

# Report to Support Environmental Impact Assessment Screening

Part 8 Housing development at Clonburris Subsector Kishogue South West, Dublin 22 – Stage 1 B

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# 1. Introduction

## 1 Introduction

### 1.1 Context

This report provides an Environmental Impact Assessment screening report for a Part 8 housing development consisting of an area of land measuring 10.65 ha located at Clonburris predominately in subsector Kishogue South West which is located on Lynches Lane to the east of R136, Dublin 22. The Part 8 process is being pursued by South Dublin County Council. South Dublin County Council are the Competent authority (CA) responsible for formal screening and scoping decisions.

### 1.2 Background

An Bord Pleanála approved the Clonburris Strategic Development Zone (SDZ) Planning Scheme, with amendments in May 2019. The Part 8 is prepared having regard to the Planning Scheme.

### 1.3 Overview of Proposed Development

The subject development proposes the construction of 263 residential units, along with parking spaces, community facilities, open spaces, and associated infrastructure and landscaping.

### 1.4 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Draft Guidelines on the information to be contained in Environmental Impact

Assessment Reports, Environmental Protection Agency, 2017

- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

### 1.5 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step' assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

Pursuant to Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

# 1. Introduction

Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

Where the local authority concludes, based on such preliminary examination, that—

- (i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- (ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- (iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

## 1.6 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie/>;
- Environmental Protection Agency (EPA) - <http://gis.epa.ie/Envision>;
- Myplan.ie
- South Dublin County Development Plan 2016-2022
- Clonburris SDZ Planning Scheme
- GeoHive  
<http://map.geohive.ie/mapviewer.html>;
- EPA Online dataset;
- EPA Catchments -  
<https://www.catchments.ie/>;
- Met Éireann - <http://www.met.ie/>;

- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>;
- and,
- National Parks & Wildlife Service (<http://www.npws.ie/>).
- Planning applications website.
- Marine Atlas.

## 1.7 Qualifications

This EIA Screening Report has been prepared by Jerry Barnes, BA, MPhil, MA, MSc, MIPI MRTPI. Jerry is a Chartered Town Planner and Chartered Surveyor with 30 years' experience in the public and private sectors in Ireland including the preparation of EIARs and EIA screenings for infrastructure, commercial and residential development projects. He has MPhil in Environmental Planning (MPhil) from the University of Reading.

# 2. Site and Location

## 2 Site and location

### 2.1 Description of Site and Surrounding Area

The irregular shape site is located at Clonburris, Dublin 22, within the Clonburris Strategic Development Zone (SDZ) lands, in the west of the Dublin Greater Metropolitan Area. The site totals c 10.65 ha and is located to the west of open land that bounds the R136, Grange Castle Road, south of the railway line and north of the L5128 known as Lynch's Lane. North of the railway line is Adamstown Avenue which is the southern boundary of a large residential area. The Grand canal is c140 m to the south. On the west of the site, the red line traverses a Council depot (structure and yard). Kishoge Railway station (not operational) is located close to the site.

The overall area of the SDZ lands is 281 ha with a net development area of 151 ha resulting in the potential of to deliver a target of c. 9,500 new homes.

A Traveller accommodation site known as Kishoge Park, consisting of single storey-built structures and hard standings exist on the site and are accessed from Kishoge Road which runs north of Lynch's Lane. The boundary of the site in the vicinity of Kishoge Park consists of a wall topped with a railing and a footpath linking to the R126 junction (roundabout). The site also includes a derelict cottage at the south western corner.

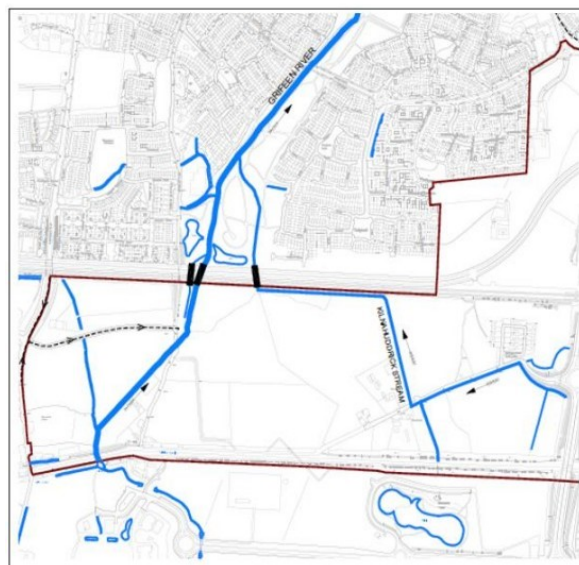
A 20KV ESBN power line traverses the site predominantly in a north/south direction and such ESBN infrastructure traverses the proposed site at three locations.



**FIGURE 1: SITE OUTLINE EXCLUDING PROVIDED BY METROPOLITAN WORKSHOP (THIS EXCLUDES THE CONNECTION TO THE SOUTH)**

Population data was extracted from the Central Statistics Office (CSO) Census of Population 2016. The site forms part of Small Area no. 267100003 where the population in 2016 was 390 persons.

Figure 2-6: Kilmahuddrick Stream



**FIGURE 2 : EXTRACT FROM CLONBURRIS SDZ WATER STRATEGY REPORT 2017 ILLUSTRATING KILMAHUDDRICK STREAM**

There are no watercourses recorded on the site in the EPA mapping. However the Clonburris SDZ Water Strategy Report 2017, OSI mapping and site inspection confirms the Kilmahuddrick Stream flows south/north across the site. It flows north-west into the Griffeen River located approximately 720 m downstream of the Site, followed by the River Liffey which outfalls at Dublin Bay more than 18 km east of the Site downstream (AWN Consulting, 2020). Additionally, a second stream/ditch is located west of the traveller accommodation.

# 2. Site and Location

## 2.2 Environmental Sensitivity of site

### Land and Soil

EPA maps indicate that the subsoil is Limestone till (Carboniferous).

Site investigations undertaken in 2019 indicated the presence of soft to firm grey mottled brown slightly sandy gravelly clay below a layer of 200mm of made ground and stiff black slightly sandy clay at 1.45m depth, with ground water encountered at 1.90m BGL.

The site is located over “Locally Important Aquifer - Bedrock which is Moderately Productive only in Local Zones” [L].

The GSI vulnerability is defined as “High” [H].

Subsoil Permeability is classified as Low [L].

Site investigation was carried out in December 2021 and 3 no. infiltration tests were carried out as part of this investigation. AECOM are awaiting the full site investigation report.

