

# EIA SCREENING REPORT

FOR A

**LARGE SCALE RESIDENTIAL DEVELOPMENT  
AT TAYLOR'S LANE, BALLYBODEN, DUBLIN 16**

PREPARED BY



ON BEHALF OF

**SHANNON HOMES DUBLIN UNLIMITED COMPANY**

MARCH 2023

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## INTRODUCTION

On behalf of the applicant, Shannon Homes Dublin Unlimited Company, Block 1 Millbank, Lucan, Co. Dublin, this Environmental Impact Assessment (EIA) Screening Statement accompanies an LRD application to South Dublin County Council under Section 32D of the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021 for a proposed Large Scale Residential Development at Taylor's Lane, Ballyboden, Dublin 16, in accordance with the Planning and Development (Amendment) (Large-scale Residential Development) Act 2021.

The Environmental Screening Report has been prepared to assess whether there is a real likelihood of significant effects on the environment arising from the proposed development at the subject site. The proposed development is described as follows:

The development will consist of the demolition of the existing former Institutional buildings and associated outbuildings (c.5,231 sq.m) and construction of a new residential development comprising 402 no. apartments (39 no. 1 beds, 302 no. 2 beds and 61 no. 3 beds) within 3 no. blocks ranging in height from 2 to 5 storeys over basement/ lower ground floor. All residential units will be provided with associated private balconies/terraces to the north/ south/ east/ west elevations. The development will include the following:

- Block A up to 5 storeys over basement/ lower ground floor providing 118 no. units.
- Block B up to 5 storeys over basement providing 123 no. units.
- Block C up to 5 storeys over basement/ lower ground floor providing 161 no. units.

The development will also include a creche (c.656 sq.m) and 2 no. retail units (c.262 sq.m and c.97 sq.m) all located within Block A, along with c.322 sq.m of internal residential communal space located in Block C. The development will include the provision of a new public park in the north of the site along Taylor's Lane.

The development will include 290 no. car parking spaces and 1,054 no. cycle parking spaces provided at basement/surface level. The development will include for a revised vehicular access from Edmondstown Road and an emergency vehicular access from Taylor's Lane along with pedestrian/cyclist accesses to/from the site. The development will include for road improvement works along Edmondstown Road including the existing junction of Scholarstown Road/ Edmondstown Road.

The development will include for all associated site development works, open spaces, landscaping, SuDs features, boundary treatments, plant areas, waste management areas/bin stores, car/cycle parking areas (including EV parking), and services provision (including ESB substation/ kiosks).

The statement is prepared with direct input from the design team, who include McCrossan O'Rourke Manning Architects DBFL Consulting Engineers, Doyle O'Trothigh Landscape Architects, Independent Tree Surveys, Altamar Marine and Environmental Consultants, Digital Dimensions, IAC, Traynor Environmental Limited and McElligott Consulting Engineers. This report demonstrates that the possible effects on the environment have been examined through the process of an EIA Screening process (detailed below) and the most appropriate form of development is delivered at this site.

It is noted that in the Pre-Application LRD Opinion Report from South Dublin County Council dated the 28<sup>th</sup> March 2022 under the heading Environmental Considerations that:

*"The applicant has provided an EIA Screening Report, and this should be submitted with the final application to enable the development to be screened for Environmental Impact Assessment."*

## PURPOSE OF THIS STATEMENT

The purpose of the Environmental Screening Statement is to screen whether there is a requirement for the preparation of an Environmental Impact Assessment Report (EIAR) for the proposed development and to identify any likelihood of significant effects on the environment that might arise. In the first instance it is noted that this development, (in terms of scale/quantum and/or site area), is below any mandatory EIAR threshold prescribed by Directive 2011/92/EU, as amended by Directive 2014/52/EU (together 'the EIA Directive'), and as transposed into Irish law.

## EIA SCREENING AND METHODOLOGY

The EIA Screening exercise has been guided by the following legislation and guidance:

- Planning and Development Act 2000 (as amended) ('the 2000 Act').
- Planning and Development Regulations 2001 (as amended) ('the Planning and Development Regulations');
- The 2016 Act.
- The EIA Directive.
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licensing Systems – Key Issues Consultation Paper (2017; DoHPCLG).
- Preparation of guidance documents for the implementation of EIA directive (Directive 2011/92/EU as amended by 2014/52/EU) – Annex I to the Final Report (COWI, Millieu; April 2017);
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.
- Guidelines on the information to be contained in environmental impact assessment reports, EPA, 2022.
- Environmental Impact Assessment – Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018; DoHPLG).
- Guidance for Consent Authorities regarding Sub-threshold Development (2003; DoEHLG)

Using the above, it has been possible carry out a desktop EIA Screening using the best available guidance while operating within the applicable legislation. It is noted that the EIA Directive has been transposed into Irish law through the 2000 Act and the Planning and Development Regulations.

The methodology employed in this screening exercise had regard to the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* published in August 2018 by the DoHPLG, together with the criteria set out in Schedule 7 and the requirements of Schedule 7A, both within the Planning and Development Regulations.

### EIA Thresholds

Schedule 5 of the Planning and Development Regulations sets the thresholds above which projects must be subject to EIA. (10)(b)(i) of Part 2 to Schedule 5 identifies a threshold for developments of more than 500 dwelling units, and (10)(b)(iii) identifies a threshold for urban development which would involve an area of greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

At 402 no. units, the number of proposed housing units within the proposed development is well below the 500-unit minimum threshold, while the gross site area, at c. 3.8ha, is also well below the 10ha threshold for "other parts of a built up area" and noting that the location does not represent a "business district".

Given the above, a mandatory EIA is not required.

