

CONSTITUTION HILL

PART 8 PLANNING REPORT

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PRELIMINARY EXAMINATION AND EIA SCREENING HRA PLANNING

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Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

**Preliminary Examination and EIA Screening for the
Purposes of
'Environmental Impact Assessment'**

Constitution Hill Renewal

Prepared on behalf of Dublin City Council,

October 2022



HRA | PLANNING
chartered town planning consultants

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1.0 INTRODUCTION

This report has been prepared by HRA PLANNING Chartered Town Planning Consultants for, and on behalf of Dublin City Council in relation to the regeneration of existing housing on lands located at Constitution Hill, Dublin 7. The development proposal seeks to deep retrofit and extend the 3 no. existing residential blocks on site and to construct 2 no. new residential blocks and 10 no. two storey duplex homes, providing a total of 124 no. residential units on the site.

This report presents an assessment of the proposed development and, a determination as to the likelihood of significant effects on the environment, and the requirement or otherwise, for Environmental Impact Assessment (EIA). Specifically, this preliminary examination will establish if the proposed development would be likely to have significant effects on the environment by virtue of the nature, size, or location of the development.

The author of this report holds qualifications in Environmental Impact Assessment Management and Town Planning. Mary Hughes has a Diploma in Environmental Impact Assessment Management from University College Dublin and has a Masters of Science Degree in Town Planning from Queen's University Belfast. Mary is a member of the Irish Planning institute and has over twenty three years' experience working in planning and in the area of Environmental Assessment. Over this period, Mary has been involved in a diverse range of project including contributions to and co-ordination of, numerous complex EIARs and EIA Screening Reports.

2.0 LEGISLATIVE BASIS FOR EIA SCREENING

This assessment has been prepared to inform the determination by Dublin City Council, pursuant to the legislative provisions set out in Article 120 of the Planning & Development Regulations 2001 (as amended) (**'the Regulations'**), as to the real likelihood (or otherwise) of significant effects on the environment, and the requirement (or otherwise) for Environmental Impact Assessment (EIA).

The potential for 'significant effects' of a project may arise by virtue of the nature of the activity in relation to the environmental sensitivity of its location and/or, the characteristics of such impacts. For the purpose of EIA, 'likely significant effects' are based on a 'likelihood' or 'possibility' of significant effects on the environment occurring. A 'significant' effect is an effect by reason of its character, magnitude, duration or intensity would alter a sensitive aspect of the environment.

Screening is the first stage in the EIA process, whereby a decision is made on whether or not EIA is required. The requirement for EIA is founded in EU environmental policy, and specifically the EIA Directive (as amended and codified by EU Directive 2011/92/EU¹). The purpose of EIA is to ensure an assessment of the likely significant effects a project will have on the environment is carried out, where relevant, before development consent is given.

¹ DIRECTIVE 2011/92/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the assessment of the effects of certain public and private projects on the environment

EIA provisions are transposed into Irish Legislation under both the Planning and Development Act 2000 (as amended), and the Planning and Development Regulations 2001 (as amended) and apply to the proposed development.

The first stage in the EIA process is to consider whether there is a '**mandatory**' requirement for the project to undertake EIA. A mandatory requirement is based on examination of the proposed development ('**the project**') against defined project types set under The Planning and Development Regulations.

Where it is determined that there is no 'mandatory' requirement for EIA, the EIA Screening process advances to consider whether there is a non-mandatory, '**sub-threshold**' requirement for EIA. For the purpose of 'sub-threshold' assessment, the key consideration is determining the likelihood of significant effects to the environment caused by the proposed development ('the project') taking into consideration; 'the nature, size and location' of the proposed development and the potential for 'direct', 'indirect' and/or 'cumulative' effects.

