

EIA SCREENING REPORT

FOR A

**PROPOSED PART VIII DEVELOPMENT
AT FONTHILL ROAD, COUNTY DUBLIN**

PREPARED BY



ON BEHALF OF

SOUTH DUBLIN COUNTY COUNCIL

March 2022

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INTRODUCTION

This Environmental Impact Assessment Screening Statement accompanies a Proposed Part VIII Development at Fonthill Road, County Dublin prepared by South Dublin County Council.

The Environmental Screening Report has been prepared to assess the potential impacts on the environment of the proposed development at the subject site. The full details of the scheme are as follows:

The proposed development will consist of the following:

- Construction of 7 no. two storey houses, consisting of 6 no. 4 beds and 1 no. 3 bed.
- Vehicular access from the N4 Slip Road/Fonthill Road
- All associated site development works, services provision, access, open spaces, boundary treatment and landscaping works.

The statement is prepared with direct input from the design team who include by McCrossan O'Rourke Manning Architects; McGill Planning Limited; Whitehill Environmental; Kavanagh Burke Consulting Engineers; to ensure that the possible effect on the environment has been examined through the process of an EIA Screening process (detailed below) and the most appropriate form of development is delivered at this site.

PURPOSE OF THIS STATEMENT

The purpose of the Environmental Screening Statement is to demonstrate that there is no requirement for the preparation of an Environmental Impact Assessment Report for the proposed development and to identify any environmental issues that might arise.

This report is supported and informed by accompanying documentation including a Statement of Screening for Appropriate Assessment prepared by Whitehill Environmental.

EIA SCREENING AND METHODOLOGY

The EIA Screening exercise has been guided by the following documents:

- Planning and Development Act 2000 (as amended);
- Planning and Development Regulations 2018 (as amended);
- Directive 2011/92/EU;
- Directive 2015/52/EU;
- 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, 2017 (Draft);
- 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)

- OPR Practice Note PN02, Environmental Impact Assessment Screening (2021)

Using the above documents, 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 Directive 2014/52/EU has been transposed into Irish Legislation through the Planning and Development (Amended) Act and Planning and Development Regulations 2018.

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 of the Planning and Development Regulations 2018.

EIA Thresholds

Schedule 5 of the Planning and Development Regulations 2018 (as amended) sets the thresholds for which if a project exceeds these limits, it then must be the subject of an Environmental Impact Assessment. Part 2 of Schedule 5 (10)(b)(i) identifies developments of more than 500 dwelling units and (iii) identifies 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.

The number of housing units proposed is 7 and well below the 500-unit threshold, while the site area at 0.36 ha is also well below the 10ha threshold for “*urban development*” on lands comprising “*other parts of a built-up area*” other than a business district. The adjoining area is predominantly a residential area to the west of the Fonthill Road.

Sub EIA Threshold Projects requiring an EIA

Directive (EIA 2014/52/EU) requires the applicant to provide certain information to allow the Planning Authority to carry out proper screening to determine if an Environmental Impact Assessment Report 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 Environmental Impact Assessment 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.**

The information as set out above shall take into account the criteria set out in Schedule 7 which provides a list of criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment. 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 Environment Impact Assessment.

A DESCRIPTION OF THE PROPOSED DEVELOPMENT

Physical Characteristics of the Proposed Development

This is a Part VIII Development for a small scale residential development comprising:

- 7 no. residential units, with 5 no. 4 bed detached houses, 1 no. 4 bed semi-detached houses and 1 no. 3 bed semi-detached houses..
- Vehicular access from the N4 Slip Road/Fonthill Road
- All associated site development works, services provision, access, open spaces, boundary treatment and landscaping works.



Figure 1 Proposed Site Layout Plan (Source: MCORM, 2022)

Location of the proposed development

The subject site is located c. 11km west of Dublin City Centre and 750 m west of Liffey Valley Town Centre on Fonthill Road, Palmerstown, Dublin 20, on a site area of 0.36 ha.

The site is bounded to the south by temporary traveller accommodation and lands subject to a permitted SHD scheme (ABP 305857-19) that is currently under construction, to the west by the Ballydowd Special School, to the east by the Fonthill Road (R113), N4 Slip Road and to the north by lands in the ownership of St. Loman's Hospital..