**Sub EIA Threshold Projects requiring an EIA.**

The screening process has changed under the Directive 2014/52/EU, which requires the applicant to provide certain information to allow a planning authority to carry out proper screening to determine if an EIAR is required. Schedule 7A of the Planning and Development Regulations outlines the information to be provided by the applicant for the purposes of screening sub-threshold development for EIA as set out below:

- 1. A description of the project, including in particular:**
  - A description of the physical characteristics of the whole project and, where relevant, of demolition works.
  - A description of the location of the project, 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:**
  - The expected residues and emissions and the production of waste, where relevant, and
  - The use of natural resources, in particular soil, land, water and biodiversity.
- 4. Compilation of the above information taking into account criteria in schedule 7 as appropriate.**

Schedule 7, as referenced in item 4 of Schedule 7A, provides further list of criteria for determining whether development listed in Part 2 of Schedule 5 should be subject to EIA. These can be grouped under broad headings and topics as set out below:

1. Characteristics of the Proposed Development.
  - a. The size and design of the whole project.
  - b. Cumulation with other existing and/or approved projects;
  - c. The use of natural resources, in particular land, soil, water and biodiversity;
  - d. The production of waste.
  - e. Pollution and nuisances.
  - f. The risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
  - g. The risks to human health (for example due to water contamination or air pollution).
2. Location of the Proposed Development; and
  - a. The environmental sensitivity of geographical areas likely to be affected by proposed development, with particular regard to:
  - b. The existing and approved land use.
  - c. The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
  - d. The absorption capacity of the natural environment:
    - Wetlands, riparian areas, river mouth.
    - Coastal zones and the marine environment.
    - Mountain and forest areas.
    - Nature reserves and parks.

- Areas classified or protected under national legislation.
- Natura 2000 areas designated by member States pursuant to Directive 92/43/EEC and Directive 2009/147/etc.
- Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
- Densely populated areas.
- Landscapes and sites of historical, cultural or archaeological significance.

### 3. Type and Characteristics of the Potential Impacts

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 above, with regard to the impact of the project on the factors specified in Article 3 (1), taking into account:

- a. The magnitude and spatial extent of the impact (for example the geographical area and size of the population likely to be affected);
- b. The nature of the impact.
- c. The trans-boundary nature of the impact.
- d. The intensity and complexity of the impact.
- e. The probability of the impact; The expected onset, duration, frequency and reversibility of the impact.
- f. The cumulation of the impact with the impact of other existing and or approved projects.
- g. The possibility of effectively reducing the impact.

## **EIA SCREENING STATEMENT**

The following sections provide the information as required by Schedule 7A for the purposes of screening sub-threshold development for EIA.

### **A DESCRIPTION OF THE PROPOSED DEVELOPMENT**

#### Physical Characteristics of the Proposed Development

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The development will include for all associated site development works, open spaces, landscaping, SuDs features, boundary treatments, plant areas, waste management areas/bin stores, car/cycle parking areas (including EV parking), and services provision (including ESB substation/ kiosks).



Figure 1 Proposed Site Plan

### Location of the Proposed Development

The subject site is on the former Good Counsel lands and former pitch and putt course at Taylor's Lane, Ballyboden in South Dublin County. The subject site is located c. 7.5km southwest of Dublin City Centre, c. 1km northwest of Whitechurch Village, c. 2km south of Rathfarnham Shopping Centre, and c. 3km south west of Nutgrove Retail Park on a net site area of c. 3.5 ha.

It is zoned for residential use in the South Dublin County Development Plan 2022-2028. The western half of the site currently contains the 3-storey former Augustinian Order "Good Counsel" buildings and chapel that are no longer in use along with some outbuildings. These buildings will be demolished as part of this application. The eastern half of the site consists of a former pitch and putt that is now overgrown.

The site fronts onto Taylor's Lane to the north and Edmondstown Road to the west. The surrounding area of the subject site is predominantly of residential use. The lands immediately south of the site consist of the recently completed Ballyboden Primary Care centre. The eastern boundary has a treeline of dense cypress and there are some mature trees within the site which will be retained. The southern boundary consists of an old mill race drainage ditch which is now largely overgrown.

The site is not located within a Conservation Area or an Architectural Conservation Area. Whitechurch Library, a protected structure, is located to the east of the site along Taylors Lane.

The site is not designated for any nature conservation purposes and there are no habitats of significant conservation value recorded within the site. There are no Natura 2000 sites located either within or directly adjacent to the lands at Taylor's Lane.



Figure 2 Site Location. Source: Google 2022

## **A DESCRIPTION OF THE ASPECT OF THE ENVIRONMENT LIKELY TO BE SIGNIFICANTLY AFFECTED BY THE PROPOSED DEVELOPMENT**

This section examines the possible effects on the environment under the topics prescribed by Directive 2014/52/EU. This approach provides a comprehensive description of the aspects likely to be affected by the proposed development that have not been identified.

This site is within an established, built-up suburban location on a site which is zoned for residential development.

It is considered that the proposed development is likely to result in a long-term positive effect, in terms of providing for a comprehensive and integrated residential redevelopment of this underutilised site which houses a derelict building. The impact of this proposed development is set out in the application documents including landscaping, and architecture and photomontages.

### **Population & Human Health**

The subject site is located within the established residential area of Edmondstown electoral division. The surrounding area is characterised by existing residential development.

The construction of the proposed development is likely to have a positive effect on the local employment and economic activity. The development in the short term (5 years maximum) will provide for construction related employment during the different phases of development. In the long term the project will provide additional spend in the local shops, restaurants etc and offers good quality residential units for existing and future residents of the city. Businesses directly involved in the construction phase of the development would generate value and secure direct employment which in turn will contribute to the overall GDP of the economy and tax revenues.