3.0 METHODOLOGY

This methodology is consistent with current statutory provisions and best practice guidance in relation to EIA which is set out under;

- The Planning & Development Act 2000 (as amended);
- The Planning & Development Regulations 2001 (as amended);
- Office of the Planning Regulator (OPR) Practice Note PN02 Environmental Impact Assessment Screening (2021);
- EIA Guidance for Consent Authorities regarding Sub-threshold Development (DoEHLG, 2003);
- Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment 2018;
- Guidelines on the Information to be contained in Environmental Impact Assessment Reports 2022; and
- EU and Environmental Impact Assessment of Projects – Guidance on Screening 2017 EU

The assessment approach follows the 'Step-by-Step Approach to EIA Screening for Development Proposals' recommended by the Office of the Planning Regulator as illustrated IN Figure 1.0.

The consideration of potential impacts covers all significant direct, indirect and secondary impacts as relevant, with reference to the guidance in compliance with the legislation, including the criteria for determining whether certain development types should be subject to EIA and which are grouped into these categories in the Directive:

- i. Characteristics of the proposal
- ii. Location of the proposal
- iii. Characteristics of potential impacts

Information relating to the development proposal has been obtained from the appointed Design Team for the scheme, with particular reference to Grafton Architects. Where used, description of impacts follows the statutory EPA Guidelines on the Information to be contained in Environmental Impact Assessment Reports 2022.