There are four bus stops within a 10minute walk of the subject site. These are served by new Dublin Bus routes C1, C3, C3, C4, C5, C6, P29, L51, L53, 51D, and two old routes 52 and 40. The new bus routes are part of the Bus Connects Phase 2 and were launched in November 2021. The C2 operates every 6-10 minutes from 6.30am-8am heading from Adamstown to Sandymount and every 5-10 minutes from 4pm-6pm heading from Sandymount to Adamstown.

Vehicular and pedestrian access to the site is from Fonthill road east of the subject site.

The site is open green space with vegetation around the perimeters. The northern boundary comprises a row of trees separating the subject site from land under ownership of St Loman’s Hospital, which are being retained and the western boundary comprises of metal fencing which separates the site from the Ballydowd Special Care Unit. There is temporary traveller accommodation to the immediate south of the site.

There are a broad range of uses surrounding the subject site. The area east of the site is Liffey Valley Town Centre which comprises of retail and recreational services, to the north and south by educational and health buildings, further south is Fonthill Retail Park and to the west is largely categorised by residential developments.

The site is free from protected structures, and it is not located within a Conservation Area or an Architectural Conservation Area. The site is not designated for nature conservation and there are no watercourses on or adjacent to the site. There are eight Natura 2000 sites within 15km of the subject site.



Figure 2 Site Location Map, Google 2022

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

This section provides 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.

Population & Human Health

The site is bounded to the south by temporary traveller accommodation and the site subject to a permitted Strategic Housing Development (SHD) which is currently under construction, to the west by Ballydowd Special School, to the east by the Fonthill Road (R113)/N4 Slip Road, and to the north by lands in the ownership of St. Loman's Hospital.

During the construction phase, there may be possible short-term nuisances to human beings from noise and dust during construction. Once standard mitigation measures are implemented, in accordance with an agreed Construction Management Plan, it is not anticipated that the construction works would result in significant environmental impacts for the local population and human health.

There are no operational impacts associated with this residential development that would be likely to cause significant effects in terms of population and human health.

Biodiversity

Biodiversity is not likely to be significantly impact by the proposed development during the construction phase or operational phase. There are no habitats of biodiversity value on the site and the habitats are dominated by grassy areas and artificial surfaces. There are currently no habitats within the site suitable for any protected mammal species.

Furthermore, an AA Screening assessment has been carried out and it has found: *"Having regard to the location, nature and scale of the proposed development, it is considered that there is no potential for significant effects either from the proposed development on its own or in combination with other plans and projects"*. Please refer to the Statement of Screening for Appropriate Assessment prepared by Whitehill Environmental for further detail.

Lands and Soils

The construction of the scheme, in accordance with standard best practice standards would not use such a quantity of soils or water to result in significant effects on the environment.

The site has minimal existing vegetation. The proposal includes high quality landscaping, planting and SUDS measures to be incorporated into the development to ease water runoff.

Water

During the construction phase there is a minor potential for contamination of surface waterways, resulting in reduced water quality. However, this is considered unlikely given the distance between the subject site and any significant waterways in the wider catchment. Standard construction mitigation measures will be employed to further reduce the risk of pollution and contamination of waterways.

The site does not adjoin any significant waterways and it is considered that there are no anticipated significant effects on the existing water environment arising from the proposed development during the operational phase.

The proposed water supply will be via a connection to the existing Local Authority watermain. The proposed development will also connect into the existing surface water drainage and foul water drainage system.

Air, Noise and Climate

There is minimal impact on air pollution expected from the development during construction stage, outside of the potential dust impact due to the operation of machinery on site and transport of materials to and from the site. These potential impacts will be temporary and mitigated against, in line with an agreed construction management plan. Therefore, the risk to human health is considered not significant in this regard. The impact on air and climate during the operational phase of the development is considered to be imperceptible.

There is a potential for temporary localised noise and vibration impacts during the construction phase. These impacts will be mitigated against in line with an agreed construction management plan and the potential impact on human health is considered to be slight, negative, and temporary. The potential impact on noise and vibration during the operational phase will arise from a minor increase in traffic levels, but the impact is expected to be not significant.

Landscape & Visual

There are no sensitive landscape designations pertaining to the subject site. The proposed development will not impact on any designated views or prospects within the South Dublin County Council Development Plan. No significant amenity, landscape or visual effects are likely to arise from the proposed development.

There will be slight, temporary negative landscape and visual impacts during the construction phase. However, these impacts will be slight, and short term.

The operational phase will result in a positive visual impact with the completion of a small scale residential development, adjacent to the residential scheme currently under construction to the south.

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 operational phase will provide an important material asset for the area in terms of residential units.