2 no. infiltration tests (to the west and in the centre of the site) did not return an infiltration rate. An infiltration rate of  $9.2 \times 10^{-5}$  m/min was recorded in the east of the site in the second cycle (a rate of  $9 \times 10^{-5}$  m/min was recorded in the first cycle).

### Air

The Air Quality Index Regions of Dublin City at the application site is indicated as “3 – Good” in February 2021.

### Water

Flood maps do not indicate any flooding designations.

The Groundwater WFD status for the waterbody [IE\_EA\_G\_008] is “Good” under the latest status report.

The Griffeen River [IE\_EA\_09L012100] is WFD risk status is “Moderate” under the latest status report.

### Noise

The northern portion of the site falls within three noise bands associated with the railway for night-time (Lnight) 45-49 dB, 50-54dB, 55-59dB, and daytime (Lden) 55-59dB, 60-64dB, 65-69dB

### Designated Sites

The site is located c 110 m from a proposed Natural Heritage Area (002104 Grand Canal).

The nearest Natura 2000 sites are as follows:

- Rye Water Valley/Carton SAC [1398] – 4.6km to the north west
- Glenasmole Valley SAC [1209] - 9.4km to the south
- Wicklow Mountains SAC [2122] – 11.3km to the south-east
- Wicklow Mountains SPA [4040] - 13.8 km to the south-east
- South Dublin Bay and River Tolka Estuary SPA [4024] – 13.8km to the east
- South Dublin Bay SAC [0210] - 14.6km to the east

### Site Habitats

The ecological survey undertaken by Aecom in August 2021 indicates the following habitats:

- FW2 Depositing/lowland rivers
- FW4 Drainage ditches
- GA1 Improved agricultural grassland
- GS2 Dry meadows and grassy verges
- WD1(Mixed)broadleaved woodland
- WD2 Mixed broadleaved/conifer woodland
- WS2 Immature woodland
- WL1 Hedgerows
- WL2 Treelines
- ED3 Recolonising bare ground

### Cultural Heritage

There are no recorded monuments within the site.

The Archaeological and Cultural Heritage Report by Aecom concludes that the desk-based assessment has predicted moderate to high potential for the presence of archaeological remains of the later prehistoric, early medieval, medieval and later periods to survive within the Proposed Development. There is the potential that unexpected archaeological remains of all periods maybe discovered within the Proposed Development.

## 2. Site and Location

There are no protected structures on site. Grange House which is located towards the west end of Lynche's Lane, 50m to the southwest of the Proposed Development. The house is marked on the 1st Edition OS map (1843) and the original detached farmhouse survives as a two-storey dwelling with a rear return and a single storey extension on its east side which was added during the second part of the 19th century

# 3. Proposed Development

## 3 Proposed Development

### 3.1 Site Development

The proposed development is for 263 dwellings, community building, landscaped areas, parking spaces, road and engineering infrastructure and all ancillary development above and below ground. The dwelling mix comprises 129 houses, 16 duplex apartments and 118 apartments in a mix of one to five storey buildings. The house on site would be demolished under permission Ref. SDZ20A/0021. Other structures on site would be removed.



FIGURE 3: PROPOSED LAYOUT.

### 3.2 Design Objectives

The proposed development is designed to follow the key objectives in the Clonburris SDZ Planning Scheme for Kishoge South West (p121), which are as follows:

- To develop a high quality residential neighbourhood at Kishoge South West integrating with existing housing;
- To provide locally accessible open spaces of local and strategic importance;
- To ensure high levels of legibility and ease of orientation;
- To provide a new Link Street/avenue to connect to the Kishoge Urban Centre and Adamstown extension;
- To prioritise pedestrian and cyclist movement and to provide for local bus services along the avenue;
- To provide for a range of housing along the

new Link Street/avenue, and local streets including homezones;

- To provide significant and integrated SUDS infrastructure, including a high amenity retention pond/lake; and
- Appropriate pedestrian access points on to the Grand Canal to be sensitively designed in accordance with the Parks and Landscape Strategy and Biodiversity Management Plan.

It also includes a portion of Kishoge Urban Centre as defined in the Planning Scheme, which will include a mix of uses, including residential.

### 3.3 Surface Water

Planning permission has been granted under Ref. SDZ20A/0021 for infrastructural works for the broader SDZ lands and the infrastructure traverses the site. A regional pond ('ATN-02') is proposed by the infrastructure works approx. 300 m downstream of the site, to attenuate the sub-catchment, which includes the subject site.

The Infrastructure Report indicates that the surface water network will connect the surface water network for the site into the proposed 1500 mm diameter drainage spine, proposed under the planning permission SDZ20A/0021. Attenuation is to be provided in open space on the site and it has been confirmed that the majority of the site can be attenuated in the regional pond, 'ATN-02', as set out in the SWMP for the SDZ and that no flow controls are required to restrict flow from the subject site.

The SuDS features that are considered suitable based on the current site layout are as follows:

- Green Roof for the apartments proposed
- Permeable Paving
- Bio-Retention / Rain Gardens / Tree Pits
- Swales
- Oil Separators

### 3.4 Foul Water

It is proposed to connect the development by gravity, into the main gravity trunk foul line along the Link Road which will be serviced by Pump Station 02, which is proposed under Ref. SDZ20A/0021. Wastewater will then be treated in Ringsend Wastewater Treatment Plant.



# 4. Planning History

## 4 Planning History

### 4.1 Site History

**ABP-301962-18** - An Bord Pleanála approved the Clonburris Strategic Development Zone (SDZ) Planning Scheme, with amendments in May 2019 which incorporates the application site.

There is no relevant planning history on the site.

### 4.2 Wider Area Planning History

**SD228/0001** – A Part 8 application is currently on display for 118 residential units made up of houses, duplexes, triplexes, an apartment building, landscape works, total site area approx. 2.5 ha (net) at Bawnogue Road/Ashwood Drive, Clonburris, Clondalkin, Dublin 22.

**SDZ21A/022** – Planning permission has been sought for the construction of 569 dwellings, a creche, innovation hub and open space in the Clonburris South West Development Area of the Clonburris SDZ Planning Scheme 2019. Further information was requested in relation to the application.

**SDZ20A/0021** – Planning permission was granted for infrastructure works which traverse the SDZ area and cross the subject site.

**SDZ14A/0002** – Planning permission granted (31/07/15) for construction of 9 houses with new vehicular entrance to Ninth Lock Road within the Clonburris Strategic Development Zone at Cappaghmore, Ninth Lock Road, Clondalkin, Dublin 22.

