and public lighting. It will include 8 no. new junctions and alterations to 4 no. existing junctions, in addition it will provide a number of vehicular access spurs to facilitate future development of adjoining lands

The Clonburris SDZ Planning Scheme (May 2019) outlines a number of proposed new roads throughout the SDZ lands that are aimed at maximising connectivity between residential and commercial areas within the scheme as well as providing residents with links to public transport interchanges. The provision of the street network across the SDZ lands has been identified as a six-year roads objective within the South Dublin County Development Plan 2022-2028.

The proposed development has also been designed with consideration to cycling networks and public transport connections. The subject site lies within the 'Dublin Mid-West' sector of the National Transport Authorities (NTA) proposed cycle network. A number of cycle routes are already operational in the vicinity of the proposed site. Bus and rail connections are also located in close proximity to the proposed development site.

All transport proposals for the proposed development have been influenced by up to date key guidance documents which have a common theme of placing emphasis on the importance of travel demand management and the promotion of sustainable travel patterns.

The TTA concludes that it is considered that the impact on the surrounding road network, as a result of the proposed development on the surrounding road network will be minimal. This is based on the anticipated levels of traffic generated by the proposed development, the existing and future road infrastructure and the information and analysis summarised in the above report. The proposals represent a sustainable and viable approach to development on the subject lands and there are no significant traffic or transportation related reasons that should prevent the granting of planning permission for the proposed residential development.

A Construction Traffic Management Plan (CTMP) will be prepared for the works by the main contractor prior to the inception of the construction phase. The CTMP shall be prepared in accordance with the relevant principles and will comply at all times with the requirements of the Department of Transport Traffic Signs Manual 2010 – Chapter 8 Temporary Traffic Measures and Signs for Roadworks, Department of Transport Guidance for the Control and Management of Traffic at Road Works (2010) and any additional requirements detailed in the Design Manual for Roads and Bridges (DMRB) & Design Manual for Urban Roads & Streets (DMURS).

In general, the impact of the construction period will be temporary in nature and less significant than the operational stage of the proposed development (HGV vehicle movements not expected to exceed 5 vehicles per hour during the busiest period of construction works).

This plan will be prepared in consultation with SDCC and submitted for approval in order to agree on traffic management and monitoring measures which are outlined in Section 3.6 below.

The principal objective of the CTMP is to ensure that the impacts of all building activities generated during the construction of the proposed development upon both the public (off-site) and internal (on-site) workers environments, are fully considered and proactively managed/programmed respecting key stakeholders thereby ensuring that both the public's and construction workers safety is maintained at all time, disruptions minimised and undertaken within a controlled hazard free/minimised environment.

The Mobility Management Plan (MMP) and Parking Strategy, compiled by DBFL Consultants, was prepared to guide the delivery and management of a package of integrated initiatives which seek to encourage sustainable travel practices at the proposed residential development at Clonburris. It outlines

measures to reduce the number and length of car trips whilst promoting more sustainable modes of travel in relation to the proposed development.

The MMP for the proposed site has been prepared in line with relevant guidance and policy such as the National Sustainable Mobility Plan, Greater Dublin Area Transport Strategy 2016-2035, South Dublin County Development Plan 2022-2028 and the Clonburris Planning Scheme 2019.

The proposed development is located in close proximity to existing cycle, bus and rail links. Future transport facilities will potentially comprise of the CSLS, cycling routes such as Primary Route SO5, Secondary Route SO5a, Secondary Route SO6, Secondary Route SO8 and Route N10 Grand Canal Greenway. Additional bus routes are also proposed for the area under the BusConnects initiative which was launched by the National Transport Authority.

It is considered that an appropriate aim of the MMP would be to reduce the level of single occupancy car trips from the subject site and promote the utilisation of sustainable modes of travel. The key target of this MMP will therefore be to reduce single occupancy car based employment trips from approx. 53% (as per existing trends in the local area) to 38% over the development build-out period (up to the 2029 Future Design Year). This equates to a 15% overall reduction in single occupancy vehicle trips.

The Building Life Cycle Report makes allowances for energy efficiency and carbon emissions associated with the operational phase of the proposed development. All dwellings will have a proposed Building Energy Rating (BER) of A2 or higher. Such a rating will equate to the emission of 25-50mwh/m2/yr with CO2 emissions circa 10kgCO2/m2 year. Air tightness, thermal bridging and the provision of energy efficient appliances will also ensure that emissions are kept to a minimum. The report goes on to state that the following low-energy technologies are being considered for the development; condensing boilers, demand controlled mechanical ventilation, PV solar panels and air source heat pumps.

The Building Life Cycle Report goes on to further state that all proposed buildings are designed in accordance with the Building Regulations, in particular Part D 'Materials and Workmanship', which includes all elements of the construction. The Design Principles and Specification are applied to both the apartment units and the common parts of the building and specific measures taken will include high level material specification, landscape, waste management and health and well-being.

An Energy Statement has been prepared by Waterman Moylan in relation to the proposed development. The report identifies the energy standards with which the proposed development will have to comply and also sets out the overall strategy that will be adopted to achieve these energy efficiency targets. The dwellings will be required to minimise overall energy use and to incorporate an adequate proportion of renewable energy in accordance with Building Regulations Part L 2021, Conservation of Energy & Fuel (hereinafter referred to as Part L 2021).

All new dwellings will have a portion of their annual energy demand provided by renewable energy sources. This can be thermal energy such as solar thermal collection, biomass boilers or heat pumps or it can be electrical energy as generated by photovoltaic solar panels or wind turbines.

In order to achieve Part L compliance it is anticipated that appropriate u-value standards, air tightness standards and thermal bridging standards will be met. Centralised mechanical ventilation systems will be installed to ensure adequate ventilation rates are achieved in the dwelling which maximising the benefits of the airtight construction. The proposed dwellings will be heated by air source heat pumps which will meet NZEB requirements.

The Infrastructure Design Report states that the proposed site will benefit from trunk surface water infrastructure proposed as part of the Clonburris Infrastructure Development (CSLS) for which planning was granted in 2021. This strategic infrastructure aligns with and allows for a treatment train of SUDs measures within the site.

It is intended that the stormwater run-off generated from the proposed development will be collected in a new gravity sewer and discharged to the regional attenuation systems constructed as part of the CSLS. The regional attenuation systems will consist of modular underground storage with over ground detention basins. Outflow from each attenuation structure within the SDZ limit flow to a rate of 3.1 l/s/ha as detailed in the Surface Water Management Plan (SWMP) for the SDZ.

The proposed development site has been coordinated with the Clonburris CSLS application and therefore no significant alterations are proposed to the layout or design of the surface water infrastructure. Minor modifications to the footprints of the attenuation areas are proposed as part of this application however the general arrangement and attenuation volumes are to be maintained as per those permitted as part of the CSLS application.

Sustainable Urban Drainage Systems (SUDs) Principles will be implemented at the proposed development site with regards to site drainage measures. SUDs features included in the site design include permeable paving, bioretention areas, swales and SUDs tree pits.

Foul water generated at the proposed development site will benefit from foul water infrastructure proposed as part of the CSLS. As the lands at the site are relatively flat, the pumping of wastewater will be required. It is proposed that the wastewater generated from the proposed houses and apartments will be collected by new gravity sewers that will discharge to the trunk sewer within the new Link Road. This in turn will discharge to a future Irish Water pumping station (Currently at planning application stage with SDCC) adjacent to the R113 Fonthill Road. This proposed pumping station and its rising main connection to the existing 9B trunk sewer on Fonthill Road is being delivered by Irish Water as part of the Irish Water Clonburris Local Infrastructure Housing Activation Fund (LIHAF) Scheme.

Surface water management for the proposed development is designed to comply with the Greater Dublin Strategic Drainage Study (GDSDS) policies and guidelines and the requirements of South Dublin County Council. These guidelines follow four main criteria which encompass: River Water Quality Protection, River Regime Protection, Level of Service (flooding) for the site and River Flood Protection.

The Air Quality Report prepared by Byrne Environmental for the proposed development assessed potential air quality impacts during the construction and operational phase.

Whilst there is a potential for negative impacts to occur during the construction phase, these would be appropriately mitigated against by the implementation of control measures outlined in the Air Quality report and other supporting technical documents.

The operational phase of the proposed development also has the potential to result in a slight negative impact for the lifetime of the development on local air quality primarily as a result of the requirements of new buildings to be heated and with the increased traffic movements associated with the development. Such potential emissions and impacts on existing and future climate will be counteracted by the design of the houses and apartments which will incorporate a number of sustainable heating and energy saving features.

The sustainable features that are incorporated into the design of all residential units will ensure that the operational phase of the development will not have an adverse impact on human health, local air quality or on local or global climate patterns. The residential units will be designed to ensure that they can withstand the potential changes in climate which may generate more extreme and prolonged meteorological events in the future.

The Landscape Visual Impact Assessment Report compiled by Cunnane, Stratton and Reynolds states that the landscape sensitivity of the receiving environment is classified as 'Low' and that the magnitude of change as a result of the proposed development is 'Medium'.

During construction there will be a change to the landscape and there will be adverse visual impacts for residents and visitors to the areas adjacent to the site associated with construction activity.

The remedial measures proposed revolve around the implementation of appropriate site management procedures such as the control of site lighting, storage of materials, placement of compounds, delivery of materials, car parking, etc. Visual impact during the construction phase will be mitigated somewhat through appropriate site management measures.

The proposed development contributes to desired placemaking and transformation of unused resources to sustainable residential communities while the expected changes to the suburban skyline are considered beneficial and supportive for the consolidation of this area in South Dublin.

The scheme incorporates best practice design in urban and place-making composition in terms of architecture, layout, public realm, hard and soft landscape including extensive tree planting. This results in a scheme designed to integrate and contribute benignly, albeit prominently in places, to the changing landscape and visual amenity of the receiving environment. Key mitigation measures will include urban framework and scheme layout reflecting SDZ requirements, architectural and elevational treatments and street, public open space and associated tree planting in the public realm, softening, framing and integrating buildings into an evolving new urban landscape.

The Appropriate Assessment Report findings in terms of a cumulation of the proposed works with existing development and whether it would be likely to have a significant effect on the environment are summarised as follows:

The Appropriate Assessment Screening Report states that following the detailed assessment provided in the preceding sections, it is concluded that no pathway for effect on European Sites associated with the proposed development exist, and therefore it cannot contribute to any cumulative effects on European sites when considered in combination with other plans and projects.

No significant effects as a result of the Proposed Development in relation to disturbance, displacement or mortality of QI or SCI species has been identified. Therefore, there is no potential for the Proposed Development to contribute to any cumulative effect in this regard.

In the review of the projects and plans that was undertaken, no connection that could potentially result in additional or cumulative impacts was identified. Neither was any potential for different (new) impacts resulting from the combination of the various projects and plans in association with the Proposed Development.

The EcIA concluded that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the wider areas.

The Proposed Development will not result in any significant residual effects on biodiversity and will not contribute to any cumulative effect when considered in combination with other plans and projects. In the review of the projects and plans that was undertaken, no connection that could potentially result in additional or cumulative impacts was identified. Neither was any potential for different (new) impacts resulting from the combination of the various projects and plans in association with the Proposed Development

3.5.1.3 Nature of any Associated Demolition Works

No demolition works will be required at the proposed development area as the site is primarily comprised of greenfield and existing hedgerows.