The operational stage of the development is unlikely to cause any adverse impacts on the existing and future residents of the locality in terms of human health. The design of the development has been formulated to provide for a safe environment for the future residents and visitors alike. The paths, roadways and public realm have been designed in accordance with the best practice and applicable guidelines. All open areas have been designed to be inviting, safe and conveniently located. Based on the average national household size of 2.75 people, the proposed development will increase the local area population by c. 1,106 no. people once complete and fully occupied. This increase in population can be accommodated within this area which is highly accessible and within Dublin City Suburbs with a sufficiency of physical and social infrastructure in the area to support this additional development including schools, retail, and other services.

In addition to the positives provided by the additional housing for the area, the proposal also includes a new creche and also two new retail units which will provide additional amenity not only to the residents of the development but for all the existing residents in the area. In addition to this the new public park will provide a new attractive amenity to this location. It is considered that the proposed development will have long-term positive effects on the area.

### **Biodiversity**

Altamar Ecologists have carried out Ecological Impact Assessment (EclA) and a Natura Impact Statement as part of this LRD application. The Ecological Impact Assessment found that there were no badger setts present on site. Furthermore, an otter presence was not noted on the Owendoher River to the west of the site. It also noted that there were no otter holts found on site.

It also found that there was no flora of conservation importance or invasive species noted on the site either during the 2022 or 2023 site surveys. The majority of the site is overgrown grassland with large areas of dense bramble scrub. This report recommended mitigation measures to be in the form of *“pre-construction inspection for terrestrial mammals of conservation importance and control of silt and pollution from the site.”* For flora it was recommended that a pre-construction inspection for invasive species is carried out.

A number of bat surveys have been carried out on site in 2013, 2018, and 2022. Three species of bats were noted on site in 2022. However, no bat roosts were noted in the buildings or trees. Again, with regard to mitigation it was recommended that a pre-construction/ demolition inspection of buildings and trees is carried out and during the operation of the development there is control of light spill.

In terms of Aquatic Biodiversity this report identifies the links to the Owendoher River and has identified that *“Out of an abundance of caution, it is considered that there is the potential for silt and contaminated runoff to enter this waterbody and transport pollutants to the Owendoher River.”* As a result, in terms of mitigation the report recommends that *“Robust mitigation is needed in the form of control of silt, petrochemicals and dust entering the watercourse during construction.”*

A series of wintering bird surveys were carried out in 2022 and 2023. This identified a total of 37 no. bird species on site during 10 different surveys. This report identifies that the construction will result in a loss of foraging and nesting habitat for breeding birds. The mitigation measures proposed are that *“the form of control site clearance outside bird nesting season and the provision of compensatory foraging and nesting habitat.”*

The EclA outlines in terms of potential impacts that *“Once developed, the site would be seen as a stable ecological environment. Planting of native species will be important to re-establish nesting and foraging habitats lost. Proximate bat species will be sensitive to light spill. Appropriate measures should be taken to prevent light spill, contaminated surface water run-off and dust entering into adjacent riparian habitats, and in particular the Owendoher River needs to be protected due to the potential for downstream impacts on the watercourse. The new drainage networks will have to comply with SUDS requirements and standard petrochemical interception will be in place.”*

The report sets out under the section titled - *“Adverse effects likely to occur from the project (post mitigation)”* the following:

*“Standard construction and operational mitigation measures are proposed. These would ensure that water entering the Owendoher River is clean and uncontaminated, bats are protected and that mitigation in relation to bird nesting and foraging will be in place. However, early implementation of ecological supervision, prior initial mobilisation and enabling works is seen as an important element to the project, particularly in relation to the implementation of surface water runoff mitigation, bat mitigation and the protection of riparian habitats.*

*With the successful implementation of standard mitigation measures to limit surface water impacts on the watercourses, biodiversity mitigation/supervision, no significant impacts are foreseen from the construction or operation of the proposed project on terrestrial or aquatic ecology. Residual impacts of the proposed project will be localised to the immediate vicinity of the proposed works. It would be expected that bat foraging may be reduced within the site, but this would be deemed not to be significant.*

*The construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on terrestrial biodiversity, aquatic biodiversity and bats through the application of the standard construction and operational phase controls as outlined above. In*

*particular, mitigation measures to ensure compliance with Water Pollution Acts and prevent silt, dust and pollution entering the Owenadoher River will satisfactorily address the potential impacts on downstream biodiversity. No significant adverse impacts on the conservation objectives of European sites are likely in the absence of mitigation measures outlined above.*

*It is essential that these measures outlined are complied with, to ensure that the proposed development does not have “downstream” environmental impacts and significant impacts on biodiversity on site.”*

The report concludes that: *“The construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the application the standard construction and operational phase controls. The overall impact on the ecology of the proposed development will result in a long term minor adverse not significant residual impact on the ecology of the area and locality overall. This is primarily as a result of the loss of terrestrial habitats on site, supported by the creation of additional biodiversity features including sensitive landscaping and lighting strategies.”*

## **Lands and Soils**

The site currently is unoccupied and consists of the former Good Counsel institutional building and associated outbuildings. To the north and east of the site there is a large area of open space, part of which historically was a pitch and putt area.

A ground investigation was undertaken by Ground Investigations Ireland and this revealed that the strata encountered consisted mainly of :

- Topsoil
- Made ground
- Granular Deposits
- Cohesive Deposits

The strata is consistent over the site with differing levels of made ground up to 1.5m deep in places. The cohesive deposits generally consist of brown sandy or very sandy gravelly CLAY with occasional cobbles and boulders. The granular deposits were encountered at varying depths across the site and can be typically described as brown slightly clayey slightly gravelly SAND or a grey brown sandy fine to coarse sub-angular GRAVEL . Rock was not encountered within the site investigation.

It is anticipated that the main construction activity impacting soils and geology will comprise the following:

- Removal of topsoil, topsoil mounding, soil and subsoil to allow road construction.
- basement excavation.
- services installation.