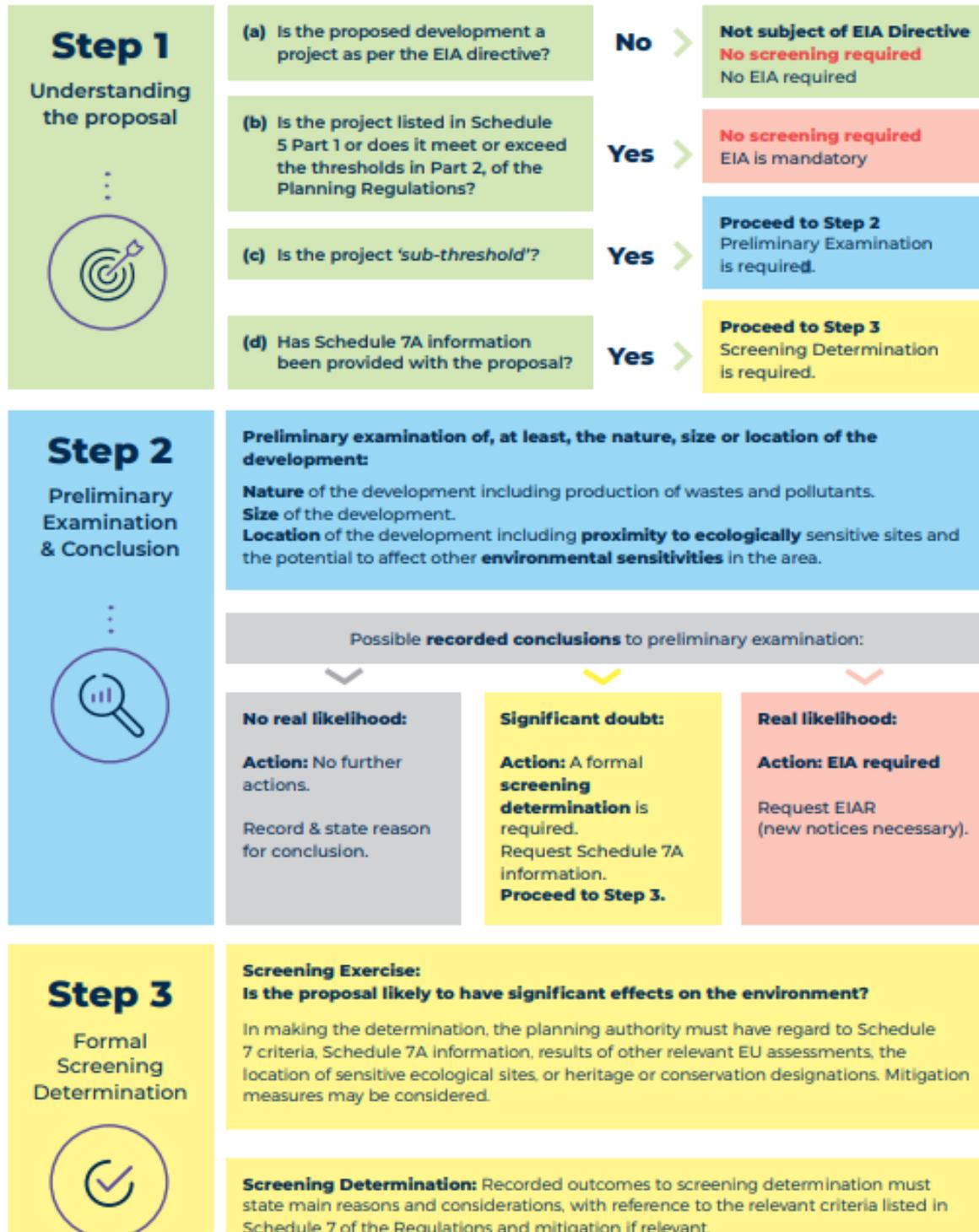


Figure 1 OPR (2021) "Step by Step Approach to EIA Screening for Development Proposals"

4.0 UNDERSTANDING THE PROPOSAL

4.1 Location Characteristics

The proposed development is located approximately 700m north of the River Liffey at Constitution Hill, situated parallel to the regional R108 road and is adjacent to the Phibsboro Dublin Bus Depot. The site is ideally situated within walking distance to the city centre and river Liffey, and extremely well connected by public transport including the Luas and Dublin Bus services.

The site is surrounded on three sides by the existing Dublin City road network including Broadstone to the north, Constitution Hill (R108) to the east and Catherine's Lane North to the south. The western boundary of the site adjoins the Phibsboro Dublin Bus Depot. Prebend Street currently runs parallel to the western boundary but this road has now been legally extinguished.

The location is well serviced by a number of transport modes. The Green Luas line at the Arran Quay stop is located 110m from the site entrance. The Red Luas line at the Arran Quay stop is approximately 700m by foot from the site. Constitution Hill is currently served by the 83 and 83A buses and under the planned Bus connects scheme would be served by the new 23 and 24 bus routes leading towards Charlestown/ Dublin Airport and Merrion Square. The Proposed E-Spine would also be located nearby in Phibsboro.

Three standalone apartment blocks dominate the application site which has a stated area of 0.76 hectares. The existing apartments are 5 storeys high with limited public realm opportunities or play spaces incorporated into the current site design. The blocks were constructed in the 1960s, and have a predominantly red brick façade, with flat roofs with chimneys above, interspersed along a raised copper clad ridge. Each block consists of a single level ground floor residential unit with two duplex residential units above, with c.30 units per block (a total of 88 units).

There is a gradual, but significant, rise in the ground level of the site from the south towards the northwest corner of the lands. The existing developments are located, staggered on the site, and each has been recessed from roadside where the ground level drop is most prevalent, negating the impact of the site topography.

The surrounding environs of the urban area comprises of a mix of uses, including green/open space, mixed use and existing residential. The residential typology in the surrounding area is mixed including apartments and older housing stock reflective of inner city locations with rows of housing backed onto each other with little amenity/private garden space.

The Phibsboro Dublin Bus depot to the west of the site recently benefitted from planning permission under planning reference no. 3435/22 for the erection of a single storey ESB substation and MV switch room. Dublin Bus is committed to the transition to zero and low emission public transport vehicles pursuant to Ireland's 'Climate Action Plan' which sets out national objectives towards achieving a 51% reduction in carbon emissions by 2030. Heretofore, the commitment by Dublin Bus towards a reduction in carbon emissions from its fleet is evident in its introduction of a number of hybrid buses (which incorporate

32 kWh (kilo watt hour) lithium-ion battery energy storage that are capable of running zero tailpipe emissions in hybrid mode), and its pursuit toward electrification of the Dublin Bus fleet.

4.1.1 Locational Land Use Objective and Designation

The subject site benefits from a single land use zoning: '**Zone Z1 Sustainable Residential Neighbourhoods**' where it is the objective of the Council as set out in the existing Dublin City Development Plan 2016 – 2022 (Dublin CDP) '*to protect, provide and improve residential amenities*'. The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.