The initial excavation works, and hedgerow removal will be carried out as part of site enabling works and will be completed over a very short period of time. Hedgerow removal will be carried out by a competent contractor and disposed of appropriately. These works will be carried out using mechanical

excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant due to the temporary duration of the works. The management of waste material generated by the proposed site enabling works is outlined in Section 3.5.1.5 below.

3.5.1.4 Use of Natural Resources

The use of natural resources are considered in particular land, soil, water and biodiversity.

The consideration of land as a natural resource can be viewed from the perspective of the current land and the proposed land use in terms of density, sustainable development and achieving the maximum potential of this resource. The proposed application site extends to 3.45 ha. The lands are currently comprised of existing agricultural field, including areas of grassland and hedgerows.

The site bounds the Kildare railway line immediately to the north. As the description suggests the current land use is not for intensive agricultural purpose with no cattle grazing being carried out for several years at the site so agricultural gain therefore is not considered.

As regards the proposed land use, density, sustainable development and achieving the maximum potential of this land resource Section 3.5.1.1 above already alludes to the fact that the proposal has an appropriate density in line with the Clonburris Planning Scheme 2019. This is further detailed in the Planning Report prepared by John Spain Associates. The proposed development will also assist South Dublin County Council in meeting its commitment to provide for residential development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods

The proposed development will require the excavation, temporary storage and reuse of soil materials in backfilling, site reinstatement and landscaping. Given the previous green field land use and on-site observations, it is expected to be inert soil and subsoils which will be excavated and reused where possible but if removed from site will be taken to licensed facility.

The use of water resources at the proposed development will be restricted to anticipated domestic consumption. The site will be supplied by a newly installed public watermain which will be managed by Irish Water and will be subject to appropriate consents and agreements being in place and confirmation of the ability of this utility to provide adequate supply. The new water main will consist of a 400mm diameter pipe running adjacent to the recently granted CSLS development adjacent to the proposed development site. As the proposed development is purely residential, there is no industrial or commercial processes associated with the proposed development that will have a high volume of water consumption. There is also no proposal for any direct discharge to watercourses or any waterbodies within or adjacent to the site of the proposed development. The site will benefit from the foul infrastructure proposed as part of the adjacent CSLS development. Trunk foul sewer network has been designed as part of the CSLS to serve the subject site based on the average net density for catchment. As the land is relatively flat, foul water from the proposed development will be pumped from the site through new gravity sewers that will then connect to the proposed CSLS trunk foul sewer. Foul water will then flow for treatment at Ringsend Wastewater Treatment Plant prior to followed by discharge to the Irish Sea.

The proposed development is also considered in term of other natural resources including raw materials such as stone and aggregates and general building materials. The Cairn Homes Technical Guide has outlined the materials which will be utilised during the construction phase of the proposed development will comply with the Construction Products Regulation (CPR) guidelines. Good quality new materials and equipment fit for their respective purposes will be utilised. The volume of stone and aggregates required to construct the proposed development is modest in respect of the volume that is extracted from a permitted supply quarry over the course of a year or its lifetime.

The Building Life Cycle Report outlines that consideration will be given to the requirements of the Building Regulations and includes reference to BS 7543:2015, 'Guide to Durability of Buildings and Building elements, Products and Components', which provides guidance on the durability, design life and predicted service life of buildings and their parts. The benefits of considering the above will ensure that the long-term durability and maintenance of Materials is an integral part of the Design and Specification of the proposed development. The property management company will have a number of key responsibilities, one being the compiling of the service charge budget for the development for agreement with the Owners Management Company (OMC).

This service charge budget will include an allowance for a Sinking Fund and this allowance is determined following the review of the Building Investment Fund (BIF) report prepared for the OMC. The BIF report once adopted by the OMC, determines an adequate estimated annual cost provision requirement based on the needs of the development over a 30-year cycle period. The BIF report will identify those works which are necessary to maintain, repair, and enhance the premises over the 30-year life cycle period, as required by the Multi Unit Development Act 2011.

The proposed development has been the subject of an Ecological Impact Assessment (EcIA) which summarised the potential impact associated with the development and concluded that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the Site or the wider area.

The potential residual impacts on ecological receptors will not be significant and no potential for the proposed development to contribute to any cumulative impacts on biodiversity when considered in-combination with other plans and projects was identified.

Provided that the development is constructed in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale.

3.5.1.5 Production of Waste

The production of waste from the proposed development during its construction phase including the proposal for the management of this waste material is outlined in the Resource and Waste Management Plan (RWMP) which has been prepared by Byrne Environmental. Table 4 of the RWMP provides quantities for the Reuse/Recovery, Recycle and Disposal of waste materials. The RWMP goes on to further state that an overall recycling target of 85% will be implemented at the site. Any successes and failures will be recorded, and action plans will be developed to address any issues which may arise. Proposals for the management of waste generated during the construction phase are outlined in detail in the accompanying RWMP, some of which are listed below:

- It is proposed that from the outset of construction activities, a dedicated and secure compound containing bins, and skips, and storage areas, into which all waste materials generated by construction site activities, will be established within the active construction phase of the development site.
- Spill kits shall be located within the site compound with clearly labelled instructions on how they shall be used to clean up fuel/oil spills.
- All vehicle and plant oils and liquid construction materials shall be stored in secure impermeable storage units.
- All diesel-powered generators shall be inspected on at least a weekly basis by a delegate of the project manager to ensure it is not leaking diesel or oils.
- All empty containers containing residual quantities of oils, greases and hydrocarbon based liquids shall be stored in a dedicated, clearly labelled impermeable container.
- In order to ensure that the construction contractor correctly segregate waste materials, it is the responsibility of the site construction manager to ensure all staff are informed by means of clear signage and verbal instruction and made responsible for ensuring site housekeeping and the proper segregation of construction waste materials.

- It will be the responsibility of the Resource and Waste Manager (RWM) to ensure that a written record of all quantities and natures of wastes exported off-site are maintained on-site in a Waste File at the Project office.
- Prior to the commencement of the Project, the RWM shall identify a permitted Waste Contractor(s) who shall be engaged to collect and dispose of all inert and hazardous wastes arising from the project works.

The management of waste during the operational phase will be in line with the Cairn Homes Technical Guide which outlines proposals for waste storage infrastructure which are as follows:

- The refuse strategy should be based on each resident removing their refuse from their apartment and placing it in a communal bin located in a refuse store. Communal bins will be moved to collection locations by the management company.
- Bin storage areas should be easily accessible for the dwellings that they serve. For larger developments it may be necessary to provide several bin storage areas to ensure an adequate distribution across the site.
- Bin stores should be located external to the building, not on residential levels or principle facades.
- Bin stores should be adequately ventilated by natural means. The location of communal bin storage areas should have regard to the impact of noise and smell on the occupants of neighbouring properties
- Bin stores to have secure access.
- Passage of waste containers from store to collection point should avoid steps.
- Doors to be designed in such a way as to prevent swinging if left open.
- All bin stores to have a bib tap and a floor gully to enable washdown.

An Operational Waste Management Plan prepared by Byrne Environmental for the proposed development outlines in detail how waste recycling targets will be achieved at the site, waste storage facilities within the site and anticipated generated waste type and quantities. It is anticipated that the proposed development will generate 26.39m^3 of waste per week.

The waste produced by the proposed development during its operational phase will be confined to the residential waste stream. A development of this nature will generate a waste stream and quantity consistent with any residential development of this scale.

3.5.1.6 Pollution and Nuisances

The examination of the developments potential to cause pollution and nuisance is considered in terms water, air, noise and waste is considered as follows.

Pollution associated with waste is addressed in Section 3.5.1.5 above which summarise the proposals for the management and control of waste during both construction and operation.

For the potential of water pollution, the Infrastructure Design Report prepared for the proposed development has provided information on the drainage design for the management of surface water, storm water and foul water through a new drainage network which will benefit from the development of the CSLS project and its associated drainage infrastructure. Site specific drainage measures to be installed include swales, permeable paving, bioretention areas, SUDs tree pits and green roofs.

The management of surface water during the operational phase will also be aided by the development of a high quality Sustainable Urban Drainage System (SUDS) integrated within public realm and public open space where feasible, to provide high quality and attractive 'green and blue' corridors, features and focal points with the SDZ landscape, which can also enhance local amenity, ecology and biodiversity.

The CEMP, RWMP and other relevant documents listed in Section 3.5.3 which have been prepared sets out proposals for the management of surface waters which include site management measures which will be put in place to avoid release of potential pollutants into nearby surface water networks or groundwaters at the site during the construction phase.

The management of surface water run-off during the construction phase will also be carried out in accordance with the CIRIA C698 publication Site Handbook for the Construction of SUDS.

The potential for pollution associated with air and noise are described in the characteristics for potential impacts in Section 3.5.3.1 below. The management of water is also described further in that section.

3.5.1.7 Risk of Major Accidents including those caused by Climate Change

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 is considered as follows. The risk of major accidents associated with a development of this type and scale that are considered are accidents associated with traffic, plant and machinery, contact with underground services and general construction activities.

The Construction Traffic Management Plan which will be prepared prior to the commencement of works by the main contractor will ensure that both the publics and construction workers safety is maintained at all time, disruptions minimised and undertaken within a controlled hazard free / minimised environment.

Other measures such as construction traffic speed limits, road cleaning, vehicle cleaning and covering of materials in transit (if necessary) have also been proposed to avoid the deposition of debris on the public roads and the potential for causing an accident.

A Mobility Management Plan (MMP) has been developed for the proposed development. The primary aim of the MMP is to encourage all construction personnel to utilise the available sustainable travel options when travelling to/from the subject site. The MMP also aims to encourage the use of sustainable modes of transport during the operational phase also. Measures proposed to encourage use of public transport are outlined in detail within the MMP report itself which is submitted with this application.

The project design and in particular, five key junctions were analysed within the TTA. The TTA concluded that three of the five junctions will operate under capacity. TRANSYT analysis found that Junction 2 would operate over capacity for both the Do Nothing and Do Something scenarios. Junction 3 will operate within capacity for all design years and scenarios.

The proposed development will result in no increase in Degree of Saturation at either junction 2 or junction 3 during the 2039 AM peak hour. The development will result in a minimal increase during the PM peak hour of just 2% at junction 2 and 4% at junction 3.

3.5.1.8 Risk to Human Health

The proposed development is not considered to be the type of development that can pose a risk a to human health by causing environmental impacts such as water contamination or air pollution. The development is being proposed to provide residential units which will be constructed in accordance with mitigation set out for the management of surface waters which includes site management measures which will be put in place to avoid release of potential pollutants into the existing site network or groundwaters at the site within the CEMP. The proposed development during its construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact associated with emissions from this plant is not significant and will be short-term in nature.

A development of this type during it operational phase is not considered as a development which will have significant emissions like that of an industrial or commercial operation with the site emissions confined to that of wastewater and storm water into a controlled network for appropriate treatment. Potential impacts on air quality during the operational phase are mitigated against by proposals outlined within the Air Quality Report.

The Building Life Cycle Report prepared for the proposed development sets out considerations for health and well-being of future residents which have been adopted by the project design which include provision of natural day light, adequate accessibility, security, private open space and natural amenity.

The Energy Statement also outlines how the proposed dwellings will be required to minimise overall energy use and to incorporate an adequate proportion of renewable energy in accordance with Building Regulations Part L 2021, Conservation of Energy & Fuel (hereinafter referred to as Part L 2021). This will be achieved by meeting the appropriate air tightness and U-value standards and the installation of air source heat pumps. This in turn would help achieve improvements in air quality by moving away from conventional construction and heating methods for developments of this nature.