**SD198/0008** - Extension and alterations constructed at ground floor level to the existing Day-House to include at No. 19 Kishoge Park, Lynch's Lane

**SD17A/0187** -Permission granted for 11 No. 2-storey, infill houses with associated site works at 20, 34, 36, 38, 55, 65, 67, 69, 71, 73, 75, Tullyhall Drive. These houses were previously permitted under permission SD05A/0274EP, now lapsed. (08/08/2017)

**SD158/0008** – Part 8 approval for access road to the south of the Grand Canal in Grange Business Park.

**SD14A/0269** - Grant of permission on appeal. Construction of a two storey primary school (2,719sq.m) at lands on the former Lynch's Lane with access through existing entrance on Balgaddy Road; demolition of an unused single storey building, provision of car parking, drop off facilities, ball courts, green play space, landscaping and associated site works; a new pedestrian access from Buirg an Ri to Rosse Court is also proposed.

**SD13A/0048** Grant of permission for the construction of a new post primary school with a capacity for 1,000 pupils, Junction of Fonthill Link Rd., Lynch's Lane and Lynch's Park, Kishoge, Clonburris, Co. Dublin

**SD16A/0315** Grant of permission Divine Mercy Senior and Junior National School, Balgaddy Road, Balgaddy, Lucan, Co. Dublin - demolition of one courtyard block of 8 classrooms, GP hall and ancillary accommodation (total 1203.5sq.m) and the construction of a new two storey primary school extension consisting of 15 classrooms, junior general purpose room, library, staff room, and minor internal works to the existing single storey school including new classroom and all ancillary accommodation associated with the extension (total area 2700sq.m).

**SD09A/0149** - Planning permission granted (24/02/11) for mixed use development including 898 residential units on lands to north of Adamstown Link Road for a period of 7 years. The permission has expired.

**S00A/0680** - Outline permission granted on 1/01/2001 for a house at Kishogue Cottage, Lynch's Lane.

Several amendments to **ABP REF 216131**: Esker South, Lucan, Co. Dublin. (**SD05A/0274**) where permission was granted for 58 no. 2 storey houses and 16 no. apartments (area known as Tullyhall on opposite site of railway). Minor permissions have been granted for small domestic development in the vicinity.

# 5. Planning Policy

## 5 Planning policy

The South Dublin County Development Plan 2016-2022 applies. The site is zoned Objective SDZ “*To provide for strategic development in accordance with approved planning schemes*” The zoning of this site is primarily residential within the SDZ.

A Road Proposal 6 years is included in the site.



**FIGURE 4: EXTRACT FROM COUNTY DEVELOPMENT PLAN**

The site is located in an approved SDZ Clonburris Planning Scheme.

Part IX of the Planning and Development Act 2000 as amended governs SDZs. Following designation of a SDZ, a draft planning scheme is prepared and goes through a series of assessments and public consultation. Chapter 3 of the adopted Planning Scheme sets out the Development Areas. An Bord Pleanála approved the Clonburris Strategic Development Zone (SDZ) Planning Scheme, with amendments in May 2019 Area 8, Kishoge South West type provides for “*Low to medium density residential development with community space and a primary school, that will capitalise on the extension of the Griffeen Valley Park*”. There are 4 subsectors applicable to the application area Kishoge Urban Centre KUC-S3, Kishoge South West KSW-S3, and Kishoge South West KSW-S4.

# 6. Preliminary Examination

## 6 Preliminary Examination

### 6.1 Context

The primary objective of the EIA Directives is to ensure that projects which are likely to have significant effects on the environment are subject to an assessment of their likely effects. The findings of this screening for the proposed housing development project are presented in this report.

### 6.2 European Directive as amended and associated transposing Regulations

Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment came into effect on May 16th, 2017. The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) transpose the requirements of Directive 2014/52/EU, amending previous Directive 2011/92/EU, on the assessment of the effects of certain public and private projects on the environment (the EIA Directive) into planning law with effect from 1st September 2018. The regulations amend the Planning and Development Regulations 2001.

Directive 2014/52/EU does not make any amendments to the list of projects set out in the two annexes to the 2011 Directive. In the Irish legislation, Annexes I and II are broadly transposed by way of the Planning and Development Regulations 2001, as amended, in Schedule 5 Parts 1 and 2, with national thresholds added to certain Part 2 classes of development.

Schedule 5 Part 1 projects require EIA if the stated threshold set therein has been met or exceeded or where no thresholds are set.

Schedule 5 Part 2 projects meeting or exceeding national thresholds set out therein, or where no thresholds are set, require EIA.

Schedule 5 Part 2 Sub-threshold projects require screening for EIA, except in cases where the likelihood of significant effects can be readily excluded.

The new Annex II A, is transposed into the Planning and Development Regulations 2001 as amended by the insertion of schedule 7A – “information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment.”

Art 92 of the Planning and Development Regulations 2001 as amended provides that:

“sub-threshold development” means development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development;”

### 6.3 Planning and Development Regulations 2001-2019

The first stage of EIA screening is provided in Art 120 of the Planning and Development Regulations 2001 as amended (S.I. No. 296/2018 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018).

Art 120 (1) (a) provides that -

“where the authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development” .

Art 120 (1) (b) provides that after the preliminary examination is carried out, and where the local authority concludes, based on such preliminary examination, that—

“(i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

(ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or

# 6. Preliminary Examination

(iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall—

(I) conclude that the development would be likely to have such effects, and

(II) prepare, or cause to be prepared, an EIAR in respect of the development.”

Schedule 7A is triggered if there is significant and realistic doubt in regard to the likelihood of significant effects on the environment. Subsection (1b) in summary, provides where the local authority prepares, or causes to be prepared, the information specified in Schedule 7A, then the information shall be accompanied by any further relevant information and may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.

The Regulations provide that where any person considers that a development proposed to be carried out by a local authority would be likely to have significant effects on the environment, he or she may, at any time before the expiration of 4 weeks beginning on the date of publication of the notice apply to the Board for a screening determination as to whether the development would be likely to have such effects.

## 6.4 Section 28 Guidelines for Environmental Impact Assessment

The revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018 were issued under section 28 of the Planning and Development Act 2000, as amended, replacing the 2013 Guidelines, and accordingly planning authorities and An Bord Pleanála are required to have regard to them in the performance of their planning functions. The OPR’s EIA Screening Best Practice Note sets out a step-by- step approach to screening.

## 6.5 Sub Threshold Development and the Current Part 8 Proposal

Sub-threshold projects in Schedule 5 Part 2 require screening for EIA, except in cases where the likelihood of significant effects can be readily excluded.