It is not envisaged that excavation of bedrock will be required. It is estimated that approximately 41,000m<sup>3</sup> of cut and 5,000m<sup>3</sup> of fill will be required across the development leaving an approximate net volume of 37,000m<sup>3</sup> of cut material. This includes for considerable earth works would be required in the park area to accommodate the detention basin.

It is anticipated that the development during the operational phase will create additional impermeable surface areas. The only direct discharges to the ground during the operation of the development are via detention basins, swales and bioretention areas to accommodate surface water runoff from hard landscaping and other

SUDs features such as filter drains. This will result in a likely, slight, positive, long-term impact on soils and geology.

No significant long-term impact on the soil resulting from the proposed operational phase of the development is predicted. Once the development is completed, risks to the soil and geology will be from pollutants deriving from the use of the buildings and/or from contaminated surface water run-off but which can be mitigated.

## **Water**

Construction of the proposed development will require extensive earthworks to facilitate the construction of the basements, infrastructure service provision, road construction, surface water storage systems etc. Given the extent of disturbance, there is potential for weathering and erosion of the surface soils from precipitation and run-off.

In the absence of mitigation measures there is the potential for effects on the mill race to the south of the site and potentially on the Owendoher River to the west due to the potential for dust, pollution and contaminated surface water runoff to enter the mill race, and watercourse and cause downstream impacts on biodiversity. Potential Impacts in the absence of mitigation: Moderate adverse / county/ Negative Impact / Slight Effects / short term. Robust mitigation is needed in the form of control of silt, petrochemicals and dust entering the watercourse during construction.

All runoff from impermeable surfaces on the site will initially drain via source control SUDs features as the first step in the management train. Where feasible, subsequent SUDs features have been linked to increase interception losses along the management train. A large portion of the open area of the site to the north has been reserved for open conveyance and detention basins. The remaining storage requirements were fulfilled using economical and sustainable underground attenuation features which promote infiltration. The incorporation of the SUDs elements will provide a sustainable manner in which to disperse surface water from the site and provide treatment of run-off and subsequent improvement of discharge quality.

No groundwater was noted during the investigation, although standpipes were installed to allow groundwater monitoring to occur. In the event of groundwater being encountered during the construction phase, mitigation measures will include dewatering by pumping to an appropriate treatment facility prior to discharge. Other measures would include excluding contaminating materials such as fuels and hydrocarbons from sensitive parts of the site i.e., highly vulnerable groundwater areas. It is likely that this activity will have a slight, adverse, permanent, residual, impact on groundwater. During times of high rainfall events there is an existing potential for dust, silt and contaminated runoff to enter the millrace and transport pollutants to the Owendoher River.

Foul wastewater will be directed to an existing public combined foul network located on Edmondstown Road, which in turn ultimately discharges to Ringsend Wastewater Treatment Plant (WwTP) for treatment. Foul wastewater will be treated at Ringsend WwTP. There is, therefore, an indirect hydrological pathway from the proposed development site to designated conservation sites located within Dublin Bay via foul wastewater drainage.

Potential impacts of the proposed development on water and the hydrogeological environment should not occur during the construction/operational phase and that any residual impacts will be short term and imperceptible.

The Infrastructure Design Report prepared by DBFL provides further detail on the proposed surface water, foul water, and water supply for the site.

## Air and Climate

Generally, the primary potential air quality impact or nuisance associated with construction/demolition activities is dust. Excavations and earth moving operations may generate quantities of construction dust, particularly in drier weather conditions. The extent of any construction dust generation depends on the nature of the construction dust (soils, sands, gravels, silts etc.) and the construction activity. The potential for construction dust dispersion depends on the local meteorological conditions such as rainfall, wind speed and wind direction. However, the potential construction/demolition phase impacts shall be mitigated to ensure there is a minimal impact on ambient air quality for the duration of all construction/demolition phase works.

The main potential sources of air borne dust from construction activities include construction vehicles, construction traffic and haulage routes; Excavation works and earth-moving activities; Materials (particularly excavated soils) handling, storage and stockpiling.

There are no likely significant effects on air quality arising from the proposed development, except for the potential temporary effect arising from dust during the construction phase as listed above. Therefore, the effects on human health arising from the construction phase of the proposed development is considered to be minor/imperceptible in this regard. Standard mitigation measures will be employed as part of an agreed Construction Environmental Management Plan prior to commencement of construction.

Road traffic exhaust emissions from cars travelling to and from the site may have potential effects during the proposals' operating period. However, this is not likely to have a significant effect on Air and Climate during the operational phase. Traynor Environmental Limited have set out the full assessment in their report Air Quality Assessment.

## Noise and Vibration

An Environmental Noise Survey was carried out by Traynor Environmental. It noted that in the absence of noise & vibration mitigation, a negative, significant and short-term impact would be likely during the construction phase. However, the provision of standard noise mitigation measures will limit the noise impact. The vibration impact during construction phase is also effectively minimised and controlled.

The primary potential sources of noise associated with the development once operational are as follows: Additional vehicular traffic on public roads, inward noise impact, mechanical plant noise, residential, retail units, and creche.

The report also identified higher levels of noise along Taylors Lane and Edmondstown Road. This report states that *“On review of the calculated noise levels across the development site over day and night-time periods, two glazing specifications have been determined for the residential properties to achieve the recommended internal noise levels for day and night-time periods within living rooms and bedrooms”*.

It goes on to recommend appropriate mitigation measures to ensure a pleasant living environment as follows: *“Type 2 glazing predominately relates to the living spaces of blocks along the Taylors Lane Road and Edmondstown Road. For all other property facades, glazing Type 1 and standard glazing units provides a sufficient level of sound insulation.”*

The report concludes that: *“With the implementation of the recommendations included in the report, it is considered that a suitable level of protection against noise will be provided to the occupants of the proposed development.”*

*Considering that sensitive receivers within the development are much closer than off-site sensitive receivers, once the relevant noise criteria is achieved within the development it is expected that there will be no negative impact at sensitive receivers off site, and therefore no further mitigation required.”*

## **Landscape & Visual**

A Landscape and Visual Assessment was completed by Doyle + O’Troithigh landscape architecture as part of this LRD application.