The potential risk to human health during the construction phase both to site operatives and the general will be assessed and controlled within the Health and Safety Plan which will be prepared prior to the inception of construction works.

3.5.2 Location of the Proposed Development

The location of the proposed development is considered for determining whether the proposed development would be likely to have significant effects on the environment in the sections below in accordance with Schedule 7 of the regulations.

3.5.2.1 Existing and Approved Land Use

It has been established that the current land use is primarily in the form of low intensity agricultural practices. The Ecological Impact Assessment (EcIA) shows that the value of habitats and key sensitive receptors is low and has concluded that the development will not result in any significant effects on the biodiversity flora and fauna of the existing environment.

The proposed development will result in the construction on land designated as 'Development Area CSW3' in the Clonburris SDZ- Planning Scheme May 2019.

3.5.2.2 Abundance, Availability, Quality and Regenerative Capacity of Natural Resources

The site of the proposed development is not a recognised source of natural resources in terms of extractable materials with the exception of soils and subsoils. Soils material will be both excavated and used as part of site reinstatement. The RWMP outlines that the development will include the excavation of approximately 10,409 m^3 of soil and stone, associated with the general site clearance and excavation relating to the bulk dig and installation of housing sub-structures and general civil engineering works. It is intended to reuse approximately 9.909 m3 of this excavated material to landscape areas within the site boundary. The remaining 500 m3 will be disposed of by an appropriately licensed contractor.

In addition, the only other natural resource which require consideration in the area is groundwater. The works associated with the proposed development have the potential for pollution to impact of groundwater through accidental hydrocarbon contamination of the area by fuel spillages or oil leaks for example with the use and presence of fuels on site. The CEMP, RWMP and other supporting documents outlines the necessary fuel management mitigation for the project which includes appropriate bunding of fuels, spill kits and drip trays.

The potential for impact during the operational phase is much reduced as there will be no such fuel burning plant and equipment on site thereafter. The site will also have areas of impermeable surfaces most notably in access roads and parking areas on which vehicle will travel. The Infrastructure Design Report states that all surface water and stormwater generated onsite will be collected in a new gravity sewer and discharged to the adjacent regional attenuation systems which will be constructed as part of the previously granted CSLS.

3.5.2.3 Absorption Capacity of the Natural Environment

Schedule 7(2)(c) considers the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;

There are no open watercourses on the site. Therefore, there are no riparian areas or river mouths on site.

The EcIA prepared for the proposed development comprehensively reviewed the following development plans:

- South Dublin County Council Development Plan 2022-2028
- Dublin City Council Development Plan 2016 - 2022
- Draft Dublin City Council Development Plan 2022-2028
- Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019-2031 (RSES)
- National Biodiversity Action Plan 2017-2021

The review focused on policies and objectives that relate to designated sites for nature conservation, biodiversity and protected species. Policies and objectives relating to the conservation of peatlands and sustainable land use were also reviewed, particularly where the policies relate to the preservation of surface water quality.

(ii) coastal zones and the marine environment;

The site is located in west Dublin; therefore, it is not located in a coastal zone or marine environment. All foul water generated at the proposed development will be discharged via a new connection to new foul water infrastructure which will be developed as part of the previously granted CSLS development. Due to the topography of the site being relatively flat, foulwater will be pumped to the new sewer line via a pumping station before travelling on for treatment at an appropriately licensed (EPA) Wastewater Treatment Plant.

(iii) mountain and forest areas;

The proposed development site is not located in mountain and forest areas.

(iv) nature reserves and parks;

The proposed development site is not located in a nature reserves or park.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive;

The potential for impact on European sites has been fully assessed in the Appropriate Assessment Screening Report (AASR) and the EcIA that have been prepared in support of the current application.

The following European Sites are within 15km of the proposed development and thus their connectivity and whether they were within the Likely Zone of Impact was assessed:

- Rye Water Valley/Carton SAC [001398]
- Glenasmole Valley SAC (Site Code: 001209)
- Wicklow Mountains SAC [002122]
- South Dublin Bay SAC [000210]
- Wicklow Mountains SPA [004040]
- South Dublin Bay and River Tolka Estuary SPA
- North Dublin Bay SAC [000206
- North Bull Island SPA [004006]

The assessment found that all of the above Natura 2000 sites are *outside* the Likely Zone of Impact and no further assessment is required.

The Appropriate Assessment Screening Report concludes the following:

Following an examination, analysis and evaluation of the relevant data and information set out within this Screening Report, it can be concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Given that no potential pathway for significant effects on European Sites has been identified, there is no requirement for Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

The Ecological Impact Assessment Report prepared by MKO for the proposed development states that any loss or impact on habitat will be compensated during the operational phase by proposed measures such as the biodiversity benefits in terms of plant species variety and biodiversity generally. The landscaping plan includes for the creation of two main open green spaces within the T3 site; this includes a portion of the linear park (0.72ha). The creation of a local park has already been permitted as part of the Tile (Phase 1a) development. In addition, planting proposals are aimed at gaining the maximum possible benefit for biodiversity and pollinators in accordance with the All-Ireland Pollinator Plan, and the proposal includes for additional tree and shrub planting throughout the scheme and for biodiverse green roofs on buildings. Therefore, the proposed development will actually enhance the biodiversity value of the site during the operational phase.

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

The site of the proposed development is primarily in a state of greenfield. There has been no previous development at the proposed site.

The only activity that has occurred at the site in recent times is low level agricultural grazing which in itself does not appear to have been an intensive use of the landholding therefore the potential for previous failures to meet environmental quality standards is low.

(vii) densely populated areas;

The proposed development site is located in the greater urban area of Dublin and forms part of the Clonburris Character Area CSW-3 within the Clonburris Planning Scheme.

Dublin City Centre is located approximately 10.2km to the north-east. The surrounding area is currently comprised of greenfield sites. Industrial, commercial and residential properties are located in the wider locality.

Whilst there may potentially be some noise impacts on neighbouring sensitive receptors as a result of the proposed construction works, such impacts will be short term and imperceptible and will be further mitigated against by the measures outlined in the accompanying CEMP prepared by DBFL Consultants for the proposed development.

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

The Archaeological Impact Assessment for the proposed development prepared by Irish Archaeological Consultancy (IAC) Ltd states that there is one archaeological monument site within the confines of the proposed development site. It should be noted that It should be noted that this site does not possess any upstanding remains and is not visible at ground level. There are no further archaeological sites within 250m of the proposed development area.

A geophysical survey was conducted within the proposed development area in June 2022. The investigation revealed several potential features of archaeological significance, including what may be the remains of a small, sub-circular enclosure at the approximate location of recorded enclosure DU017-036.

In order to mitigate against potential impacts on known or undiscovered archaeological sites or monuments, a programme of archaeological testing will be carried out across the proposed development site prior to any development works. IAC Archaeology are currently awaiting a licence for the works from the Department of Housing, Local Government and Heritage.

3.5.3 Characteristics of Potential Impacts

The examination of whether the proposed development would be likely to have significant effects on the environment in relation to criteria set out in Section 3.5.1 and 3.5.2 with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report have been taken into account in the sections below.

3.5.3.1 Population and Human Health

Magnitude and Spatial Extent of the Impact

Potential impacts include changes to population and impacts on human health receptors in the vicinity of the site, in particular during the construction phase. The magnitude and scale of the proposed development is significantly below the appropriate EIA threshold for residential developments and development in an urban setting. It comprises the development of an additional 157 residential units within an area zoned for the development.

Nature of the Impact

The proposed development will have a positive impact on local population by providing new residential units along with communal and private open space. The application site is located within the boundary of the Clonburris Planning Scheme 2019. The Planning Scheme, as adopted, is in accordance with strategic planning policy and guidelines and it follows that any planning application which is in

compliance with the Clonburris Planning Scheme, is in compliance with strategic planning policy and guidelines.

Clonburris is identified on the south-west strategic corridor within the Dublin Metropolitan Area Strategic Plan (MASP), and the consolidation of development along this corridor is an objective of the Regional Spatial and Economic Strategy (RSES).

The development is not considered to be the type of development that can pose a significant risk a to human health. There is the potential for negative impacts associated with the construction phase, but these can be managed using appropriate construction methodologies and mitigation as set out in the CEMP, RWMP and other technical reports.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. There are no transboundary impacts for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact population and human health will not change significantly. The positive effect as outlined in the Nature of the Impact section above will be imperceptible provided that development is constructed in line with project design. The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant negative effects on the environment or impacts on population and human health is considered unlikely. This conclusion is based on the scale of the development, its location and the nature of the potential impacts identified in this section and the design measures incorporated into the project and the proposed mitigation measures

Expected Onset, Duration, Frequency and Reversibility of the Impact

The potential negative effects associated with the construction phase will be short-term. There are no negative effects anticipated within the operational phase on human health. The positive effects identified that the proposed development could have on population within the operational phase will be permanent.

Cumulation of the Impact

Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing and permitted development is unlikely.

Possibility of Effectively Reducing the Impact

Best practice and mitigation to reduce potential negative impacts has been set out in the various documents prepared as part of this application.

The CEMP prepared by DBFL Consulting Engineers comprehensively outlines mitigation measures to reduce the potential for impacts with relation to water, soils and geology, ecology, noise and vibration, air quality and climate and landscape. Some of these mitigation measures are listed below:

- Measures shall be implemented to capture and treat sediment laden surface water runoff (e.g. sediment retention ponds, surface water inlet protection, fencing and signage around specific exclusion zones and earth bunding adjacent to open drainage ditches) prior to discharge of surface water at a controlled rate.
- Groundwater pumped from excavations shall be directed to on-site settlement ponds.
- Discharge from any vehicle wheel wash areas shall be directed to on-site settlement ponds
- The duration that bedrock layers are exposed to the effects of weather shall be minimized by back filling excavations as soon as practicable after construction of the drainage and pumping station.
- In order to mitigate against spillages contaminating underlying soils and geology, all oils, fuels, paints and other chemicals shall be stored in a secure bunded hardstand area.
- Refuelling and servicing of construction machinery shall take place in a designated hardstand area which is also remote from any surface water inlets (when not possible to carry out such activities off site)
- Pouring of concrete including wash down and washout of concrete from delivery vehicles shall be controlled in an appropriate facility to prevent contamination.
- All waste material will be stored in skips or other suitable receptacles in a designated area of the site
- Left over materials (e.g. timber off-cuts) shall be re-used on site where possible
- Monitoring of dust deposition levels (via the Bergerhoff method) shall take place at a number of locations at the site boundary of the proposed development to ensure that dust nuisance is not occurring at nearby sensitive receptors.

Further control measures are also outlined in the accompanying Air Quality Report and RWMP which were prepared by Byrne Environmental. Some of these measures are as follows:

- Avoid unnecessary vehicle movements and manoeuvring, and limit speeds on site so as to minimise the generation of airborne dust
- Fine Aggregates will be transported to and from the site in covered trucks
- All plant not in operation shall be turned off and idling engines shall not be permitted for excessive periods.
- A programme of air quality monitoring shall be implemented at the site boundaries for the duration of construction phase activities to ensure that the air quality standards relating to dust deposition and PM10 are not exceeded. Where levels exceed specified air quality limit values, dust generating activities shall immediately cease and alternative working methods shall be implemented.
- It is proposed that from the outset of construction activities, a dedicated and secure compound containing bins, and skips, and storage areas, into which all waste materials generated by construction site activities, will be established within the active construction phase of the development site.
- All diesel-powered generators shall be inspected on at least a weekly basis by a delegate of the project manager to ensure it is not leaking diesel or oils.