Schedule 5 Part 2 provides the following relevant projects/thresholds.

### 10. Infrastructure projects

(a) industrial estate development projects, where the area would exceed 15 hectares.

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

(ii) Construction of a **car-park providing more than 400 spaces**, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

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

Having regard to the above thresholds, the proposed development is for 263 dwellings, community building, landscaped areas, parking spaces, road and engineering infrastructure and all ancillary development above and below ground. is sub threshold 10 (b) ) (i) and (ii).

In relation to sub section (iv), the view of South Dublin County Council is that this non-serviced area is not a built-up area and therefore 20 ha is the appropriate threshold. It may be noted the current application SDZ20A/0021 accompanied by an EIAR provided that the project involved an area greater than 20 ha and therefore an EIAR was required. It may also be noted that “Built-up area” is defined in the interpretation section of the Planning and Development Regulations 2001 as amended “built-up area” means a city or town (where “city” and “town” have the meanings assigned to them by the Local Government Act, 2001) or an adjoining developed area;”

# 6. Preliminary Examination

## 6.6 Preliminary Examination

As the development falls within the scope of the EIA Directive, the Council must undertake at least a preliminary examination. These must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

Having regard to the size of the development, it is considered that likely significant effects cannot be ruled out and that the Council proceed to an EIA screening determination.

# 7. EIA Screening Assessment

## 7 EIA Screening Assessment

### 7.1 Assessment Against Criteria

Where the requirement to carry out EIA is not excluded at preliminary examination stage, the planning authority must carry out a screening determination.

In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,
- Any further relevant information on the characteristics of the development and its likely significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account, and
- The likely significant effects on certain sensitive ecological sites.

### 7.2 Assessment against Schedule 7 Criteria

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7.

**Schedule 7 criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment.**

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

#### 1. Characteristics of proposed development

**The characteristics of proposed development, in particular—**

**(a) the size and design of the whole of the proposed development,**

The proposed development is for 263 dwellings, community building, landscaped areas, parking spaces, road and engineering infrastructure and all ancillary development above and below ground. It will be connected to foul and surface water services permitted under Ref. SDZ20A/0021.

The design of the proposed development can be described as modern suburban residential development, in accordance with the objectives of the Planning Scheme. The size of the proposed development is moderate in terms of urban residential development and makes use of existing zoned lands in the settlement boundary as indicated in the Planning Scheme.

Having regard to the moderate size and design of the proposal, it is not considered that it would be likely to have significant effects on the environment.

**(b) cumulation with other existing development 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 relevant planning history is outlined above and no relevant consents apply to the site.

#### **Wider area**

An Bord Pleanála approved the Clonburris Strategic Development Zone (SDZ) Planning Scheme, with amendments in May 2019. A SEA accompanied the application.

Planning permission has been granted for infrastructural works under Ref. SDZ20A/0021. These works traverse the site and will serve the site

# 7. EIA Screening Assessment

with foul and surface water infrastructure. That application was the subject of a full EIAR, where all relevant environmental factors were taken into account. The cumulative effects of the subject development and the permitted infrastructural works, which was the subject of an EIAR, are not such as to result in significantly different environmental effects from those already assessed.

There is also a consented development for amendments to the parent permission for the housing estate north of the railway line and the permissions referred to above in the planning history.

Given this distance and minor nature of the extant permissions and the environmental effects associated with that development, it is not considered that any significant cumulative effects would arise.

There is a further Part 8 application (SD228/0001) for 118 units at the eastern end of the Planning Scheme area. In addition, there is a 569 units at the eastern end of the Planning Scheme area (SDZ21A/022), which is the subject of a further information request. Generally, the EIA Directive requires a cumulative assessment with other consented development. These are not yet consented development. Notwithstanding this and in the event that they are permitted by the time the subject development is assessed, given the distance and nature of the impacts, it is not considered that any significant cumulative effects would arise.

There are no likely significant cumulative environmental effects resulting from the proposed development when considered in combination with other permitted development.

## **(c) the nature any associated demolition works**

The existing structures on the site which will require demolition and disposal/reuse. The existing house on site will be demolished under SDZ20A/0021. There will be the demolition of other minor structures on site and project works will result in the

excavation of soils as part of the site development. Current cut/fill projections suggest an estimated 1,681m<sup>3</sup> of cut and approx. 46,311m<sup>3</sup> of fill will be required following a topsoil strip of approximately 29,950m<sup>3</sup>. The Outline Construction and Demolition Waste Management Plan has been prepared and indicates the following approach:

- The Waste Management Hierarchy (Article 4 of the Waste Framework Directive (Directive 2008/98/EC)) states that the most preferred option for waste management is prevention and minimization of waste, followed by re-use and recycling, other recovery (i.e. waste to energy and anaerobic digestion) and, least favoured of all, disposal. Re-use and recycling will be undertaken on site for the waste types highlighted in the following paragraphs.
- Concrete waste will be segregated and collected in receptacles with mixed waste materials for subsequent separation and recovery at a licensed facility. Masonry and wood will be segregated and collected in receptacles with mixed waste materials, for subsequent separation and recovery at a remote facility.
- Hazardous wastes will be identified, removed and kept separate from other waste materials in order to avoid further contamination.
- In the event that any contaminated material is encountered on the site during the site works, it will be tested, classified and disposed of in accordance with Council Decision 2003/33/EC, which establishes criteria for the acceptance of waste at landfills.

Should the above be implemented, the proposed development is unlikely to have significant environmental effects arising from demolitions and excavations.

There are no likely residual significant effects on this aspect of the environment.

# 7. EIA Screening Assessment

## **(d) the use of natural resources, in particular land, soil, water and biodiversity**

The land cover is grass, trees, hedges and hardstanding. The lands are zoned for residential purposes. The proposed use of natural resource of land is not considered to be significantly different to the existing surrounding areas to the north and is aligned with the approved use in the Panning Scheme. The built area is to be developed at a significantly higher density than present.

The nature of the proposed development will generate a demand for water but this is for predominantly residential use and is not considered significant.

The ground testing is ongoing. Pollution-prevention measures will be implemented during the construction of the proposed development, which will ensure that no pollutants can reach water courses. The Kilmahuddrick Stream flows south/north across the site and the Griffeen River is to the west.

Adherence to best practice Construction and Environmental Management during the construction phase will ensure that development would not result in pollution of groundwater or surface water. Construction and Environmental Waste Management Plans will be put in place for review.