In terms of existing utilities, the proposed development will require access to the local water supply, wastewater, public roads infrastructure, electricity supply, telecommunications, municipal waste management and gas, all of which are readily available. The additional demand on these services can be facilitated and will not lead to any negative environmental impacts. Equally the construction of the development will not negatively impact on existing services.

In terms of traffic, there will be temporary and limited localised impacts on traffic associated with the construction phase of the development. Once operational, the proposed development will generate very limited trips, therefore the existing road and junction links to access the proposed development site can operate satisfactorily in accommodating the levels and types of traffic likely to be generated by the proposed residential units.

Archaeology, Architecture and Cultural Heritage

As acknowledged in the permitted development, the subject lands are not proximate to any Protected Structure or Architectural Conservation Area. The site is not located within an area of archaeological interest and therefore is not expected to have any impacts on archaeology, architectural or cultural heritage.

An archaeological assessment, carried out as part of St. Edmunds residential development permission in 2005 (SDCC Reg. Ref.: SD05A/0090), noted the following:

“there are no recorded archaeological sites in the area of the proposed development and a recent field inspection revealed nothing of an architectural or archaeological nature within its boundaries. The nearest sites are located to the east of the site and consist of a holy well (700m).

The proposed development site appears from cartographic evidence to have remained undeveloped agricultural land until the mid-twentieth century and on early historic maps as agricultural land. No structures are depicted on any of these maps.”

The survey area for this archaeological assessment included the subject site. The assessment is included in Appendix A of this document.

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

Standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso/COMAH designated sites. The subject site is within Flood Zone C, with a low probability of flooding. 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 impacts would not in themselves be considered significant nor would 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.

It is expected that there will be some normal residues/emissions during the construction stage associated with the development works proposed as part of this amendment 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.

Standard mitigation measures will be employed and monitored. These will be set out in an agreed Construction & Demolition Waste Management Plan and Operational Waste & Recycling Management Plan. As such residues and emissions are not considered likely to have potential to cause significant effects on the environment.

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 effects on the environment.

Standard practice and measures 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.

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 and employment developments. The scale and quantity of the materials used will not cause concern in relation to significant effects on the environment.

Similarly, the construction or operation of the scheme will not use such a quantity of water to cause concern in relation to significant effects on the environment. 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	
The size of the proposed development.	The site is 0.36ha and the development is for 7 residential units under Part VIII of the Planning Process. The development is sub-threshold for EIA.
The culmination of other proposed development.	<p>The size of the development is considered to be small in comparison to existing and proposed residential development in the surrounding built-up suburban area.</p> <p>Residential developments to the west (Ashley Hall, St. Edmunds Park, Juliet Square, etc) were development in 2006/7 under permission SD05A/0090 and have been built and occupied for c.12 years. Other immediate developments to the south and east (on the opposite side of the public roads) have been built over the past 10 -25 years.</p> <p>The St Edmunds residential scheme, permitted under ABP 305857-19, is located to the south of the site, and is currently under construction. That development site includes existing temporary traveller accommodation which is intended to be removed and replaced with the current proposal. The proposed 7 no. residential units is not expected to have a significant cumulative impact.</p>
The nature of any associated demolition works.	No demolition works associated with this proposed development.
The use of natural resources, in particular land, soil, water and biodiversity.	This site is mainly an open space with the temporary traveller residential accommodation and the SHD development site to the south. The site is 0.36 ha and primarily consists of grassy areas with vegetation remaining around the perimeters. Quality landscaping, planting and SuDS measures will be incorporated into the development to ease water runoff. There are currently no suitable habitats within the site for any protected mammal species and minimal flora apart from the perimeter trees which are being retained in the majority.
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 contractor's Construction Management Plan which will be agreed with South Dublin County Council.</p> <p>Operational waste for the residential development will be controlled by each household and dealt with by municipal services.</p>