The full list of appropriate mitigation measures can be found in the reports listed above.

3.5.3.2 Biodiversity

Magnitude and Spatial Extent of the Impact

The Article 6(3) Appropriate Assessment Screening Report (AASR) prepared as part of this application identified that the proposed development does not have the potential to result on significant effects on the following European Sites:

- Rye Water Valley/Carton SAC [001398]
- Glenasmole Valley SAC (Site Code: 001209)
- Wicklow Mountains SAC [002122]
- South Dublin Bay SAC [000210]
- Wicklow Mountains SPA [004040]
- South Dublin Bay and River Tolka Estuary SPA
- North Dublin Bay SAC [000206]
- North Bull Island SPA [004006]

The above sites and their potential to be impacted by the development were assessed based on their connectivity and proximity to the site.

The AASR concluded that following an examination, analysis and evaluation of the relevant data and information set out within this Screening Report, it can be concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Given that no potential pathway for significant effects on European Sites has been identified, there is no requirement for Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

The Ecological Impact Assessment Report concludes that provided the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographical scale.

The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5 .

Nature of the Impact

Impacts on flora and fauna are addressed in the Ecological Impact Assessment Report which describes the nature of the potential negative impacts. These relate to construction impacts and operational phase impacts. Impacts on biodiversity associated with the construction phase of the proposed development are anticipated to be negative. This will be due to the loss of habitat such as hedgerow as a result of site clearance works. Impacts during the operational phase are anticipated to be neutral

With respect to potential impacts on European Sites, the AASR concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

The Bat Assessment Report outlined that there is the potential for negative effects on local bat populations as a result of the proposed development. A number of measures are provided to mitigate against such impacts.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. There are no transboundary impacts for consideration.

The AASR concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. Standard construction techniques are proposed. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact biodiversity will not change significantly. The proposed development will not result in a significant effects on the environment provided the project design and mitigation measures are implemented.

The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant effects on the environment or impacts on biodiversity is unlikely. This conclusion is based on the value of the receptors, the scale, location and nature of the project, the design proposals which have been incorporated into the project design and the proposed mitigation measures. The Ecological Impact Assessment concludes that provided the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographical scale.

The AASR concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with the construction phase will be permanent (habitat loss). The impacts associated with the operational phase will be long-term. However, it has been concluded that the proposed development will not result in a significant effects on the environment provided the project design and mitigation measures are implemented.

Cumulation of the Impact

The EcIA and the AASR has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

The Construction Environmental Management Plan (CEMP) outlines the following measures are to be implemented during the construction phase in order to mitigate risks to flora and fauna:

- Ensure that invasive species (e.g. Japanese Knotweed) are treated appropriately (consult specialist invasive species contractor for suitable methods dependent upon the species) and avoid spreading these species during any works/activities.

As the AASR concluded that there would be no impact on European sites as a result of the proposed development, no specific mitigation measures with regards to biodiversity were outlined. However, a number of measures to compensate for the loss of habitat during the construction phase will be implemented at the site during the operational phase.

Such measures are outlined in the accompanying Landscaping Plan which includes for the creation of two main open green spaces within the T3 site; this includes the Local Park space (0.52ha) and a portion of the linear park (0.72ha), totalling 1.24ha. In addition, planting proposals are aimed at gaining the maximum possible benefit for biodiversity and pollinators in accordance with the All-Ireland Pollinator Plan, and the proposal includes for additional tree and shrub planting throughout the scheme and for biodiverse green roofs on buildings. The landscape design includes the creation of new habitats along the railway ecological corridor. The existing ditch will be retained and protected with a chestnut paling fence. New hedgerow planting provide shelter for insects and birds and wildflower meadows offer food for insects. Bat and bird boxes fixed to larger trees offer housing.

The Landscaping Plan also specifies the planting of tree lined avenues throughout the site which will result in a significant increase in overall tree cover within the site. In addition to the tree lined avenue bisecting the proposed scheme, extensive additional tree planting will take place within green space areas and throughout the scheme. These amenity tree areas will be a mixture of semi-mature native trees and adopted species. All tree and shrub cover at the northern and eastern site boundaries will be retained. The northern Retained trees along the site boundary of the site will be protected during construction in full accordance with BS:5837 (Trees in Relation to Construction).

An Arboricultural Report carried out by Tree File Ltd assessed the proposed development sites existing tree population within its current context. Along with their potential for sustainable retention in the post development or operational phase. The report included a Tree Protection Plan which illustrates the requisite conservation and protection measures necessary to maintain tree sustainability.

Due to the potential of negative impacts on local bat populations as a result of the proposed development, a number of mitigation measures are outlined within the accompanying Bat Assessment Report. Some of these mitigation measures are as follows:

- Lighting Plan – It is important that any proposed lighting for the proposed residential development is wildlife friendly and that there is a provision for continued dark zones to facilitate movement of light sensitive bat species such as brown long-eared bats and Natterer's bats.
- No lighting, where possible , should be erected in the Grand Canal Park, other park areas or along the adjacent greenway.
- It is recommended that a native hedgerow with individual trees (Alder, Birch, Crab apple, Rowan etc.) is planted along the western boundary linked in with the current landscaping measures. This additional planting will act as a buffer zone to ensure that there is dark zone along the specified boundaries.
- Supplementary roosts - It is recommended that a bat box scheme should be erected within the landscaping plan for the proposed development. This is in the form of three rocket bat boxes to be erected within the boundary habitats and parks.
- Monitoring is recommended post-construction works

The Landscape Plan also outlines in detail a number of measures which will benefit local bat populations.

3.5.3.3 Land, Soil, Water, Air and Climate

Magnitude and Spatial Extent of the Impact

The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5 above and at the end of this section.

Nature of the Impact

The proposed development site within the application is 3.45 ha in size. The lands comprise an existing agricultural field, including areas of scrub and hedgerows. The site will be excavated as part of the construction works with some disruption to soils and subsoils during the works. It is proposed to reinstate the site on completion of construction which will include landscape works. A development of this nature will not have any operational impact on land and soils as the general use of the land as a residential amenity is not of a project class that has the potential to have significant effects on land and soils. Therefore, impacts during the operational phase are anticipated to be not imperceptible and neutral.

There is potential for negative impacts during the construction phase as a result of excavation works. Surface waters and groundwaters may be impacted by the proposed construction works through run off of silt laden surface or pollution events associated with hydrocarbon spillages. Appropriate mitigation has been proposed to block pathways to the sensitive receptors. These measures are outlined in the CEMP and other accompanying technical reports.

The construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is not significant and will be short-term in nature.

For the operational phase, the proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change.

In addition, the Building Lifecycle Report states that low energy technologies such as heat pumps, low energy appliances and PV solar panels are being considered in order to achieve a minimum of A2 Building Energy Rating (BER) rating.

The Energy Statement prepared by Waterman Moylan Consulting Engineers for the proposed development also outlines the regulatory requirements with which the development will have to comply while identifying a number of technologies and design approaches that may be utilised to achieve compliance. Measures such as Exceeding minimum U-Value standards by 20% to 30%, Achieving air tightness standards of 3m3 /m2 /hr and the installation of air source heat pumps to meet NZEB requirement will all reduce the proposed developments potential for impacts on air and climate.

Transboundary Nature of the Impact

The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. The only transboundary impacts

for consideration are the wastewaters which will leave the site. All foul water will be discharged to the public sewer and will be treated at Ringsend Wastewater Treatment Plant.

There are no transboundary impacts associated with land, soils and air & climate for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact land, soil, water and air & climate will not change significantly. There will be a negative, impact on land, soil, water, air & climate during the construction phase. The impact will be imperceptible provided the project design and mitigation measures are implemented.

The negative effect as outlined in the Nature of the Impact section above will be imperceptible provided that the control measures outlined in the CEMP and other accompanying documents are implemented at the site.

Probability of the Impact

The probability for significant effects on the environment or impacts on land, soil, water and air & climate is unlikely. This conclusion is based on the value of the sensitive receptors, the scale, nature and location of the project, the project design proposals incorporated into the project design and the proposed mitigation measures.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with the construction phase will be short-term. Imperceptible impacts during the operational phase are anticipated to be long term in nature. However, it has been concluded that the proposed development will not result in a significant effects on the environment provided the project design and mitigation measures are implemented.

Cumulation of the Impact

Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

Mitigation measures to reduce the likelihood of negative impacts on land, soil, water, air and climate during both the construction and operational phase have been outlined in the CEMP and other accompanying reports. Some of these measures are outlined below.

- In order to mitigate against spillages contaminating underlying soils and geology, all oils, fuels, paints and other chemicals shall be stored in a secure bunded hardstand area
- Refuelling and servicing of construction machinery shall take place in a designated hardstand area which is also remote from any surface water inlets (when not possible to carry out such activities off site).
- An Emergency Response Plan detailing the procedures to be undertaken in the event of a spillage of chemical, fuel or hazardous wastes will be prepared prior to construction.
- Pouring of concrete including wash down and washout of concrete from delivery vehicles shall be controlled in an appropriate facility to prevent contamination.
- Regular samples shall be taken from soils affected by earthworks which shall be analysed for contamination

- Concrete batching will take place off site, wash down and wash out of concrete trucks will take place off site and any excess concrete is not to be disposed of on site
- Pumped concrete will be monitored to ensure there is no accidental discharge
- Mixer washings are not to be discharged into surface water drains
- Discharge from any vehicle wheel wash areas is to be directed to on-site settlement ponds, debris and sediment captured by vehicle wheel washes are to be disposed offsite at a licensed facility

The primary air quality impact during the construction phase relates to potential nuisance dust emissions. Dust suppression measures will be put in place to minimise potential impact of dust generated from the works and these include:

- The Contractor shall prepare a dust minimisation plan which shall be communicated to all site staff
- Hard surface roads will be swept to remove mud and aggregate materials from their surface while any un-surfaced roads will be restricted to essential site traffic
- Any road that has the potential to give rise to fugitive dust must be regularly watered, as appropriate, during dry and/or windy conditions
- Vehicles using site roads will have their speed restricted, and this speed restriction must be enforced rigidly (on any un-surfaced site road, this will be 20 kph and on hard surfaced roads as site management dictates)
- Vehicles delivering material with dust potential (soil, aggregates, imported fill etc.) will be enclosed or covered with tarpaulin at all times to restrict the escape of dust
- Public roads outside the site will be inspected on a daily basis for cleanliness and cleaned as necessary
- Debris, sediment, grit etc. captured by road sweeping vehicles is to be disposed off-site at a licensed facility
- Vehicles exiting the site shall make use of a wheel wash facility where appropriate prior to entering onto public roads
- Material handling systems and site stockpiling of materials will be designed and laid out to minimise exposure to wind. Water misting or sprays will be used as required if particularly dusty activities are necessary during dry or windy periods
- During movement of materials both on and off-site, trucks will be stringently covered with tarpaulin at all times. Before entrance onto public roads, trucks will be adequately inspected to ensure no potential for dust emissions

Monitoring of dust deposition levels (via the Bergerhoff method) shall take place at a number of locations at the site boundary of the proposed development to ensure that dust nuisance is not occurring at nearby sensitive receptors. This monitoring aims to ensure that the dust mitigation measures outlined above remain effective.