In terms of biodiversity, the site is predominantly agricultural and a number of trees and hedges which will be removed. A tree survey has been commissioned. The lands will be developed in a permanent manner with new planting and trees forming part of the landscape proposal.

The EIA accompanying the application indicates in Table 7 potential effects upon habitats, birds, bats, otters, badgers, breeding birds, fish, amphibians and invasive species. The impacts are both temporary and permanent. Mitigation measures include:

- Best practice pollution control measures during construction (see f) below)
- Planting of native trees and hedgerows within the Site.
- Grassland reinstatement includes native meadow in the linear parkland within the Site.
- Vegetation cover to be removed only during appropriate season
- For bats
  - Compensatory planting of native trees and hedgerows in the Site simulating natural treelines, hedgerows and woodland.
  - Directional lighting will be used to prevent light spill on ecologically sensitive habitats (e.g. treelines, hedgerows, watercourses, and woodland).
- For otters
  - The Kilmahuddrick Stream will remain on Site and it will be fenced off at a minimum distance of 10 m from the watercourse bank
  - Construction works will be primarily carried out in daylight and lights will be turned off at night.
  - Directional lighting away from Stream

There are no likely significant residual effects on this aspect of the environment.

## **(e) the production of waste**

The proposed development will generate general household waste. In terms of the production of waste, an operational waste management plan will provide for residential waste segregation and collection in accordance with the standards of the County Council.

During the construction phase, both demolition and construction waste will be generated which will be the subject of a construction and demolition waste management plan. There would be permanent effects upon the environment. The Outline



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Construction and Demolition Waste Management Plan will mitigate these impacts.

There are no likely significant residual effects on this aspect of the environment.

## **(f) pollution and nuisances,**

Noise, vibration, lighting and dust arising from construction activities and construction traffic have the potential for pollution or nuisance. Any risk of surface water pollution can be avoided by adherence to best practice and the preparation of a Construction and Environmental Management Plan during the construction phase which will ensure that the development would not result in pollution of groundwater or surface water. Dust nuisance during construction can be controlled by a dust minimisation plan. Best practice guidance on pollution prevention will be followed at all times during the construction and operation of the Proposed Development, including implementation of the following: – controls and contingency measures will be provided to manage run-off from construction areas and to manage sediment;

- pollution prevention measures will be implemented for all construction works, but in particular where these take place within 30 m of the watercourses. These must prevent pollution (including siltation) of the watercourses;
- there will be no direct discharge of water from any construction area into the watercourses;
- all oils, fuels, lubricants or other chemicals will be stored in an appropriate secure container in a suitable storage area, with spill kits provided
- at the storage location and at places across the Site. There will be no storage of any oils, fuels, lubricants or other chemicals within 30 m of the watercourses;
- in order to avoid potential pollution impacts to waterbodies, soils or vegetation from machinery during construction, all refuelling and servicing of vehicles and plant will be carried out in a designated area which is

bunded and has an impermeable base. This will be situated at least 30 m from the watercourses;

- the use of concrete in close proximity to watercourses will be carefully controlled to avoid spillage. No on-site batching should occur. Washout from mixing will be carried out only in a designated contained impermeable area; and,
- soil exposure during the construction works will be reduced and exposed soil will be reinstated as rapidly as possible.

The proposed development is primarily for residential development. Accordingly, there are no significant expected residues or emissions. Aspects of energy efficiency are incorporated into the modern energy efficient design of the buildings. The community facility is single storey and will not be a significant generator of operational waste.

Foul sewage will be treated in the Ringsend Wastewater Treatment Plant in accordance with regulatory requirements.

There are no likely significant residual effects on this aspect of the environment.

## **(g) 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**

The Construction and Demolition Waste Management Plan indicates that prior to commencing works, buildings and structure to be demolished will be checked for any likely hazards including asbestos containing materials, electric power lines or cables, gas reticulation systems, telecommunications, unsafe structures, and fire and explosion hazards, e.g. combustible dust.

A full site investigation will be completed prior to the demolition. All work involving materials composed of or containing asbestos requires a written risk assessment and a management plan to be prepared under The Safety, Health and Welfare

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at Work (Construction) Regulations 2013 and subsequent amendments.

The operational phase of the proposed development will result in no particular risk of accidents arising from substances or technologies used. Traffic will be generated during the construction period, but for a temporary and defined period only. The location of the site within the greater Dublin area allows future residents access to public transport particularly when the Kishoge Train station becomes operational.

There are no likely residual significant effects on this aspect of the environment.

## **(h) the risks to human health (for example, due to water contamination or air pollution)**

Subject to further testing, it is not anticipated that there would be any significant risk to human health as a result of excavation of soils or contamination of water during the construction stage. However, infiltration tests are to be carried out to ascertain the level of infiltration on the subject site. The single trial hole TPO4, undertaken in the original ground investigation in 2019, indicated the presence of soft to firm grey mottled brown slightly sandy gravelly clay below a layer of 200mm of made ground and stiff black slightly sandy clay at 1.45m depth, with ground water encountered at 1.90m BGL (Aecom Stage 1a Infrastructure Report).

Some dust and noise can be expected during demolition and construction phases. The proposed development will be a standard construction method and of appropriate scale and does not require the use of particular substances or use of technologies which of themselves are likely to give rise to temporary significant environmental effects during construction.

Currently surface water does enter the stream/ditch at the western boundary. This flows north into the Griffeen River located approximately 680 m north-west, followed by the River Liffey which outfalls at Dublin Bay c 18 km east. It is proposed to provide a dedicated surface water drainage system

throughout the development and also providing attenuation on the site, prior to discharging the runoff downstream, to the west, as set out in the Surface Water Management Plan. A pond is proposed downstream to attenuate the sub-catchment as part of the infrastructure works for the full SDZ. In accordance with the Greater Dublin Strategic Drainage Study this project will incorporate sustainable drainage systems (SUDS) that will appreciably reduce the run-off rate.

Foul and surface drainage infrastructure will be entirely separate. Foul effluent from the proposed development will be pumped to a new pumping station and then sent to the wastewater treatment plant at Ringsend in Dublin (which is to be upgraded to ensure compliance with the Urban Wastewater Treatment Directive). Irish Water confirmed to the oral hearing held by An Bord Pleanála that there was generally sufficient capacity in the foul network to cater for development in the SDZ area. The proposed development would be of standard construction method and of appropriate scale and does not require the use of particular substances or use of technologies which of themselves are likely to give rise to significant environmental effects.