The assessment concludes that the construction phase will result in short-term negative visual impacts. The operational phase will result in a range of “imperceptible”, “slight”, and “moderate” impacts, depending on location of view in the wider suburban area.

The Landscape and Visual chapter also note that due to the site’s location and zoning it is unlikely the site would remain undeveloped for long and that *“residential development similar to this proposed scheme is likely to result in a similar level of impact on the surrounding landscape and visual environment.”*

## **Traffic**

DBFL Consulting Engineers have completed a Traffic and Transport Assessment (TTA) to accompany this LRD application.

Vehicular access to the site will be provided via the existing Edmondstown Road/ Scholarstown Road priority junction. The proposed development will include upgrade works to the existing three arm signalised junction to provide a 4-arm signalised junction.

Furthermore, there are a number of additional points of access for cyclists and pedestrians located throughout the site, ensuring accessibility and convenience for both groups. Taylor's Lane has multiple pedestrian entrances, including a pedestrian/cycle entrance and vehicular/pedestrian/cycle entrance.

The analysis completed as part of the TTA found that the residential proposal will not result in significant impact on the surrounding junctions.

The TTA notes that current public transport options have a range of low and high frequency bus services with defined bus corridors on sections of Taylors Lane and Ballyboden Road. It highlights that the proposal will provide 1,054 cycle parking spaces, a reduced car parking ratio, and ‘Club Car’ spaces within the development. These measures will encourage existing and future residents to increase their modal shift away from cars and to more sustainable modes of transport.

Accordingly, it is concluded that the proposals will encourage travel by more sustainable means and as a result there are no significant traffic or transportation related reasons that should prevent the granting of planning permission for the proposed development.

## **Material Assets**

The land on which the site is situated is a material asset. It has been zoned for development through the appropriate process and as such the use of this material asset in a manner compatible with the zoning designation, is entirely appropriate.

Once constructed, the operation phase will provide an important material asset for the area in terms of residential units and the provision of open space. Whilst the demand on water services, power, telecommunications and transport infrastructure will all increase as a result of the development, the impact on these material assets are not considered to be significant and can be facilitated within planned demand loads for this well established and fully serviced suburban location.

### **Archaeology, Architecture and Cultural Heritage**

IAC Archaeology carried out an Architectural Heritage Assessment of the buildings on site as well as an Archaeological Assessment including Test Trenching on the site.

The Architectural Heritage Assessment identified that there no protected structures on or adjacent to the site, nor is the site in or near an Architectural Conservation Area. None of the buildings on the site or adjacent to it are included in the National Inventory of Architectural Heritage. The historical background shows that there was a house on the application site since the early nineteenth century, though this was demolished later in the century and a new house built on another part of the site. Both of these houses were known as Catherine's Park or St Catherine's Park. In the 1950s the property was acquired by the Augustinian Order and new buildings were erected for use as a college. The nineteenth-century house known as St Catherine's was incorporated within the new buildings. In more recent years the property was leased to the Health Service Executive, but it has now closed down and has been vacant for about five years and many of its windows and openings have been boarded up.

The building survey shows that while the external appearance suggests that the entire range of buildings dates from the 1950s, closer examination reveals that the nineteenth-century house is identifiable. Some features from that time include a small number of cornices, the staircase, window and door architraves and some doors. Other features are no longer present, such as the chimney pieces, most of the shutters, some doors and some decorative door surrounds. Some of the furnishings of the chapel have also been removed, including the alter, a number of subsidiary altars and some timber cabinets. An Bord Pleanála recently granted permission for the demolition of the existing structures on site and the construction of 496 apartments, creche, retail units and all associated works subject to conditions. While this was subsequently quashed due to procedural matters in the high court, there were no concerns raised by either ABP or SDCC about the removal of these existing buildings. The Architectural Conservation Officer at that time declared that the building was not considered to warrant retention, though some features could be salvaged. Since then, the buildings have further deteriorated and key elements have been removed, such as the chimneypieces, the door surrounds from the former entrance hall, most of the shutters, the altars and the vestment cabinets. In the light of the above, there would be no purpose in retaining the former nineteenth-century house at St Catherine's or any of the other buildings on the site.

It has also been noted that the proposed development would have no adverse impact on the character or setting of Whitechurch Library, which is the only protected structure in the vicinity of the application site.

The Archaeological Assessment has identified that there are no recorded monuments within 500m of the proposed development area. The site is shown on early historic mapping as primarily agricultural land. Two possible mill races have also been identified on the site from the 1820s onwards. In the 18th and 19th centuries, the wider environs of the site were dominated by demesne landscapes, with the first edition Ordnance Survey map of 1838 showing the proposed development area as forming part of a small demesne called Catherine's Park.

Archaeological testing was carried out over the course of two days in 2020. A total of 14 trenches, measuring an overall total of 330 linear metres, were mechanically investigated across the test area. Four slit trenches were also monitored across the eastern extent of the site associated with site investigation works. No areas of archaeological significance were uncovered during testing. The trenches were positioned to investigate the archaeological potential of the site. No features of archaeological significance were identified during the course of testing and it is clear that the site has been subject to a level of disturbance.

However, it remains possible that ground disturbances associated with the proposed development may have an adverse impact on isolated archaeological features that may exist outside of the excavated test trenches. It is recommended that all ground disturbances associated with the proposed development be monitored by a suitably qualified archaeologist. If any features of archaeological potential are discovered during the course of the works further archaeological mitigation may be required, such as preservation in-situ or by record. Any further mitigation will require approval from the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht.

### **Vulnerability of the project to risks of major accidents and/ or disasters.**

The subject lands are not proximate to any Seveso/COMAH designated sites.