The Air Quality Report prepared by Byrne Environmental for the proposed development outlines how elements of the development will be designed to minimise the impact of the operational phase on air quality and climate.

In terms of potential impacts associated with wastewater which will discharge from the site to the newly installed foul water sewer network as part of the adjacent CSLS development, all foul water will be treated at the Ringsend Wastewater Treatment Plant. All foulwater infrastructure installed at the proposed development will be designed in line with Irish Water Code of Practice for Wastewater Infrastructure.

Given that waste will be appropriately treated to EPA standards, no potential for significant effects on water quality exists as results of wastewater generated by the proposed development.

3.5.3.4 Material Assets, Cultural Heritage and the Landscape

Magnitude and Spatial Extent of the Impact

The proposed development will be confined to the extents of the 3.45ha site with some off-site works associated with services connections and infrastructural improvements. The magnitude and scale of the proposed development is below the appropriate EIA threshold for residential developments and development in an urban setting. The proposed development and whether it would be likely to have significant effects on the environment through cumulation with other existing developments is considered in Section 3.5

Nature of the Impact

Material assets as considered as regards existing services and utilities which may be negatively impacted by the proposed development.

The works and in particular, the bulk excavation works have the potential to come into contact and impact previously unidentified underground services should they exist.

The same can be said for archaeological features that have previously been undetected. There is a registered archaeological monument present within the confines of the site boundary. Material assets are also considered in terms of traffic management and impacts associated with the proposed development and the existing and proposed road network. There will be a potential negative impact on material assets, cultural heritage and the landscape during the construction phase. However, these potential impacts will be mitigated against by the mitigation measures outlined in the accompanying Archaeological Assessment, RWMP, Building Lifecycle Report, Landscape Masterplan and Design Report.

There will be a neutral, impact on material assets, cultural heritage and the landscape during the operational phase.

The nature of impact associated with Landscape is considered in terms of the magnitude of change imposed on the landscape with reference to its key elements, features and characteristics (also known as 'landscape receptors') combined with the sensitivity of the landscape to determine the landscape effect.

Transboundary Nature of the Impact

There are no transboundary impacts associated with material assets, cultural heritage and the landscape for consideration.

Intensity and Complexity of the Impact

There are no intense or complex impacts associated with this residential development. The character/quality of any of the environmental factors discussed in this section of the EIA Screening Report having the potential to impact material assets, cultural heritage and landscape will not change significantly. The impact will be imperceptible provided the project design and mitigation measures are implemented.

Probability of the Impact

The probability for significant effects on the environment or impacts on material assets, cultural heritage and landscape is unlikely. This conclusion is based on the value of the sensitive receptors, the scale, nature and location of the project, the project design proposals incorporated into the project design and the proposed mitigation measures.

Expected Onset, Duration, Frequency and Reversibility of the Impact

The impacts associated with material assets and cultural heritage during the construction phase will be short-term. There are no significant impacts anticipated with material assets and cultural heritage during the operational phase.

The impacts on landscape during the construction phase will be short-term. The impacts on landscape in the operational phase will be permanent however, the landscape effects are localised and will not be evident in the wider landscape.

Cumulation of the Impact

The technical reports and Section 3.5.1.2 above has concluded that significant environmental effects from a cumulation of the proposed development with existing development is unlikely.

Possibility of Effectively Reducing the Impact

Mitigation to reduce the impact on material assets, cultural heritage and landscape has been set out in the various documents prepared as part of this application as listed in Section 1. It is summarised here as follows:

Traffic Management proposals have been set out in the accompanying Construction Environmental Management Plan and will be further outlined in the associated Construction Traffic Management Plan which will be prepared by the main contractor prior to the inception of work. These measures are in relation to traffic generated by proposed construction activities, working times and HGV movements.

The Mobility Management Plan prepared by DBFL comprehensively outlines measures which will benefit the residents and will also help to mitigate any transport impacts of the development on the wider local community. The identified preliminary action plan promotes a total of 70 initiatives across 6 sub strategy themes.

The Landscape Masterplan compiled by Cunnane, Stratton and Reynolds outlines areas of wildflower meadow planting and native hedgerow and tree planting which will be carried out at the site. The planting of hedgerows, meadows and trees will help structure and visually soften the environment around the proposed buildings.

The CSR Landscape Design Statement states that the proposed T3 application creates a distinctive and intimate scaled residential area within the SDZ planning area. The scheme achieves density, infrastructure and parking and retains the north boundary as an ecological buffer zone, yet still provides the space for amenity, trees and greenery – a social and private residential area.

Mitigation to reduce the impact on potential cultural heritage sites has been outlined in the accompanying Archaeological Impact Assessment prepared by IAC. This report states that ground disturbances associated with the overall development may have adverse impacts on small or isolated archaeological remains across the remaining portion of the proposed development area. In order to mitigate against potential impacts on archaeological remains at the site, the report outlines that mitigation in the form of an archaeological testing programme be carried out across the proposed development area.

If any features of archaeological potential are discovered during the course of testing, further archaeological mitigation may be required, such as preservation in situ or by record and/or archaeological monitoring. Any further mitigation will require approval from the National Monuments Service of the Department of Housing, Local Government and Heritage (DoHLGH). It should be noted that IAC Archaeology are currently awaiting a license for archaeological testing works from the DoHLGH.

3.5.3.5 Interactions

The preceding sections examine the proposed development and whether it would be likely to have significant effects on the environment in relation to criteria set out in Section 3.5.1 and 3.5.2 with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report have been taken into account in the sections below. This section examines the interaction between those factors and whether the proposed development would be likely to have significant effects on the environment arising from these interactions.

The various anticipated interactions are summarised as follows:

- Population and Human Health,
    - Air and Climate, Land, Soils and Geology, Water, Material Assets and Landscape
- Biodiversity,
    - Land, Soils and Geology, Water, Air and Climate and Landscape
- Land, Soils and Geology,
    - Water, Cultural Heritage and Landscape
- Air and Climate
    - Material Assets
- Landscape
    - Cultural Heritage

The examination of these factors above individually concluded that significant effects on the environment was unlikely.

Where any potential interactive negative impacts have been identified in the above, appropriate mitigation measures has already been included in the various documents as part of this application as listed in Section 1. These mitigation measures are summarised briefly here as follows;

- Interactions between Population and Human Health and Air & Climate have been mitigated in the CEMP, RWMP and Air Quality Report.
- Interactions between Population and Human Health and Water have been mitigated in the CEMP and RWMP through measures provided for the management of fuels and hydrocarbons on site during construction. During operation, a detail drainage design for wastewater and surface water management has been provided within the Infrastructure Report.
- Interactions between Population and Human Health and Landscape have been mitigated in the Landscape Masterplan and Landscape Design Statement which included proposals to introduce tree planting along with other measures which will soften the appearance of the buildings.
- Interactions between Biodiversity and Land, Soils and Geology Assets have been mitigated in the CEMP and RWMP through soil and earthworks management and proposals to minimise where possible along with material waste management and site reinstatement proposals
- Interactions between Biodiversity and Water have been mitigated in the CEMP through measures provided for the management of fuels and hydrocarbons on site

during construction. During operation, a detail drainage design for wastewater and surface water management has been provided.

- Interactions between Biodiversity and Air & Climate have been mitigated in the CEMP and Air Quality Report through measures provided for the management of dust from construction works.
- Interactions between Biodiversity and Landscape have been mitigated in the Landscape Masterplan and Landscape Design Statement which outlines how trees, hedgerows and meadows will be planted. This will aid to soften the appearance of the buildings.
- Interactions between Land, Soils and Geology and Water have been mitigated in the CEMP through measures provided for the management of soil & groundwater and surface water. During operation, a detail drainage design for wastewater and surface water management has been provided within the accompanying Infrastructure Design Report.
- Interactions between Land, Soils and Geology and Cultural Heritage. Mitigation has been provided in the Archaeological Impact Assessment which states that, due to potential adverse impacts on archaeological remains at the site, a programme of archaeological testing should be carried out prior to construction works commencing.
- Interactions between Land, Soils and Geology and Landscape have been mitigated in the CEMP and RWMP through soil and earthworks management and proposals to minimise where possible along with material waste management and site reinstatement proposals
- Interactions between Air & Climate and Material Assets
- Interactions between Landscape and Cultural. Mitigation has been provided in the Archaeological Impact Assessment which states that, due to potential adverse impacts on archaeological remains at the site, a programme of archaeological testing should be carried out prior to construction works commencing.

3.5.4 Summary of Schedule 7 Criteria Examination

This section has examined the proposed development and whether it would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7 of the Regulations. It has considered the scale, location and nature of the proposed development as well as the results of the technical reports, the design proposals and the proposed mitigation measures proposed to control emissions and reduce energy and resource consumption.

The characteristics and scale of the proposed development have been described and assessed in line with Schedule 7 Paragraph 1 of the Regulations. It concluded that:

- Site Area, Density & Building Heights with the proposed development are consistent and in line with relevant guidance, planning schemes and development plans.
- Significant environmental effects from a cumulation of the proposed development with existing development is unlikely based on the review of the relevant technical reports, the project design decisions and the proposed mitigation measures which effectively reduces the potential for cumulative effects.
- The use or potential impact on natural resources, in particular land, soil, water and biodiversity is assessed above and found that potential impact will be imperceptible and mitigated through site reinstatement
- A RWMP has been prepared which has set a target of 85% for reuse, recycle and recovery as part of waste management, which is greater than the national target of 70% and the current achievement of 68% by the Irish waste industry
- A drainage design and Infrastructure Design Report for the proposed development outlines the management of surface water and storm water through the public networks for subsequent treatment at a wastewater treatment facility. The CEMP

which has been prepared sets out proposals for the management of surface waters which include site management measures during construction.

- The Mobility Management Plan prepared for the proposed development comprehensively outlines measures which will benefit the residents and will also help to mitigate any transport impacts of the development on the wider local community.
- The risk to human health has been mitigated by adequate drainage design proposals, traffic management and health and safety procedures for the construction phase.

The Mobility Management Plan comprehensively outlines measures which will benefit the residents and will also help to mitigate any transport impacts of the development on the wider local community. The identified preliminary action plan promotes a total of 70 initiatives across 6 sub strategy themes.

The location of the proposed development have been examined in line with Schedule 7 Paragraph 2 of the Regulations. It is concluded that:

- The proposed development will result in the construction on land within the development area CSW-S3 / T3 as defined within the Clonburris SDZ Planning Scheme 2019.
- The proposed development seeks to provide a good mix of high-quality dwellings, which meet the requirements of the Clonburris SDZ Planning Scheme 2019 and the market. The mix of dwelling types have been designed to ensure that the scheme caters for a wide range of choices and demographics including starter homes for young professionals and families, older people trading down etc
- All surface water generated onsite will benefit from the granted development of the CSLS drainage infrastructure as outlined in the accompanying Infrastructure Design Report.
- There are no open watercourses on the site. Therefore, there are no riparian areas or river mouths on site.
- Foul water from the proposed development will be discharged to the sewer line which will be constructed as part of the adjacent CSLS works. This water will then flow to Ringsend Wastewater Treatment Plant for treatment followed by discharge to the Irish Sea.
- It can be objectively concluded that the proposed development, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site
- An examination of the planning history of the site did not identify an enforcement proceedings from the local authority with regards planning consent or failures to meet environmental quality standards.
- The proposed development site is located within the southwest corridor of the MASP and the consolidation of development along this corridor is an objective of the RSES.