The proximity of residential dwellings to the railway is likely to give rise to permanent adverse effects on human health resulting from noise emissions. Appropriate sound insulation will mitigate this.

There are no likely significant residual effects on this aspect of the environment.

## **2. Location of proposed development**

The location of the proposed development is described in section 2 above.

### **The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—**

#### **(a) the existing and approved land use,**

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The existing and approved land use is residential where residential and associated works are permissible in principle.

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

The EclA provides details of the biodiversity on site.

## Habitats

### FW2 Depositing/lowland rivers

The Kilmahuddrick Stream is a relatively small stream located in the western section of the Site

### FW4 Drainage ditches

There is one drainage ditch at the centre of the Site, which splits to the north near the existing residential area. It is approximately 20 cm deep with turbid, stagnant water. It has no instream vegetation.

### GA1 Improved agricultural grassland

There is a field of improved agricultural grassland within 50 m of the Site to the south that forms a mosaic with dry meadows and grassy verges and scrub.

### GS2 Dry meadows and grassy verges

There is a field of dry meadows and grassy verges surrounding the existing residential area at the eastern section of the Site

### WD1 (Mixed) broadleaved woodland

A relatively small area of mixed broadleaved woodland (c. 30 x 50 m in area) is located within the western section of the Site.

### WD2 Mixed broadleaved/conifer woodland

A small section of mixed broadleaved/conifer woodland that forms a mosaic with mixed broadleaved woodland is located approximately 30 m south-west of the Site.

### WS2 Immature woodland

There is a small area of immature woodland located approximately 30 m south-east of the Site.

### WL1 Hedgerows

There is one hedgerow in the Site, which is relatively species-poor and is dominated by butterfly-bush with occasional willow, bramble, and dog-rose *Rosa canina*.

### WL2 Treelines

There are several treelines within the Site, which form corridors linking the Grand Canal and the railway line.

### ED3 Recolonising bare ground

Recolonising bare ground is present throughout the western section of the Site

## Protected Species and Other Notable Species

No rare or protected plant species were reported within 50 m of the Site, nor recorded during the 2021 ecology surveys.

The ecological survey did not reveal roosting bats, but the Site comprises moderately suitable habitat for commuting and foraging bats, in particular along the Kilmahuddrick Stream and associated hedgerow/treeline which are well-connected to the wider landscape.

There was no evidence of otters, badgers or reptiles on site.

## Birds

Breeding bird surveys were previously carried out within the wider Clonburris SDZ in 2020, 2018, and 2015. The following BoCCI red-listed bird species (excluding raptors, which are described in the section below) were recorded during breeding bird surveys in the Clonburris SDZ: grey wagtail *Motacilla cinerea*, meadow pipit *Anthus pratensis*, and swift *Apus apus*. The following BoCCI amber-listed bird species (excluding raptors, which are described in the section below) were recorded during breeding bird surveys in the Clonburris SDZ: black-headed gull, goldcrest *Regulus regulus*,

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greenfinch *Carduelis chloris*, herring gull *Larus argentatus*, house martin *Delichon urbicum*, house sparrow *Passer montanus*, kingfisher *Alcedo atthis*, linnet *Carduelis cannabina*, skylark *Alauda arvensis*, spotted flycatcher *Musciapa striata*, starling *Sturnus vulgaris*, and swallow *Hirundo rustica*.

Kingfisher which are listed on Annex I of the Birds Directive, were observed during the breeding bird surveys (Stephen Little and Associates, 2020) along the Grand Canal

Barn owl *Tyto alba* and kestrel *Falco tinnunculus* were the only BoCCI red-listed raptor species recorded in the Clonburris SDZ (Stephen Little and Associates, 2020; FERS, 2018; FERS, 2015). No BoCCI amber-listed raptor species were recorded in the Clonburris SDZ. The BoCCI green-listed raptor species recorded in the Clonburris SDZ include buzzard *Buteo buteo*, long-eared owl *Asio otus*, sparrowhawk *Accipiter nisus*, and peregrine.

Peregrine is listed on Annex I of the Birds Directive and it was observed soaring over grasslands near the R120 located approximately 1 km west of the Site (Stephen Little and Associates, 2020).

The following BoCCI amber-listed bird species were recorded during the non-breeding bird surveys (excluding raptors): black-headed gull, common gull *Larus canus*, cormorant *Phalacrocorax carbo*, greenfinch, herring gull, house sparrow, lesser black-backed gull *Larus fuscus*, mallard *Anas platyrhynchos*, mute swan *Cygnus olor*, skylark, and starling. Little egret *Egretta garzetta* were observed grazing in a field located approximately 20 m south of the Site near the Kilmahuddrick Stream in February 2020 (Roughan and O'Donovan, 2020).

Kestrel, sparrowhawks and buzzards have also been recorded.

53 protected and rare bird species were returned by the NBDC database search within 2 km of the Site, which are listed in Appendix A.

Full details of the results of bird surveys are in the Ecological Impact Assessment (EclA) prepared by Aecom.

## Fish

The EclA concludes that it is unlikely that fish use the watercourses within the Site as both the Kilmahuddrick Stream and the drainage ditch have low water levels.

## Invertebrates

In relation to terrestrial invertebrate, the EclA The habitats within the Site such as the meadows and recolonising bare ground provides suitable food resources for insects.

The EclA considered that aquatic invertebrate diversity was relatively low in the Grand Canal, the Griffeen River, and feeder streams adjacent to the Grand Canal in 2018 (FERS, 2018).

## Invasive Species

Japanese knotweed (a scheduled invasive species), have been recorded by SDCC in six locations within the Site. This species has been treated between 2017 and 2019 by the SDCC via glyphosate stem injections. THE EclA indicates that Japanese knotweed was not recorded during the April and August 2021 surveys. However, the dead stems of this plant can be undetected under dense vegetation and the underground rhizomes likely remain present in the Site. Therefore, on a precautionary basis, Japanese knotweed is considered to be present in at least the six locations within the Site where it has been recorded previously by SDCC.

The EclA also indicates that Spanish bluebell (a scheduled invasive species), cherry laurel (a high-impact, non-scheduled invasive species), butterfly-bush (a medium-impact, non-scheduled invasive species), sycamore (a medium-impact, non-scheduled invasive species), snowberry (a low-impact, non-scheduled invasive species) and winter heliotrope (a low-impact, non-scheduled invasive species) were recorded within the Site.

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The EclA concludes that, brown rat, grey squirrel and rabbit, which are medium impact invasive species are all likely to be present within the Site.