DBFL Consulting Engineers have completed a Site-Specific Flood Risk Assessment (SSFRA) for the proposed residential development. This SSFRA found that most of the subject site is in Flood Zone C with only the north-western corner of the subject site located in Flood Zone B; and due to the infrastructure constraints (watermain wayleave), all proposed development is located well outside Flood Zone B. The proposed type of development that is categorised as highly vulnerable development is located wholly in Flood Zone C.

The proposed development is not considered vulnerable to major accidents and/ or disasters, and therefore the expected effects are considered to be negligible.

### **Inter-relationship between the above factors**

It is considered that any of the previously identified relatively minor temporary effects are not in themselves considered significant nor will they cumulatively result in a likely significant effect on the environment.

## **A DESCRIPTION OF ANY SIGNIFICANT EFFECTS TO THE EXTENT OF THE INFORMATION AVAILABLE ON SUCH EFFECTS OF THE PROPOSED DEVELOPMENT ON THE ENVIRONMENT**

This includes information available on the environment including:

- 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.

The Proposed Development is within an established suburban area. The proposed works are residential in nature and will require the construction of apartment blocks using regular building materials. Given the nature of the site and the Proposed Development there will be no likely significant effects on land, water or biodiversity. A Natura Impact Statement prepared by Altemar has also been submitted as part of this application.

It is expected that there will be some normal residues/emissions during the construction stage associated with the development works proposed as part of the application which include ground preparation works, development of site infrastructure, construction of buildings and hardstanding areas and landscaping of the site including open soft landscaped areas. Such residues and emissions are not considered likely to have any significant effects on the environment.

Standard mitigation measures will be employed and monitored. This is also set out in the Outline CEMP by Altemar Environmental Consultants.

There will be some waste materials produced in the construction of the proposed scheme which will be disposed of using licensed waste disposal facilities and contractors. As is standard practice the scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors will not cause concern for likely significant additional effects on the environment. A Resource and Waste Management Plan and Operational Waste and Recycling Management Plan by Traynor Environmental Limited is submitted as part of this application.

The Resource and Waste Management Plan provides the information necessary to ensure that the management of Construction and Demolition waste at the site is undertaken in accordance with the legal and industry standards including the Waste Management Act 1996 as amended and associated Regulations. In particular, this plan aims to ensure maximum recycling, reuse, and recovery of waste with diversion from landfill, wherever possible. It also seeks to provide guidance on the appropriate collection and transport of waste from the site to prevent issues associated with litter or more serious environmental pollution (e.g. contamination of soil and/or water). It recommends that the RWMP is viewed as a live document and should be regularly revisited throughout a project's lifecycle so that opportunities to maximise waste reduction / efficiencies are exploited throughout, and that data is collected on an ongoing basis so that it is as accurate as possible.

An Operational Waste & Recycling Management Plan, prepared by Traynor Environmental, setting out the measures that will be used to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development, is also submitted as part of this application.

There will be no large-scale use of natural resources. The main use of natural resources will be land. The subject lands are zoned for residential use.

Other resources used will be construction materials which will be typical raw materials used in construction of residential developments. There will be no likely significant effects on the environment arising from the scale and quantity of the materials used to complete the proposed development.

There will be no likely significant effects on the environment arising from quantity of water used during the construction or operation of the proposed development provided that the recommended mitigation measures are implemented as set out in the associated reports submitted with this application and as set out in the CEMP. The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment.

## COMPILATION OF THE ABOVE INFORMATION TAKING SCHEDULE 7 CRITERIA, AS APPROPRIATE, INTO ACCOUNT

The compilation of the above information and assessing the development against the Schedule 7 criteria:

| Characteristics of Proposed Development   |   |
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| The size of the proposed development.   | The site has a gross site area of c. 3.8ha (net of c.3.5ha) and the development is for 402 residential units. The development is sub-threshold for EIA.   |
| The culmination of other proposed development.                                  | <p>There are three large residential developments permitted within the wider area between 2015 and 2022, some of which are either under construction or have recently been completed (Ref. SHD ABP-309836-21; Ref. SDCC Ref: SD20A/0170; Ref: ABP-305878-19; ABP Ref: SHD ABP-311616-21; ABP Ref: SHD ABP-310398-21, SD15A/0017). However, given the relative distances between these developments and the subject site the cumulative impact in relation to most aspects of the environment is considered limited.</p> <p>Nevertheless, in relation to traffic and transportation there will be cumulative impacts and these have been considered as part of the Traffic and Transportation Assessment prepared by DBFL Consulting Engineers.</p> <p>The HSE Primary Care Centre (granted under Refs SD13A/0222, amended by SD20A/0320) to the south of the application is now also completed and has been considered as part of the Landscape and Visual Assessment submitted with the application.</p>   |
| The nature of any associated demolition works.                                  | The proposed development will include the demolition of the existing Good Counsel buildings on site. The nature and extent of the demolition is outlined in the Resource & Waste Management Plan and the Outline Construction Environmental Management Plan (CEMP) submitted with the application.  |
| The use of natural resources, in particular land, soil, water and biodiversity. | <p>The main use of natural resources from this development will be the use of land. The subject site is currently vacant and is zoned for residential development.</p> <p>A Tree Survey was carried out by Independent Tree Surveys is enclosed with this LRD application. Of the individual trees it identified a total of 95 trees and 23 tree groups. They identified 2 category A trees and 16 category B trees; 57 trees were classed as category C on the site while a further 20 trees were categorised as U. All 22 tree groups were classified as C however, they noted that some of the groups contained stems of lesser value, there was one category U group.</p> <p>Altamar Marine and Environmental Consultancy have carried out a full set of ecological surveys of the site. These are independent assessments from the previous ecologist, Faith Wilson. However, it is important to note that the findings to date concur with the previous reports. They also concur that the mitigation measures including the new native tree planting and the creation of an attractive woodland walk to the east and south will enhance the existing situation on the site. These also recommend mitigation measures throughout the report which will be implemented as part of the development.</p> |