It is noted that the site has been identified as a 'Strategic Development and Regeneration Area' (SDRA) in the Draft Dublin City Development Plan 2022 – 2028. Identified as SDRA 8, the landuse zoning objective seeks "to **seek the social, economic and physical development and/or regeneration of an area with mixed use, of which residential would be the predominant use**". The Draft Plan states that these are areas, where proposals for substantial, comprehensive development or re-development have been, or are in the process of being prepared.

4.1.2 Surrounding Development

The surrounding landuses are mixed in nature, reflective of a central urban area. There are a number of sites in the vicinity for which planning permission has been granted and works are ongoing or planned.

The adjoining Dublin Bus Depot has sought planning permission for development works over the years, most notably works to the protected structure on site P2474/17 and an extension to the building P2694/15. Most recently, planning permission was sought for an ESB substation on site P3435/22.

Other notable sites include the Kings Inn Henrietta site, where again works to the protected structure appear to be ongoing with the most recent permission comprising works to the front elevation to facilitate access P3168/21.

The neighbouring Grangegorman Campus located to the west of the site is undergoing continuous and significant transformation and regeneration.

4.1.3 Environmental Matters & Other Environmental Studies

The subject site does not include any built heritage or natural amenity designations. It is noted that the north-western corner of the site is marginally within a zone of archaeological interest as identified in Map E of the Dublin City Development Plan. Further to this, it is the policy of the council to "*protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of the reuse of buildings, light buildings, foundation design or the omission of basements*".

An Archaeological Desktop Assessment has been undertaken by IAC. There have been numerous archaeological investigations undertaken in the immediate surrounds of the proposed development area – largely to do with the Luas works to the north. Fragmentary remains of 18th and 19th century foundations and cellars were identified immediately north of the proposed development area and extensive evidence for the infrastructure associated with the Broadstone canal and harbour have also been uncovered. No archaeology of medieval or prehistoric date has been identified in the immediate vicinity.

An Arboricultural Assessment and Impact Report and an Invasive Alien Plant Species Survey have been undertaken on the site by Brady Shipman Martin. No invasive plant or animal species listed on the Third Schedule of the Habitats Regulations were identified on the site

The most significant arboricultural feature of the site is the linear group of Lime trees that have been established along the grass verge between Constitution Hill and the grounds of the Constitution Hill Flats complex. The Lime trees have been group planted as part of a landscape scheme for the area and have grown into a mostly uniform row of trees, with little variation between individuals. The Arboricultural Report confirms that the tree physiological condition is generally good and that the Lime Trees are contributing valuable amenity to the local landscape.

The project site is not subject to any defined flood risk and Appendix 5 of the Dublin CDP '*Composite Flood Zone Map*' confirms that the subject site is situated within Flood Zone C. It is therefore considered that there is less than 0.1% chance of flooding in this area annually (or 1 in 1000 years) for both river and coastal flooding. Arup were retained to undertake a Flood Risk Assessment for the site. The assessment confirms that flood risk to the site of the proposed development is very low and there is no historic record of flooding at the site. It states the risk of flooding in a climate change scenario will also remain low.

The EU's Water Framework Directive (WFD) stipulates that all water bodies were to have attained 'good ecological status' by 2015. This includes estuarine waters and Dublin Bay was originally located within the Eastern River Basin District. In 2009 a management plan was published to address pollution issues and includes a 'programme of measures' which must be completed. This plan was approved in 2010 while the second River Basin Management Plan was published in 2018. A third plan is being prepared in 2022. The development site is not located directly adjacent to any surface water course and the River Liffey can be found approximately 700m to the south. Both the upper and the lower Liffey Estuary meanwhile have been assessed as 'good status'. The coastal water beyond the estuary is also assessed as 'good status'². These classifications indicate that water quality in the wider Dublin Bay area is currently meeting the requirements of the WFD. Along the River Tolka however work remains to be done to attain the 'good ecological status' as set out in the aforementioned legislation. The status of the River Tolka Estuary is 'moderate'.