The nature and characteristics of potential impacts from the proposed development have been examined in line with Schedule 7 Paragraph 3 of the Regulations. It is concluded that:

- The impacts on Population and Human Health associated with the construction phase will be imperceptible and short-term. There are no impacts anticipated with the operational phase.
- The impacts on Biodiversity associated with the construction phase will be imperceptible and long term. The operational phase impacts will be neutral and long term.
- The impacts on Land, Soil, Water, Air and Climate associated with the construction phase will be imperceptible and short-term. It is anticipated that there will be a neutral and long term impact during the operational phase of the proposed development.

- The impacts on Material Assets, Cultural Heritage and the Landscape associated with the construction phase will be not significant and short-term. There are no impacts anticipated with the operational phase on Cultural heritage. The impacts on material assets and landscape will be permanent but not significant.

Based on the findings of the examination above and the summary of conclusions that have been presented and the anticipated short-term duration of construction phase impacts, it is concluded that the proposed development is not considered likely to have significant effects on the environment.

There is no real likelihood of significant environmental effects either alone or in cumulation with other existing and permitted projects associated with the proposed development.

3.6 Schedule 7A Sub-threshold Criteria

The Planning and Development Regulations 2001 (as amended) under Article 103 outlines that where a where a planning application for sub-threshold development is not accompanied by an EIAR, the planning authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development. Where the planning authority concludes, based on that preliminary examination of the proposed development, that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment it shall, by notice in writing served on the applicant, require the applicant to submit to the authority the information specified in Schedule 7A for the purposes of a screening determination unless the applicant has already provided such information.

For the avoidance of doubt, the information specified in Schedule 7A of the Regulations is provided in this section. In addition, any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment is also provided.

3.6.1 Description of the Proposed Development

Schedule 7a, Paragraph 1 requires:

A description of the proposed development, including in particular–

(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

The proposed development will comprise the construction of 157 residential units and all associated infrastructure on a 3.45ha site. The assessment for EIA under the appropriate threshold for residential developments and development in an urban setting in Section 3.3 above demonstrate that the project is well the below the threshold sets in the Regulations.

No demolition works are required at the site of the proposed development.

The location of the development relative to areas of environmental sensitivity are examined in Section 3.5.2.3 above. In summary it has been concluded that the proposed development is compliance with the objectives of the listed plans that relate to ecologically important features.

The potential for impact on European sites has been fully assessed in the Appropriate Assessment Screening Report (AASR) prepared in support of the current application. The AASR concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development,

individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Given that no potential pathway for significant effects on European Sites has been identified, there is no requirement for Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

3.6.2 Aspects of the Environment likely to be Significantly Affected

Schedule 7a, Paragraph 2 requires:

A description of the aspects of the environment likely to be significantly affected by the proposed development.

Section 3.5.3 above describes the aspects of the environment with regard to the impact of the project on the factors specified in section 171A of the Act for the definition of environmental impact assessment report. The findings are summarised in the sections that follow.

Population and Human Health

The proposed development is not considered to be the type of development that can pose a significant risk a to human health. There is the potential for some impacts associated with the construction phase, but these can be managed using appropriate construction methodologies and mitigation as set out in the CEMP, RWMP and Air Quality Report.

Biodiversity

The AASR has concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

The EcIA concludes that where that the proposed development is constructed and operated in accordance with the design and best practice that is described within this application, it is considered that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the Site or the wider area.

Land, Soil, Water, Air and Climate

The site will be excavated as part of the construction works with some disruption to soils and subsoils during the works. It is proposed to reinstate the site on completion of construction which will include landscape works. A development of this nature will not have any operational impact on land and soils as the general use of the land as a residential amenity is not of a project class that has the potential to have significant effects on land and soils.

Surface waters and groundwaters may be impacted by the proposed construction works through run off of silt laden surface or pollution events associated with hydrocarbon spillages. Appropriate mitigation has been proposed to counter this and is outlined in the accompanying CEMP and RWMP.

The construction phase will utilise mechanical excavators and plant. This equipment will potentially use fossil fuels, but the possible impact on air and climate associated with this is imperceptible and will be short-term in nature.

For the operational phase, the proposed development is not a recognised emitter of greenhouse gases with the potential to effect climate change. The proposed housing units will be heated by air to water heat pump systems.

The current building regulations energy loss standards are known as nZEB - near Zero Energy Buildings. The apartments are generally designed in an efficient plan format balancing the ratio between floor area and external wall which allows for an efficient and sustainable layout while also creating an efficient thermal envelope. The apartments will be constructed to building regulation standards delivering a high level of energy efficiency in use in line with Part L's near zero energy target.

Material Assets, Cultural Heritage and the Landscape

The proposed works and in particular, the bulk excavation works have the potential to come into contact and impact previously unidentified underground services should they exist. The same can be said for archaeological features that have previously been undetected. Material assets are also considered in terms of traffic management and impacts associated with the proposed development and the existing road network.

The nature of impact associated with Landscape is considered in terms of the magnitude of change imposed on the landscape with reference to its key elements, features and characteristics (also known as 'landscape receptors') combined with the sensitivity of the landscape to determine the landscape effect.

3.6.3 Description of any Likely Significant Effects

Schedule 7a, Paragraph 3 requires:

A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(a) the expected residues and emissions and the production of waste, where relevant, and

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

Section 3.5.3 above describes the characteristics of the proposed development in terms of emissions, waste production and use of natural resources and concludes on the likelihood of significant effects. The findings are summarised in the sections that follow.

Residues and Emissions

The Infrastructure Design Report (DBFL) prepared as part of this application has provided comprehensive details for the management of surface water and storm water and foul water generated as a result of the proposed developments operational phase. Such waters will be dealt with by the development of the proposed water drainage infrastructure associated with the adjacent CSLS project. Foul water generated from the proposed development will flow to the newly installed sewer line from where it will then travel to Ringsend Wastewater Treatment Plant for treatment before discharge to the Irish Sea. Surface and stormwater generated at the development site will be collected within new gravity sewers and discharged to the regional attenuation systems constructed as part of the adjacent CSLS works.

The CEMP and RWMP sets out measures for the management of surface waters during the operational phase. Site management measures will be put in place to avoid release of potential pollutants into the existing site network or groundwaters at the site. The management of surface water run-off during the construction phase will also be carried out in accordance with the CIRIA C698 publication Site Handbook for the Construction of SUDS as is good practice.

There is no real likelihood of significant environmental effects associated with residues and emissions either alone or in cumulation with other existing and permitted projects associated with the proposed development.

This is based on a review of the project design, the proposed mitigation measures, the location of the site and the environmental receptors.

Production of Waste

Table 4 of the RWMP provides quantities for the Reuse/Recovery, Recycle and Disposal of waste materials. The RWMP sets a target of 85% for reuse, recycle and recovery as part of waste management, which is greater than the national target of 70% and the current achievement of 68% by the Irish waste industry. Proposals for the management of waste during the operational phase have been taken into consideration in the project design, particularly for the apartment units for which provision of bin stores have been included in the design as outlined in the Operational Waste Management Plan. There is no real likelihood of significant environmental effects either alone or in cumulation with other permitted and proposed projects related to the production and management of wastes.

Use of Natural Resources

The proposed application site extends to 3.45 ha. The site is comprised of an agricultural field, including areas of scrub and hedgerows.

As the description suggests the current land use is not for intensive agricultural purpose therefore agricultural gain is not considered. As regards the proposed land use, density, sustainable development and achieving the maximum potential of this land resource Section 3.5.1.1 above already alludes to the fact that the proposal has a net density per hectare within the guidelines listed in the Clonburris Planning Scheme 2019.

The proposed development will require the excavation, temporary storage and reuse of soil materials in backfilling, site reinstatement and landscaping. The RWMP states that given previous green field land use and on-site observations, it is expected to be inert soil and subsoils which will be excavated and reused where possible but if removed from site will be taken to licensed facility. Volumes and types of such wastes are also listed within the RWMP.

The use of water resources at the proposed development will be restricted to anticipated domestic consumption associated with the residential dwellings. The site will be supplied by a public watermain which will be managed by Irish Water. The connection will be subject to appropriate consents and agreements being in place and confirmation of the ability of this utility to provide adequate supply.

The proposed development has been the subject of an Ecological Impact Assessment (EcIA) which summarised the potential impact associated with the development and concluded that;

It is considered that the proposed development will not result in the loss of habitats or species of high ecological significance and will not have any significant effects on the ecology of the wider area.

The potential residual impacts on ecological receptors will not be significant and no potential for the proposed development to contribute to any cumulative impacts on biodiversity when considered in-combination with other plans and projects was identified.

Provided that the development is constructed in accordance with the design and best practice that is described within this application, significant effects on biodiversity are not anticipated at any geographic scale.

3.6.4 Compilation of Paragraphs 1-3

Schedule 7a, Paragraph 4 requires:

The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Sections 3.6.1 – 3.6.3 of this document provides information on the proposed development, the aspects of the environment which are likely to significantly affected by the proposed development and a description of these effects. A summary of the measures set out to mitigate and ensure that the proposed development will not have significant effects on the environment has been provided throughout Sections 3.6.1 – 3.6.3 which is drawn from the information provided in Section 3.5.1 above which was prepared to provide criteria for determining whether a development listed in Part 2 of Schedule 5 (sub-threshold) should be subject to an environmental impact assessment as required by Schedule 7 of the Regulations.

3.6.5 Summary of Schedule 7a Criteria Assessment

This section has examined the proposed development and whether it would be likely to have significant effects on the environment having regards to the criteria set out in Schedule 7a of the Regulations. A compilation of the data presented in Paragraphs 1 – 3 has noted the measures set out to mitigate any significant effects and from this it can be concluded that there will be no significant on the environment arising from the proposed development.

3.7 Other Environmental Assessments

A statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directives has been prepared as part of this EIA Screening to provide the competent authority with the necessary information to reach an appropriate conclusion.

That statement is provided in this section.

3.7.1 European Union Legislation

The following sections outline the various EU Directives (other than the EIA Directive) relevant to this proposed development. It highlights the nature of the assessments carried out in accordance with the said directives. Where individual assessments have influenced the details of the proposed scheme, this is also described below, to show how the results of those assessments have been taken into account.

The Directives examined in this report and considered within the wider application are as follows:

1) *Directive 92/43/EEC, Habitats Directive*
2) *Directives 2009/147/EC Birds and Habitats*
3) *Directive 2000/60/EC, Water Framework Directive;*
4) *Directive 2001/42/EC, SEA Directive;*
5) *Directive 2002/49/EC, Environmental Noise;*
6) *Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe Directive;*
7) *Directive 2007/60/EC, Floods Directive;*
8) *Directive 2010/75/EU Industrial Emissions Directive*
9) *Directive 2012/18/EU Seveso-III Directive*
10) *Directive 2010/31/EU, Directive on the Energy Performance of Buildings*
11) *Directive 2008/98/EC, EU Waste Framework Directive*

12) *Directive 2008/56/EC, Marine Strategy Framework Directive*
13) *Directive 2012/19/EU, Waste Electrical and Electronic Equipment (WEEE) Directive*
14) *Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites*

3.7.1.1 Directive 92/43/EEC, Habitats Directive and Directive 2009/147/EC, Birds Directive

Adopted in 1992, the Habitats Directive (Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) aims to promote the maintenance of biodiversity, taking account of economic, social, cultural and regional requirements. It forms the cornerstone of Europe's nature conservation policy with the Birds Directive and establishes the EU wide Natura 2000 ecological network of protected areas, safeguarded against potentially damaging developments.