Pollution and nuisances.	The construction phase will create short term negative impacts particularly in terms of dust and noise. These negative impacts will be mitigated against by standard mitigation measures that will be set out in the contractor's construction management plan. Construction works will be restricted to certain times of the day to avoid nuisance.
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	None anticipated.
The risks to human health (for example, due to water contamination or air pollution).	There is potential temporary, negative impact at construction stage in terms of noise and dust. However, these will, be short term in duration and will be mitigated by the contractor's construction management plan in accordance with an agreed with South Dublin County Council to minimise any risk to human health.
Location of Proposed Development	
The existing and approved land use.	This site is currently occupied by a pocket of green space with some vegetation around the perimeter and temporary traveller accommodation to the immediate south. It is bounded by Ballydowd Special School to the west, grounds under ownership of St. Loman's Hospital to the north, Fonthill Road to the east and the permitted SHD residential development under construction further to the south.
The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground.	The proposed development will not significantly impact the relative abundance, availability, quality and regenerative capacity of natural resources. SuDs will be incorporated into the development to ensure a properly controlled water regime.
The absorption capacity of the natural environment, paying particular attention to the following areas: (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and; (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; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or archaeological significance.	The site itself is not located within a wetland, river mouth, coastal zone, marine environment, mountain, forest, nature reserve, park, or protected site. The Statement of Screening for Appropriate Assessment completed by Whitehill Environmental and submitted with this application confirms that the <i>"proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites"</i> and therefore <i>"the proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS)"</i> .

Types and characteristics of potential impacts	
The magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected).	<p>It is expected that the proposed development will not have any environmental impact beyond the site and immediate vicinity.</p> <p>All construction activities will be governed by the contractor in agreement with South Dublin County Council.</p>
The nature of the impact.	<p>The potential likely and significant impacts arising from the development will be typically those associated with a small sized residential development on a small site of 0.36 ha.</p> <p>The impact of the development at operational stage will be a small and imperceptible when compared to the existing and permitted developments in the surrounding residential area .</p>
The transboundary nature of the impact.	Any minor impacts will be contained in the immediate vicinity of the site. The subject lands are not located on any geographical or other boundary of relevance to assessment of likely significant effects on the environment.
The intensity and complexity of the impact.	<p>The proposed development for a total of 7 no. residential units and is not of any significant intensity or complexity such that would be likely to cause significant effects on the environment.</p> <p>Any environmental impacts during the construction phase will be mitigated by the contractors.</p>
The probability of the impact.	It is probable that the minor impact of noise and pollution during the construction phase will occur; 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.
The expected onset, duration, frequency and reversibility of the impact.	The minor impacts identified would occur during the construction phase. There are no significant negative impacts which are considered likely to occur during the operational phase of the proposed residential development. The frequency of impacts will vary throughout the construction phase; however, the impact is still not considered to be significant. The minor impacts associated with the construction phase such as noise, dust and traffic will be temporary.
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.	The subject site is zoned land designated for residential use. The scale of the proposed scheme, and any other permitted developments in the vicinity are not such that the characteristic of any potential impacts, in combination with each other, are likely to cause significant effects on the environment.

	There are no other planned or recent developments in the immediate vicinity which would be the subject of EIA requirement.
The possibility of effectively reducing the impact.	Appropriate mitigations measures will be undertaken in order to ameliorate effects on the environment arising from the proposed development. Any mitigations measures to manage noise, dust and/or pollution during the construction phase will be based on standard best practice, policies and guidance, and will be agreed with South Dublin County Council.

APPROPRIATE ASSESSMENT SCREENING REPORT

A Statement of Screening for Appropriate Assessment has been carried out for this site. It has found that this development occurs on a site that is of low ecological sensitivity of the subject lands.

The conclusion of the report finds that *“It is of the opinion of the author that an AA of the proposed development is not required as it can be excluded, on the basis of objective information provided in this report, that the proposed development, individually or in combination with other plans or projects, will not have a significant effect on any European sites. Therefore, this proposed project does not need to proceed to Stage II of the Appropriate Assessment Process, i.e., a Natura Impact Statement (NIS).”*

CONCLUSIONS

In conclusion, it is respectfully submitted that an EIAR is not required for the proposed development, which is an amendment to a permitted development, as the proposal remains below the thresholds of Schedule 5 of the Planning and Development regulations. The AA Screening Report also outlines that the proposal is unlikely to have effects on the Natura 2000 Network, either alone or in combination with other plans; the development will be connected to public services such as water and foul systems; standard construction practices can be employed to mitigate any risk of noise, dust or pollution; and no identified impact in this screening exercise either individually or cumulatively will have significant impacts on the environment.

In conclusion, it is considered that the proposed development will not have any significant impacts on the environment. All recommended mitigation measures and standard practices will be employed throughout the construction and operation phase of the development to ensure that the proposed development will not create any significant impacts on the quality of the surrounding environment.

APPENDIX A – ARCHAEOLOGY REPORT FROM 2005 APPLICATION