Jenkin's spire snail *Potamopyrgus antipodarum* (a medium-impact invasive species) was recorded in abundance within the Grand Canal and according to the EclA can be assumed to be in the Kilmahuddrick Stream.

## Trees

A tree survey has been undertaken which indicates a total of 43 individual trees and 3 groups of trees. They are classified as B, C and U.

## Water

Kilmahuddrick Stream passes through the site at the west. The nature of the proposed development will generate a demand for water but this is for residential use and is not considered significant. Pollution-prevention measures can be implemented during the construction of the proposed development, which will ensure that no pollutants can reach the water courses in the vicinity. Adherence to best practice Construction and Environmental Management during the construction phase will ensure that development would not result in pollution of groundwater or surface water.

The Planning Scheme requires the submission of an Ecological Impact Assessment (EclA) for any development within 30m of the Kilmahuddrick Stream.

The site is one development phase within an approved strategic development zone and this topic requires further assessment in Stage 2(b).

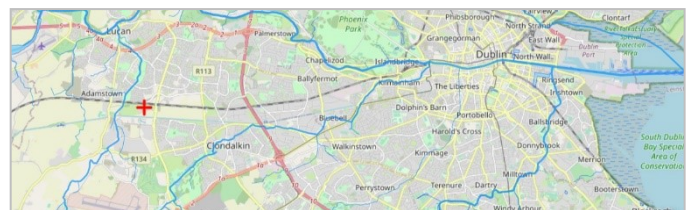
**(c) the absorption capacity of the natural environment, paying particular attention to the following areas:**

**(i) wetlands, riparian areas, river mouths;**

The map below shows the relationship with riparian corridors and coastal areas. It shows:

- river waterbodies;
- the river network;
- river flow directions
- Waterways Ireland canals

A stream is located on the west side of the site and this is not indicated on the EPA mapping. The Aecom AA Stage 1 draft report indicates that this stream flows north into the Griffeen River located approximately 680 m northwest, followed by the River Liffey which outfalls at Dublin Bay more than 18 km east. The Grand canal is c 240 m to the south.



**FIGURE 5: EXTRACT FROM EPA MAP SHOWING WATERCOURSES IN AREA AND DUBLIN BAY. SITE AREA INDICATED WITH A RED CROSS**

The site is not prone to fluvial flood risk. While there is a risk of pluvial flooding, this can be mitigated through an effective surface water and SuDS strategy which should be supplemented with a drainage maintenance inspection checklist which should be regularly updated by the management agency.

The proposal is not of such a location or scale that it would impact upon the absorption capacity of this aspect. Designated European Sites are considered below.

The SFRA accompanying the Planning Scheme confirms that the site falls within Flood Zone C site and is not prone to fluvial flood risk. While there is a risk of pluvial flooding, this can be mitigated through an effective surface water and SuDS strategy which should be supplemented with a drainage maintenance inspection checklist which

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should be regularly updated by the management agency.

The Surface Water Strategy in the SDZ indicates that at detailed design stage, infiltration testing in accordance with BRE365 will be required to ascertain the co-efficient of permeability of the soils throughout the site. The Aecom Drainage Report refers to the provision of interception storage as per GSDS Table 6.3 Sub-Criterion 1.1 needs to be clarified when the results of the ground investigation results are received, and an understanding of the on-site infiltration is examined. It also indicates SuDS measures for the proposed site layout are as follows:

- Green Roof for the apartments proposed
- Permeable Paving
- Bio-Retention / Rain Gardens
- Swales / Filter Drains
- Oil Separators
- Attenuation tanks

## (ii) coastal zones and the marine environment;

The proposal is not of such a location or scale that it would impact upon the absorption capacity of this aspect.

## (iii) mountain and forest areas;

The proposal is not of such a location or scale that it would impact upon the absorption capacity of this aspect. There are trees and shrubs habitats on the site, but these would not be categorised as a forest area.

## (iv) nature reserves and parks;

The proposal is not of such a location or scale that it would impact upon the absorption capacity of this aspect.

## (v) areas classified or protected under legislation, including Natura 2000 areas

## designated pursuant to the Habitats Directive and the Birds Directive;

The following sites are identified as within 15 K of the application site.

- Rye Water Valley/Carlton SAC [1398] 4.6 km, north-west
- Glenasmole Valley SAC [1209] 9.4 km, south
- Wicklow mountains SAC [2122] 11.3 km, south-east
- Wicklow Mountain SPA [4040] 13.8 km, south-east
- South Dublin Bay and River Tolka Estuary SPA [4024] 13.8 km, east
- South Dublin Bay SAC [0210] 14.6 km, east

The AA Screening Report prepared by Aecom concludes *“Therefore, in view of best scientific knowledge and on the basis of objective information, it is concluded that the Proposed Development, whether individually or in combination with other plans or projects, beyond reasonable scientific doubt is not likely to have significant effects on any European site. Consequently, there is considered to be no requirement to proceed to appropriate assessment and, subject to other requirements, the Proposed Development can be authorised.”*

## (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;

This does not apply.

## (vii) densely populated areas;

Given the quantum of units and proposed density in an undeveloped area this does not apply.

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

The National Monuments Service Archaeological Survey Database does not indicate any specific designations to this site or in the immediate vicinity.

The closest recorded structure is Hayden's Bridge located c 800m to the north east of the site (NIAH Reg. No. **11204059**). This is described as a "*Single-arch road bridge over railway, c.1915. Three-centred arch with dressed voussoir stones*".

The proposed development will not have to have any impact on the structure. No protected structures exist on the site and the site is not located in a conservation area.

An Archaeological Assessment by Aecom has concluded that there is a potential for unknown archaeological assets within the site and has made a number of recommendations. It is anticipated that as there are no existing identified upstanding remains or recorded monuments, there are no significant likely effects will be associated with this criteria.

## **3. Types and characteristics of potential impacts**

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

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

The magnitude of the proposal involves development of a semi-rural area located close to urban areas to the north. The proposed development is generally 2-5 storeys. The open land will be replaced by a suburban terraces and

blocks with landscaping and parking. The scale of the proposed development will not be out of keeping with existing development north of the railway and will transform this open area. Densities will be increased in line with currently planning policy which is to make better use of scarce urban development land. It will effectively rationalise the built fabric creating an urban structure legible within the overall masterplan for the SDZ Lands. The development will provide serviced residential accommodation in an emerging new suburban area providing a mix of tenures. The extent of the impact will be confined to that area in the immediate environs of the subject site and will be limited primarily to the residential population in the vicinity. The most impacted population will be the small Traveller accommodation on the site.