There are no European Sites located directly on the subject site. The applicant site is located within approximate proximity to the following designated Natura 2000 sites:

- 6km south of the Rye Water Valley/Carton SAC [001398]
- 8.6km north of the Glenasmole Valley SAC (Site Code: 001209)
- 10.7km north of the Wicklow Mountains SAC [002122]
- 13km east of the South Dublin Bay SAC [000210]
- 12.7km north of the Wicklow Mountains SPA [004040]
- 12.3km west of the South Dublin Bay and River Tolka Estuary SPA
- 15.5km south-west of the North Dublin Bay SAC [000206]
- 15.5km south-west of the North Bull Island SPA [004006]

The Birds Directive (Directive 2009/147/EC on the conservation of wild birds), first adopted by the Member States in 1979, is the European Union's oldest piece of nature legislation.

3.7.1.1.1 *Appropriate Assessment Screening Report*

Article 6.3 of the Habitats Directive 92/43/EEC requires that an Appropriate Assessment (AA) should be carried out where plans or projects are likely to have a significant effect on any European Site. An Appropriate Assessment Screening Report (AASR) has been prepared by MKO and accompanies this application The AASR concludes that following an examination, analysis and evaluation of the relevant data and information set out within this Screening Report, it can be concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development, individually or in combination with other plans and projects, will not have any significant effect on any European Designated Sites.

Given that no potential pathway for significant effects on European Sites has been identified, there is no requirement for Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

3.7.1.1.2 *Bat Assessment*

The application has been accompanied by a Bat Survey Report prepared by Dr Tina Aughney of Bat Eco Services. All Irish bats are protected under European legislation, namely the Habitats Directive (92/43/EEC). All Irish species are listed under Annex IV of the Directive, requiring strict protection for individuals, their breeding sites and resting places. The lesser horseshoe bat (*Rhinolophus hipposideros*) is further listed under Annex II of the Directive, requiring the designation of conservation areas for the species. Under this Directive, Ireland is obliged to maintain the favourable conservation status of Annex-listed species. This Directive has been transposed into Irish law through the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011).

The Bat Survey Report concluded that there were no potential bat roosts within the T3 site boundary, therefore no bat roosts will be directly impacted by the proposed development. The report states the following:

Without bat mitigation measures, the proposed development would have a slight negative impact on local bat populations. These impacts would be in relation to habitat loss and disturbance during the construction phase.

However, the overall proposed Landscape Master Plan for the area will have a positive impact on local bat populations, particularly the large-scale planting proposed, establishment of the Grand Canal Park and Local Park and the retention of the mature treeline along the southern boundary of the proposed development site. The retraction of lighting in the Grand Canal Park will reduce the impact of the proposed development on local bat populations utilising the Grand Canal. The retention of the mature treeline along the boundary of the proposed development and the tow path of the canal will also act as a buffer zone to reduce lighting spillage.

A number of mitigation measures are proposed to reduce the potential impact of the proposed development on local bat populations, to protect local bat populations during proposed works and to conserve local bat populations post residential development. These mitigation measures are outlined in detail in Section 3.5.3.2 above.

The report further concludes that Five bat species were recorded in total by the array of bat surveys completed for this survey site. Three of the bat species recorded were common pipistrelle, Leisler's bat and soprano pipistrelle and these are the three most common bat species in Ireland. The remaining two bat species (Daubenton's bats and brown long-eared bats) are considered to be less common in Ireland but were also recorded in lower activity levels within the proposed development area.

Provided that the extensive landscape mitigation measures proposed and the proposed dark corridor within the Grand Canal Park are implemented, the proposed development will likely have a Not Significant Negative Effects on local bat populations along the Grand Canal. This is an important factor in protecting this linear habitat that is the primary foraging area for local bat populations within the survey area.

3.7.1.1.3 *Birds*

The multi-disciplinary walkover survey was designed to detect the presence, or likely presence, of a range of protected habitats and species. Incidental sighting/observations of birds and additional fauna were noted during the site visit. Surveys were undertaken in accordance with best practice guidance (TII, 2008: Ecological Surveying Techniques for Protected Flora and Fauna during the Planning of National Road Schemes).

A survey for potential habitat and protected bird species was undertaken during the walkover surveys. Following the results of this survey no requirement for more detailed surveys was identified. All the bird species recorded during the survey are common and widespread in the wider area.

3.7.1.2 Directive 2000/60/EC, Water Framework Directive

The Water Framework Directive requires all Member States to protect and improve water quality in all waters to ensure that good ecological status is achieved. It establishes common principles and an overall framework for action in relation to water protection and developed the overall principles and the structure for protection and sustainable use of water in the European Union.

An Ecological Impact Assessment (EcIA) has been prepared by MKO and included with this application for consideration. This EcIA includes a desk-based assessment of water quality in Section 4.7 and states that:

There are no watercourses within or adjacent to the proposed development boundary. The proposed development is situated entirely within the WFD Catchment 09, Liffey and Dublin Bay. The site is located in the sub-catchments Liffey_SC_090.

The Water Framework Directive (WFD) Transitional Waterbody risk score for the section of Liffey and Dublin Bay closest to the development site known as Liffey Estuary Lower Estuary has been assessed as "Intermediate".

The site is located in the groundwater catchment: the Dublin area (IE_EA_G_008). The Water Framework Directive (WFD) Groundwater Monitoring Programme (2013-2018) assigned the groundwater catchment as having 'good' status. The Dublin groundwater catchment has an assigned WFD Ground Waterbody Approved Risk of 'Good'.

The proposed development does not involve any abstraction of groundwater or alteration of drainage patterns. Therefore, the quantitative status (i.e., the available quantity (volume) of groundwater and surface water locally) to the receiving waters will remain unaltered during the construction and operational phase of the proposed development.

There is no direct discharge from the development site to downstream receiving waters. Mitigation for the protection of surface water during the construction and the operational phases of the development will ensure the qualitative status of the receiving waters will not be altered by the proposed development. Such mitigation is outlined in the accompanying CEMP, RWMP, Infrastructure Design Report and Waste Management Plan.

There is also mitigation proposed to protect groundwater quality within the proposed development scheme during the construction and operational phases of the development. These mitigation measures will ensure the qualitative status of the underlying Groundwater Bodies (GWBs) will not be altered by the proposed development. Such mitigation measures are as follows:

- Vehicles will never be left unattended during refuelling. Only dedicated trained and competent personnel will carry out refuelling operations and plant refuelling procedures shall be detailed in the contractor's method statements.
- Fuels, lubricants and hydraulic fluids for equipment used on the site will be carefully handled to avoid spillage, properly secured against unauthorised access or vandalism, and provided with spill containment.
- All fuels, lubricants and hydraulic fluids will be stored at the site compound. The storage area will contain a small bund lined with an impermeable membrane in order to prevent any contamination of the surrounding soils and vegetation.
- Potential impacts caused by spillages etc. during the construction phase will be reduced by keeping spill kits and other appropriate equipment on-site.

There will be no change in the status in the underlying GWBs or downstream SWBs resulting from the proposed development. There will be no change in quantitative (volume) or qualitative (chemical) status, and the underlying GWBs are protected from any potential deterioration from chemical pollution.

Further mitigation measures are outlined in the accompanying NIS which has been prepared for this proposed development.

The proposed development will not prevent the relevant water bodies from achieving Good Status in the future or maintaining it currently.

As such, the proposed development is compliant with the requirements of the Water Framework Directive (2000/60/EC

As described above, this conclusion has been taken into account in reaching the EIA Screening conclusion.

3.7.1.3 Directive 2001/42/EC, SEA Directive

Strategic Environmental Assessment (SEA) is a process for evaluating at the earliest appropriate stage the likely environmental effects of implementing a Plan or other strategic action in order to ensure that environmental considerations are appropriately addressed in the decision-making process, both during the preparation of, and prior to adoption of a Plan.

The European Directive (2001/42/EC) on the Assessment of the Effects of Certain Plans and Programmes on the Environment (the SEA Directive) was transposed into national legislation by the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. 435 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (S.I. 436 2004). The legislation requires that the Plan-making Authority must make available an SEA Statement summarising how the SEA and consultations have been taken into account in the making of the Plan.

The application for the proposed development is accompanied by a Planning Report prepared by John Spain Associates which demonstrates that the details of the proposal are consistent with the relevant objectives of the Clonburris Planning Scheme 2019 and RSES.

3.7.1.4 Directive 2002/49/EC, Environmental Noise

The Environmental Noise Directive is noted to "provide a basis for developing and completing the existing set of Community measures concerning noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery, and for developing additional measures, in the short, medium and long term".
This directive has three objectives, which are:

- The determination of exposure to environmental noise,
- Ensuring that information on environmental noise and its effects is made available to the public and,
- Preventing and reducing environmental noise quality where it is good.

The proposed development was assessed for noise during the operational phase with relation to the adjacent rail line which is located at the northern boundary of the proposed development site. This Acoustic Design Statement was completed by Byrne Environmental.

The assessment concludes that measured rail noise levels when assessed in accordance with the *Professional Guidance on Planning & Noise (ProPG),* indicate that the daytime and night time noise levels are within the Low risk category. In order to mitigate against inward noise and achieve the internal acoustic design criteria specified in *BS 8233:2014*, specific mitigation measures including acoustically rated windows shall be integrated into the design of all building facades fronting towards the Dublin-Cork rail line.

In terms of the construction phase, the proposed development shall be carried out in accordance with the mitigation measures set out in Section 3.5.3 above. As described above, this conclusion has been taken into account in reaching the EIA Screening conclusion.

3.7.1.5 Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe (CAFÉ) Directive

The 2008 CAFE Directive outlines the appropriate measures to be adopted at a local, regional or national level to provide for the attainment of air quality objectives, including:

- Measures to limit transport emissions through traffic planning and management.
- Measures to encourage a shift of transport towards less polluting modes.

Subsequent policies at national, regional and local level including but not limited to the National Planning Framework, Regional Spatial Economic Strategy and South Dublin County Development Plan 2022-2028 , have been prepared in accordance with the Directive and include objectives to encourage a shift towards more sustainable modes of travel.

The proposed development has been designed to accord with these policies and includes measures to encourage sustainable travel and to protect air quality. As outlined in the Mobility Management Plan (MMP), the scheme favours and encourages pedestrians and cyclists, being well laid out and easy to traverse on foot. There are footpaths provided throughout the scheme, with limited requirement to cross the roads internally within the scheme, along with ample pedestrian crossings provided where roads are required to be crossed. The high quality of accessibility of the proposed development by non-car modes of travel is addressed in more detail in the Traffic and Transport Assessment (TTA) and MMP which have both been prepared by DBFL Consulting Engineers for this application.

An Air Quality Report prepared by Byrne Environmental for the proposed development comprehensively outlines design measures to minimise potential impacts of the operational phase on air quality and climate.

No additional assessments of the proposal were deemed to be required in relation to the Clean Air for Europe (CAFE) Directive. The proposed development will be residential in nature and is not expected to produce any significant emissions once operational. The proposed housing units will be heated by air to water heat pumps.

As described above, the outcome of the assessment related to this Directive has been taken into account in reaching the EIA Screening conclusion.

3.7.1.6 Directive 2007/60/EC, Floods Directive

The Floods Directive requires Member States to assess if all water courses and coast lines are at risk from flooding, to map the flood extent and assets and humans at risk in these areas and to take adequate and coordinated measures to reduce this flood risk. The Directive also reinforces the rights of the public to access this information and to participate in the planning process.