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|   | High quality landscaping, planting and SuDS measures will be incorporated into the development to ease water runoff and improve the biodiversity on site.   |
| The production of waste.  | <p>Construction waste produced will be controlled, stored and disposed of in a sustainable manner as per relevant environmental guidance and in line with the previously permitted scheme. A Resource &amp; Waste Management Plan is submitted as part of this application.</p> <p>Operational waste for the residential development will be controlled by each household and dealt with by municipal services. Estate management will control pollution of public areas.</p>   |
| Pollution and nuisances.  | <p>The construction phase will create short term negative effects particularly in terms of dust and noise.</p> <p>A Construction Environmental Management Plan is submitted as part of this application, will ensure that construction activities are properly controlled and mitigated.</p>  |
| 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  | <p>Standard construction practices will be employed throughout the construction phase to mitigate the potential of any major accidents or disasters from occurring.</p> <p>The proposed location of development is not considered particularly vulnerable to major accidents and/or disasters and therefore the expected effects are considered to be minimal.</p>  |
| The risks to human health (for example, due to water contamination or air pollution).   | There are likely effects at construction stage in terms of noise, dust and contaminated run-off. However, these will be temporary and will be mitigated in accordance with a Construction Environmental Management Plan.  |
| <b>Location of Proposed Development</b>   |   |
| The existing and approved land use.   | The site is located on the former Good Counsel lands and former pitch and putt course. It is currently vacant. The site is zoned for residential development and received planning permission previously for a residential development in 2020 under ABP 307222-20. This permission was quashed following a judicial review and cannot be implemented. It is a zoned residential site, and the principle of residential development remains acceptable in planning terms.   |
| The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground.  | <p>The site is on the former Good Counsel lands. The surrounding lands consist of primarily residential development and there is limited potential for large scale development in the area.</p> <p>The proposal incorporates SUDs features which will support biodiversity and ensure a properly controlled water regime.</p>   |
| The absorption capacity of the natural environment, paying particular attention to the following areas:<br>(i) wetlands, riparian areas, river mouths.<br>(ii) coastal zones and the marine environment.<br>(iii) mountain and forest areas.<br>(iv) nature reserves and parks.<br>(v) areas classified or protected under legislation, including Natura 2000 areas | <p>(i) The site itself is not located within a wetland, river mouth, coastal zone, marine environment, mountain, forest, nature reserve, park, or protected site. It is located in a riparian zone as identified in the South Dublin County Development Plan 2022-28.</p> <p>(ii) The subject site is not located in a coastal zone or marine environment.</p> <p>(iii) The subject site is not located within a mountain or forest area.</p> <p>(iv) The subject site is not located within a nature reserve or park</p> |

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| <p>designated pursuant to the Habitats Directive and the Birds Directive and.</p> <p>(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.</p> <p>(vii) densely populated areas.</p> <p>(viii) landscapes and sites of historical, cultural or archaeological significance.</p> | <p>(v) The subject site is not located within a Natura 2000 classified or protected area. However, there is a pathway between the subject site and designated sites in Dublin Bay and therefore a Natura Impact Statement has been completed as part of this application.</p> <p>(vi) The subject site is not located within an area in which there has already been a failure to meet environmental standards.</p> <p>(vii) The surrounding area is suburban but not densely populated relative to Dublin City centre and other urban centre. The area provides a mixture of mainly semi-detached and terraced housing at present.</p> <p>(viii) The surrounding landscape is not of significant historical cultural or archaeological significance. The site is on former Good Counsel lands but none of the buildings on site are protected structures.</p> |
| <p><b>Types and characteristics of potential impacts</b></p>  |  |
| <p>The magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected).</p>  | <p>The proposed development is located within Ballyboden, within the South Dublin County Council administrative area.</p> <p>The proposed works during the construction phase may have a minor impact on the surrounding environment through noise and dust emissions. However, these are considered to be short term. All construction activities will be governed by a Waste and Resource Management Plan, and a Construction Environmental Management Plan.</p> <p>The proposal will have a moderate visual impact on the surrounding area the likely impacts on the surrounding environmental are considered to be minor.</p>  |
| <p>The nature of the impact.</p>  | <p>The potential likely and significant effects arising from the development will be typically those associated with a medium sized residential development in a suburban area designated for growth.</p> <p>The potential likely and significant impacts arising from the construction of the development will be associated with construction traffic and operating equipment. This will be predominately through the construction works which will generate noise and the potential for dust emissions. These works will be mitigated appropriately as set out in the Outline Construction Environmental Management Plan.</p>   |
| <p>The transboundary nature of the impact.</p>  | <p>The subject site is located within the South Dublin County Council administrative area and is not expected that the proposed development will have a significant impact outside this administrative area.</p>   |
| <p>The intensity and complexity of the impact.</p>  | <p>The proposed development is not of any significant intensity or complexity such that would be likely to cause significant effects on the environment.</p>   |
| <p>The probability of the impact.</p>   | <p>It is likely that temporary effects of noise and dust may occur during the construction phase; however, construction works on zoned lands within the area are not unexpected or out of character and working hours will be limited to hours set by the planning conditions.</p>   |
| <p>The expected onset, duration, frequency and reversibility of the impact.</p>   | <p>The minor impacts identified would occur during the construction phase. The frequency of impacts will vary throughout the</p>   |