### **(b) the nature of the impact,**

The impact will be an increase in the residential population to provide a specific types of housing tenure. The mix of unit sizes and types will positively contribute to the Council's housing stock. The impact will provide housing in a time of severe shortage and in accordance with the County Development Plan core strategy. Open spaces are also provided as part of the design.

### **(c) the transboundary nature of the impact,**

This does not apply.

### **(d) the intensity and complexity of the impact,**

It is considered that the proposal in itself is not of a complex nature.

### **(e) the probability of the impact,**

Should the approval process be successful, the development will proceed.

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

The main impacts associated with the proposal will most likely be concentrated during the construction

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phase, which will be temporary. The constructed development will be permanent.

**(h) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and**

This is addressed in 1(b) above.

**(g) the possibility of effectively reducing the impact.**

On the issue of the built structures, it is considered that the proposal will visually change the existing landscape, however, the design put forward is an urban housing approach which is a high standard architectural design, consistent with the overall approved Planning Scheme, with provision of well-designed open space and landscaping. The proposed development incorporates an existing undeveloped parcel of land. In terms of wastewater treatment, it is considered that the impact upon the existing sewage system will be fully scoped having regard to the requirements of Irish Water. The floor levels of the development will be constructed above the 100 year predicted flood events.

## Inter relationship with above factors

It is considered that none of the above identified impacts which are not considered by themselves to be significant would cumulatively result in any significant effect on the environment.

## 7.3 Schedule 7A Information

Schedule 7A of the Planning and Development Regulations 2001 as amended provides the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment. There is considerable overlap with the preceding section.

*“1. A description of the proposed development, including in particular—*

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

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

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

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

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

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

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

Refer to Section 7 above.

## 7.4 Mitigation Measures

The following mitigation measures are proposed as part of the Part 8 application:

- Any contaminated soils will be removed from the site and hazardous and non-hazardous wastes arising will be disposed of at licenced facilities.
- Outline Demolition and Construction Waste Management Plan accompanies the application
- Invasive Species Management Plan,
- A detailed Construction Environmental Management Plan (CEMP) will be prepared in advance of construction
- Any tree felling and site clearance works will be carried out between September and



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February (inclusive) i.e. outside of nesting season. If that is not possible, then an ecologist will be retained to survey the affected area(s) to assess whether any breeding birds are present.

- Bats sensitive lighting techniques will be incorporated into the public lighting.
- Monitoring of groundworks by a qualified archaeologist. Planting of native trees and hedgerows within the Site.
- Grassland reinstatement includes native meadow in the linear parkland within the Site.
- For otters
  - The Kilmahuddrick Stream will remain on Site and it will be fenced off at a minimum distance of 10 m from the watercourse bank
  - Construction works will be primarily carried out in daylight and lights will be turned off at night.
  - Directional lighting away from Stream

## 7.5 Any further relevant information

This Part 8 is accompanied by a suite of documentation to support the conclusions included in this report, this includes:

- Appropriate Assessment Screening Report
- Ecological Impact Assessment
- Drainage and Watermain Design Report
- Outline Demolition and Construction Waste Management Plan
- Traffic Impact Assessment
- Tree Impact Assessment
- Flood Risk Assessment
- Archaeological Impact Assessment
- Invasive Species Management Plan

A suite of architectural, engineering and landscape drawings and reports also accompanies the documentation detailing the proposed development.

## 7.6 Other Relevant EU Assessments

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]
- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC

TABLE 1: RESULTS OF OTHER ASSESSMENTS

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is located of lands which have been zoned under the South Dublin County Development Plan 2016-2022 and the Clonburris SDZ Planning Scheme. These have been subject to Strategic Environmental Assessment. The SEA for the Clonburris SDZ Planning Scheme indicates that appropriate mitigation measures will be implemented, including Green and Blue Infrastructure provisions, SUDS and phasing. The subject proposal takes these into account.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	An appropriate assessment (AA) screening report accompanies this part 8 submission. An Ecological Impact Assessment (EclA) was also completed.

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	<p>The AA concludes that <i>“Therefore, in view of best scientific knowledge and on the basis of objective information, it is concluded that the Proposed Development, whether individually or in combination with other plans or projects, beyond reasonable scientific doubt is not likely to have significant effects on any European site. Consequently, there is considered to be no requirement to proceed to appropriate assessment and, subject to other requirements, the Proposed Development can be authorised.”</i></p> <p>The EclA identifies a number of measures to minimize impacts on wildlife.</p>
Water Framework Directive [2000/60/EC]	<p>The main surface water feature in the area is the Griffin River. It is assigned under the Water Framework Directive status assessments 2013 – 2018, with status of ‘Moderate’.</p> <p>With mitigation, there is no likely significant effects on the status.</p>
Marine Strategy Framework Directive	<p>The site is located c. 12km from the MSFD assessment area. There is no likely impact given the distance.</p>
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	<p>n/a to proposed development</p>

Industrial Emissions Directive	n/a to proposed development
Seveso Directive	There are no Seveso Establishments in proximity to the site..
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60	A flood risk assessment has been undertaken

## 7.7 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

### i) a European site,

An appropriate assessment (AA) screening report accompanies this part 8 submission. The AA concludes that there will be no potentially significant effects on a designated European site and that a Stage 2 NIS is not required.

### ii) an area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

The Ecological Impact Assessment has not identified any likely significant effect on areas subject to a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000.

### iii) an area designated as a Natural Heritage Area (NHA) under Section 18 of the Wildlife (Amendment) Act 2000),

The Grand Canal to the south is a proposed NHA. The EclA concludes: *“With the intervening distance, lack of connectivity (including hydrological connectivity which could facilitate a pollution impact) and mitigation measures included in the management plans in place, direct effects on the Grand Canal are highly unlikely. Effects on ecological features which may occur in the Site which also contribute to the value of the Grand*

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*Canal (such as otter) are assessed separately below.”*

**iv) land established or recognised as a nature reserve within the meaning of Section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),**

The Ecological Impact Assessment has not identified any likely significant effect on a nature reserve.

**v) land designated as a refuge for flora or as a refuge for fauna under Section 17 of the Wildlife Act 1976,**

The Ecological Impact Assessment has not identified any likely significant effect on a refuge for flora or a refuge for fauna.

**vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed,**

The Ecological Impact Assessment has not identified any likely significant effect on a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of the South County Development Plan 2016-2022.

**vii) a proposed Natural Heritage Area (pNHA).**

Refer above.

## 7.8 Conclusion

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is recommended that environmental impact assessment report is not required.