As described in the accompanying Infrastructure Design Report, by DBFL a Strategic Flood Risk Assessment was carried out on the Clonburris SDZ lands. The report concluded that the subject site was at low risk of flooding (Flood Zone C) for events up to Q1000 event.

3.7.1.7 Directive 2010/75/EU Industrial Emissions Directive

The Industrial Emissions Directive aims to achieve a high level of protection of human health and the environment taken as a whole by reducing harmful industrial emissions across the EU, in particular through better application of Best Available Techniques (BAT). The Directive implements rules for the prevention or, where this is not practical, the reduction of industrial emissions to air, water, and land and to prevent the generation of waste, in order to achieve a high level of protection.

The Directive is not directly relevant to the proposed housing development, and the proposed development will not directly involve industrial activities under the Directive. Whilst the is the potential for indirect effects from the production and supply of material for the proposed development from industrial operations, it is not likely to have significant effects on the environment given the scale of the development proposed. The fact that the development is not one with triggers the requirement for IE Licensing has informed the EIA Screening conclusions.

3.7.1.8 Directive 2012/18/EU Seveso-III Directive

The Seveso III Directive (2012/18/EU) aims at the prevention of major accidents involving dangerous substances. However, as accidents may nevertheless occur, it also aims at limiting the consequences of such accidents not only for human health but also for the environment.

There are fourteen Upper Tier and twelve Lower Tier Seveso sites in the Dublin City and County area. The closest such site to the proposed development site as outlined in the Notified Seveso Establishments with the Health and Safety Authority to the proposed development is BOC Gases Ireland at Bluebell Industrial Estate which is located approximately 4.33km to the east.

The fact that the development is not one which triggers the requirement for SEVESO considerations has informed the EIA Screening conclusions.

3.7.1.9 Directive 2010/31/EU, Directive on the Energy Performance of Buildings

The Energy Performance of Buildings Directive was revised in 2021 to set the vision to achieve a zero-emission building stock by 2050 in accordance with the Climate Action Plan 2021.

The housing units shall seek to meet the highest standards of sustainable design and construction with regard to the optimum use of sustainable building design criteria such as passive solar principles and also green building materials. All residential units shall be designed and constructed in accordance with The Irish Building Regulations *Technical Guidance Document L – Conservation of Fuel & Energy – Dwellings.*

In order to further reduce potential energy consumption, key design features listed below will be considered in the design process and incorporated into the construction of the residential units:

- Passive solar design including the orientation, location and sizing of windows
- The use of green building materials: low embodied energy & recycled materials
- Energy efficient window units and frames with certified thermal and acoustic insulation properties
- Building envelope air tightness
- Installation of Mechanical Ventilation & Heat Recovery systems in all apartment units which operate by extracting warm air from kitchens and bathrooms, cleaning it and distributing it to other rooms in the unit
- Thermal insulation of walls and roof voids

The energy performance and considerations provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.10 Directive 2008/98/EC, EU Waste Framework Directive

This Waste Framework Directive requires that Member States take the necessary measures to achieve a minimum target of 70% recycling and recovery of non-hazardous materials from the construction and demolition of a development.

Further to this, the RWMP, has been prepared by Byrne Environmental. The RWMP sets out how construction waste during the development of the scheme will be managed, in accordance with the relevant local environmental and EU legislation.

Section 5.0 of the RWMP states that:

The appointed Project Environmental Manager will be responsible for the overall implementation of the RWMP and providing the budget for its implementation and management. The Project Director will ensure that the reporting and recording requirements are met and all necessary resources are in place to support the implementation of the RWMP from Design Stage to Project Completion.

Proposals for the management of waste during the operational phase have been taken into consideration in the project design. Such proposals are outlined in detail in the accompanying Operational Waste Management Plan. The waste management proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.11 Directive 2008/56/EC, Marine Strategy Framework Directive

The Marine Strategy Framework Directive sets out a number of objectives which seek to achieve a transparent and coherent legislative framework, which should contribute to coherence between different policies and foster the integration of environmental concerns into other policies, providing an overall framework for action and enabling action taken to be coordinated, consistent and properly integrated with action under other Community legislation and international agreements.

Paragraph 18 of this directive includes that "this Directive should also support the strong position taken by the Community, in the context of the Convention on Biological Diversity, on halting biodiversity loss, ensuring the conservation and sustainable use of marine biodiversity".

The impact of the water quality has been assessed and considered in relation to this proposed development, as set out in Section 7, Cumulative Effects, of the Appropriate Assessment Screening Report (AASR), which states in the review of plans table that:

No significant effects as a result of the Proposed Development in relation to disturbance, displacement or mortality of QI or SCI species has been identified. Therefore, there is no potential for the Proposed Development to contribute to any cumulative effect in this regard. This has informed the EIA Screening conclusion.

3.7.1.12 Directive 2012/19 EU, Waste Electrical and Electronic Equipment (WEEE) Directive

The WEEE directive sets out a number of objectives aimed at preserving, protecting and improving the quality of the environment, to protect human health and to utilise natural resources prudently and rationally, based on "the precautionary principle and the principles that preventive action should be taken, that environmental damage should, as a priority, be rectified at source and that the polluter should pay".

The Building Life Cycle Report states that the design, separation distances and layout of the apartment blocks have been designed to optimise the ingress of natural daylight/ sunlight to the proposed dwellings to provide good levels of natural light. The benefit is a reduction of reliance on artificial lighting thereby reducing costs. The waste management proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

3.7.1.13 Directive 92/57/EEC Temporary or Mobile Construction Sites

This Directive defines minimum safety and health requirements for temporary or mobile construction sites (i.e. any construction site at which building or civil engineering works are carried out and intends to prevent risks by establishing a chain of responsibility linking all the parties involved).

The proposed development will require the appointment of a Project Supervisor for the Construction Stage (PSCS). The PSCS will be required to provide a Safety and Health Plan for the site. The Safety and Health Plan shall include a site specific risk assessment and appropriate control measures to

mitigate any of the potential hazards identified within that process. The Health & Safety proposals provided in the application and incorporated into the project design have informed the EIA Screening conclusions.

4. CONCLUSIONS AND RECOMMENDATIONS

The proposed residential development is not a type of development for which EIA is mandatory

The relevant legislation requires EIA for a number of classes of project that could potentially relate to the proposed development including:

- Developments which result in an increase in size greater than 25% or an amount equal to 50% of the appropriate threshold
- the construction of more than 500 dwelling units,
- the development of an urban area greater than 20 Hectares

However, the proposed residential development of 157 no. units does not reach or exceed any of the thresholds set within any of these classes.

An EIA Screening exercise was carried out to determine the potential for the proposed development to have significant environmental effects or not in accordance with the provisions of Class 15 of the Regulations for sub-threshold developments. The screening exercise has been completed in this report and the methodology used has been informed by the available guidance, legislation, and directives. This exercise has also been informed by a desk study of the site, Appropriate Assessment Screening Report, Ecological Impact Assessment Report, Planning Report and all other relevant technical reports prepared for the proposed development.

This EIA Screening for the proposed development has taken into account the scale, location and nature of the project along with the types and characteristics of potential impacts on the factors specified for environmental impact assessment as set out in the Act. It can be concluded that the proposed development, due to the considered design of the project and provided all mitigation measures are properly implemented, that there is no real likelihood of significant effects on the environment. The potential impacts associated with a project of this nature are well established and understood by the authors of this EIA Screening Report and the technical reports prepared as part of this application all of whom have provided details of their competency. The impacts are not complex and the proposed mitigation measures are proven and effective. The proposed development site location is not considered to be especially sensitive from an environmental perspective and any potential impacts on identified specific sensitive receptors have been mitigated appropriately. Therefore, an EIA is not required for the proposed development.

Section 3.7 of this document provides a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directives have been taken into account. The statement is supported by the provision of the information specified in Schedule 7A of the Regulations which is set out in Section 3.6

The available results of all relevant assessments that have been prepared have been examined to determine the effects on the environment in accordance with EU legislation (other than the EIA Directives) which have been examined in Section 3.7.1 above. The report also takes into account the available result of other relevant assessments of the effects on the environment carried out pursuant to European Union Legislation other than the Environmental Impact Assessment Directives.

The statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive supports the conclusion in this Environmental Impact Assessment Screening document prepared by MKO that sub-threshold EIA is not required as there is no real likelihood that

there will be **any significant effects on the environment** arising from the proposed development either alone or in cumulation of other projects..

BIBLIOGRAPHY

Byrne Environmental (2022) *Acoustic Design Statement*

Byrne Environmental (2022) *Air Quality Report*

Byrne Environmental (2022) *Resource and Waste Management Plan*

Byrne Environmental (2022) *Operational Waste Management Plan*

Cunnane Stratton Reynolds (2022) *Landscape Strategy and Design Statement*

DBFL Consulting Engineers (2022*) Preliminary Construction and Environmental Management Plan*

DBFL Consulting Engineers (2022*) Mobile Management Plan and Parking Strategy*

DBFL Consulting Engineers (2022*) Infrastructure Design Report*

DBFL Consulting Engineers (2022*) Traffic and Transport Assessment*

DEHLG (2009) *Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. DEHLG, Dublin.*

DoEHLG (2010). *Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government*

EC (2021) *European Communities (Environmental Impact Assessment) Regulations, 1989 to 2001.*

EC (1985) *European Communities (Conservation of Wild Birds) Regulations, 1985, SI 291/1985 & amendments – http://www.irishstatutebook.ie.*

EC (2005) *European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – http://www.irishstatutebook.ie.*

EC (2002) *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.*

EC (2006) *Nature and biodiversity cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg.*

EC (1992) *Directive 92/43/EEC, Habitats Directive*

EC (2009) *Directives 2009/147/EC Birds and Habitats*

EC (2000) *Directive 2000/60/EC, Water Framework Directive;*

EC (2001) *Directive 2001/42/EC, SEA Directive;*

EC (2002) *Directive 2002/49/EC, Environmental Noise;*

EC (2008) *Directive 2008/50/EC, Ambient Air Quality and Cleaner Air for Europe Directive;*

EC (2007) *Directive 2007/60/EC, Floods Directive;*

EC (2010) *Directive 2010/75/EU Industrial Emissions Directive*

EC (2012) *Directive 2012/18/EU Seveso-III Directive*

EC (2010) *Directive 2010/31/EU, Directive on the Energy Performance of Buildings*

EC (2008) *Directive 2008/98/EC, EU Waste Framework Directive*

EC (2008) *Directive 2008/56/EC, Marine Strategy Framework Directive*

EC (2012) *Directive 2012/19/EU, Waste Electrical and Electronic Equipment (WEEE) Directive*

EC (1992) *Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites*

EPA (2002) *Guidelines on the information to be contained in Environmental Impact Statements. Environmental Protection Agency.*

EPA (2003) *Advice Notes on current practice in the preparation of Environmental Impact Statements. Environmental Protection Agency.*

IAC Archaeology (2022) Archaeological Assessment at Tile , Clonburris Strategic Development Zone

McCrossan O Rourke Manning Architects (2022) *Architects Design Statement*

McCrossan O Rourke Manning Architects (2022) *Building Life Cycle Report*

MKO (2022) *Article 6 (3) Appropriate Assessment Screening Report*

MKO (2022) *Ecological Impact Assessment Report*

The Tree File (2022) *Arboricultural Report*

Waterman Moylan Engineering Consultants *(2022) Energy Statement*