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|   | <p>construction phase; however, the impact is still considered to be insignificant. The minor effects associated with the construction phase such as noise, dust and traffic will be temporary. There are no significant negative impacts which are considered likely to occur during the operational phase of the proposed residential development.</p>  |
| <p>The cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment.</p> | <p>The subject site is zoned land designated for residential use. The scale of the proposed scheme is not such that the characteristic of any potential impacts, in combination with each other, are likely to cause significant effects on the environment.</p> <p>There are no other planned or recent/ ongoing developments in the immediate vicinity which would be the subject of EIA requirement.</p> |
| <p>The possibility of effectively reducing the impact.</p>  | <p>Appropriate mitigations measures will be undertaken in order to ameliorate effects on the environment arising from the proposed development. These are set out in the Outline CEMP. Any mitigations measures to manage noise, dust and/or pollution during the construction phase will be based on standard best practice, policies and guidance.</p>  |

## APPROPRIATE ASSESSMENT SCREENING REPORT

A Natura Impact Statement has been completed by Altemar Marine and Environmental Consultants. This is following an Appropriate Assessment for the proposed project. The Appropriate Assessment concluded that *“Acting on a strictly precautionary basis, an NIS is required in respect of the effects of the project on the South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, and North Bull Island SPA because it cannot be excluded on the basis of best objective scientific information following screening, in the absence of control or mitigation measures that the plan or project, individually and/or in combination with other plans or projects, will have a significant effect on the named European Site/s.”*

As a result, an NIS has been completed. This states in its introduction that *“A NIS or Stage 2 Appropriate Assessment is not required for the effects of the project on all other listed Natura sites above because it can be excluded on the basis of the best objective scientific information following screening that the plan or project, individually and/or in combination with other plans or projects, will have a significant effect on the European Site/s.”*

*This Natura Impact Statement examines whether the project, either alone, or in combination with other plans and projects, in the view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European sites.”*

The NIS under *“Adverse Effects on the conservation objectives of European sites likely to occur from the project (post mitigation)”* has found the following:

*“A robust series of mitigation measures will be carried out. These would ensure that surface water runoff from the proposed works site is clean, uncontaminated and that dust from the works would not significantly impact on the Owendoher River. It should be noted that the early implementation of ecological supervision on site will be at the initial mobilisation and enabling works. This is seen as an important element to the project, particularly in relation to the implementation of surface water runoff mitigation strategies.*

*With the successful implementation of the mitigation measures to limit surface water impacts on the Owendoher River, including mitigation/supervision, no significant impacts are foreseen from the construction works of the proposed project. Residual impacts of the proposed project will be localised to the immediate vicinity of the proposed works and would not impact on the integrity of downstream Natura 2000 sites.*

*The construction and operational mitigation proposed for the development satisfactorily addresses the mitigation of potential impacts on South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, and North Bull Island SPA, through the application of the standard construction and operational phase controls as outlined above. In particular, the mitigation measures will ensure compliance with Water Pollution Acts, and prevent silt, dust and pollution entering the Owendoher River will satisfactorily address the potential effects on downstream biodiversity and Natura 2000 sites within Dublin Bay. Adverse effects on the integrity of Natura 2000 sites having regard to their conservation objectives can be objectively ruled out following the implementation of the mitigation measures outlined above.*

*It is essential that these measures outlined are complied with, to ensure that the proposed development does not have “downstream” environmental impacts. These measures are to protect the surface water, which is the primary vector of impacts from the site, and to ensure that any European Sites are not impacted during construction and operation. Ecological supervision will be on site during the works.*

**Conclusion**

*Following the implementation of the mitigation measures outlined, the construction and operation of the proposed development will not result in direct or indirect effects which would have the potential to adversely affect the qualifying interests/special conservation interests of the European sites screened in for NIS with regard to the range, population densities or conservation status of the habitats and species for which these sites are designated (i.e., conservation objectives). All other European Sites were screened out at AA Screening Stage. The proposed project will not will adversely affect the integrity of European sites.*

*On the basis of the content of this report, the competent authority is enabled to conduct an Appropriate Assessment and consider whether, either alone or in combination with other plans or projects, in view of best scientific knowledge and in view of the sites' conservation objectives, will adversely affect the integrity of the European site.*

***The proposed project will not will adversely affect the integrity of European sites."***

## CONCLUSIONS

In conclusion, it is respectfully submitted that an EIAR is not required for the proposed development. Having regard to (10)(b)(i) of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended) the quantum of residential development and the site area are both well below the minimum thresholds applicable to "urban development".

It is noted that an EIAR was submitted with the previous Strategic Housing Development (SHD) proposed on this site and which was granted by An Bord Pleanála in September 2020 (Ref. ABP-307222-20) but was subsequently quashed by the High Court following a Judicial Review.

The number of residential units proposed in that SHD application was 496 no., analogous to the 500 unit threshold under (10)(b)(i) of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended). At the time, it was therefore determined that a full Environmental Impact Assessment Report (EIAR) was necessary.

The current proposal is a reduced scale and quantum of residential development. The number of residential units proposed has been reduced by just under 20%. The number of units, at 402, is significant under the minimum 500 unit threshold (10)(b)(i) of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended).

Given the reduced quantum and scale of development proposed, it has been determined, as part of this screening report, and with full regard to the various reports prepared with this application (in relation to landscape/visual, traffic/transport, water services, ecology, cultural heritage, etc.) that a full EIAR is not required.

It is further noted that the draft proposal submitted at LRD Stage 2 was also accompanied by an EIAR Screening Report which also concluded that a full EIAR was not required. As part of the LRD Opinion, it is noted that SDCC acknowledged the EIAR Screening Report and its conclusions and noted the following - *"The applicant has provided an EIA Screening Report, and this should be submitted with the final application to enable the development to be screened for Environmental Impact Assessment."*

Following on from the EIA Screening set out above, it is considered that the proposed development will not have any significant effects on the environment. All recommended mitigation measures and standard practices, including those set out in the Outline CEMP, will be employed throughout the construction and operation phase of the development to ensure that the proposed development will not create any significant effects on the quality of the surrounding environment.