The Noise Action Plan for the Agglomeration of Dublin provides Noise Maps (2017) and identifies elevated levels of noise on the subject site, using the harmonised noise indicators Lden (day-evening-night equivalent sound levels) and Lnight (night equivalent sound

² www.epa.ie

levels). The noise levels in the area, like many similar roads throughout the city, are generated primarily by the movement of traffic. The residential use of the subject site is already established and is not changing as a result of the development proposal. Accordingly, mitigation measures to reduce noise impacts from external factors, including window treatment and façade design have been incorporated into the overall design proposal.

An Appropriate Assessment Screening Report prepared by Openfield Ecological Services has had regard to inter-alia; Part XAB of the Planning and Development Act 2000 (as amended) and appropriate best practice guidance including: 'Assessment of Plans and Projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission, 2001); and, Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. Department of the Environment, Heritage and Local Government (DoEHLG, 2010). The development site is not located within or directly adjacent to any Natura 2000 site (SAC or SPA). This part of north Dublin is a built-up business, residential and commercial zone and is predominantly composed of surfaces that are sealed with tar macadam and concrete. The boundary of the development site is c.3km from the South Dublin Bay and River Tolka Estuary SPA, the nearest Natura 2000 site to the development site.

4.2 Project Characteristics

4.2.1 Project Overview

The project characteristics are contained in the planning application proposal including the proposed development drawings and 'Architectural Design Statement' prepared by the project Architect (Grafton Architects); and the Engineering Report and Flood Risk Assessment prepared by the project Engineer ARUP CS. This examination has taken into consideration three main stages; demolition, construction and operation on the subject lands.

The Constitution Hill Flats are comprised of three existing apartment blocks (Blocks 1 to 3) built along Constitution Hill Road in the 1960s. It is proposed to deep retrofit and extend the 3 no. existing housing blocks on site and to construct 2 no. new apartment blocks (7 storeys) and 10 no. two storey duplex homes, providing a total of 124 no. homes on the site. The mix of units comprises:

- 42 no. 1 bed apartments;
- 54 no. 2 bed apartments;
- 18 no. 3 bed apartments; and
- 10 no. 2 bed duplex mews dwellings

In addition to the provision of new homes, the development seeks to regenerate the existing residential environment to include:

- Deep retrofit and extension to 3 no. existing five-storey existing housing blocks to include an additional floor and side bay with modifications to all elevations
- Provision of a new multi-purpose childcare facility to replace the existing creche facility on site;

- Provision of communal and public open space (0.28 hectares) including 3 no. dedicated play spaces, a shared garden area and natural landscaping;
- Demolition of existing children's park north of the site;
- Reconfiguration of pedestrian access to the site with new entrance path to the east of the site including a new stepped access to the footpath on Constitution Hill
- Removal of car parking along western boundary and provision of limited on site car parking to facilitate residents who currently hold parking permits;
- Improvements to the public realm with a new landscaped garden, footpaths and planted areas; and
- Provision of car parking and bicycle spaces.

Associated infrastructure includes:

Revision to existing entrance on Broadstone and Catherine's Lane to to include gated pedestrian and vehicular entry;

- Provision of an ESB sub station;
- Demolition of existing substation and pump house;
- Associated site development works which include decommissioning previous hardstanding areas used for car parking and provision of new pedestrian walkways and natural planting; and
- Provision of extensive SUDs measures including green roofs to existing buildings, blue roofs to proposed new buildings, planter boxes, permeable paving, rain gardens, swales and landscaped/grassed areas.

The height of the proposed buildings range from two to seven storeys. Further it is proposed to include a multi-use childcare facility.

The proposed development will meet current Department of Housing, Local Government and Heritage's specifications and Dublin City Council's housing standards as expressed through the Dublin City Council Development Plan. The new buildings will be energy efficient and meet current Building Regs and NZEB requirements achieving a BER A2 for dwellings and a BER A3 for the multi-use childcare facility. The deep retrofit will comprise the following upgrades:

- Increase of fabric insulation in roof and walls;
- Replace glazing; and
- Replacement and installation of new M&E systems

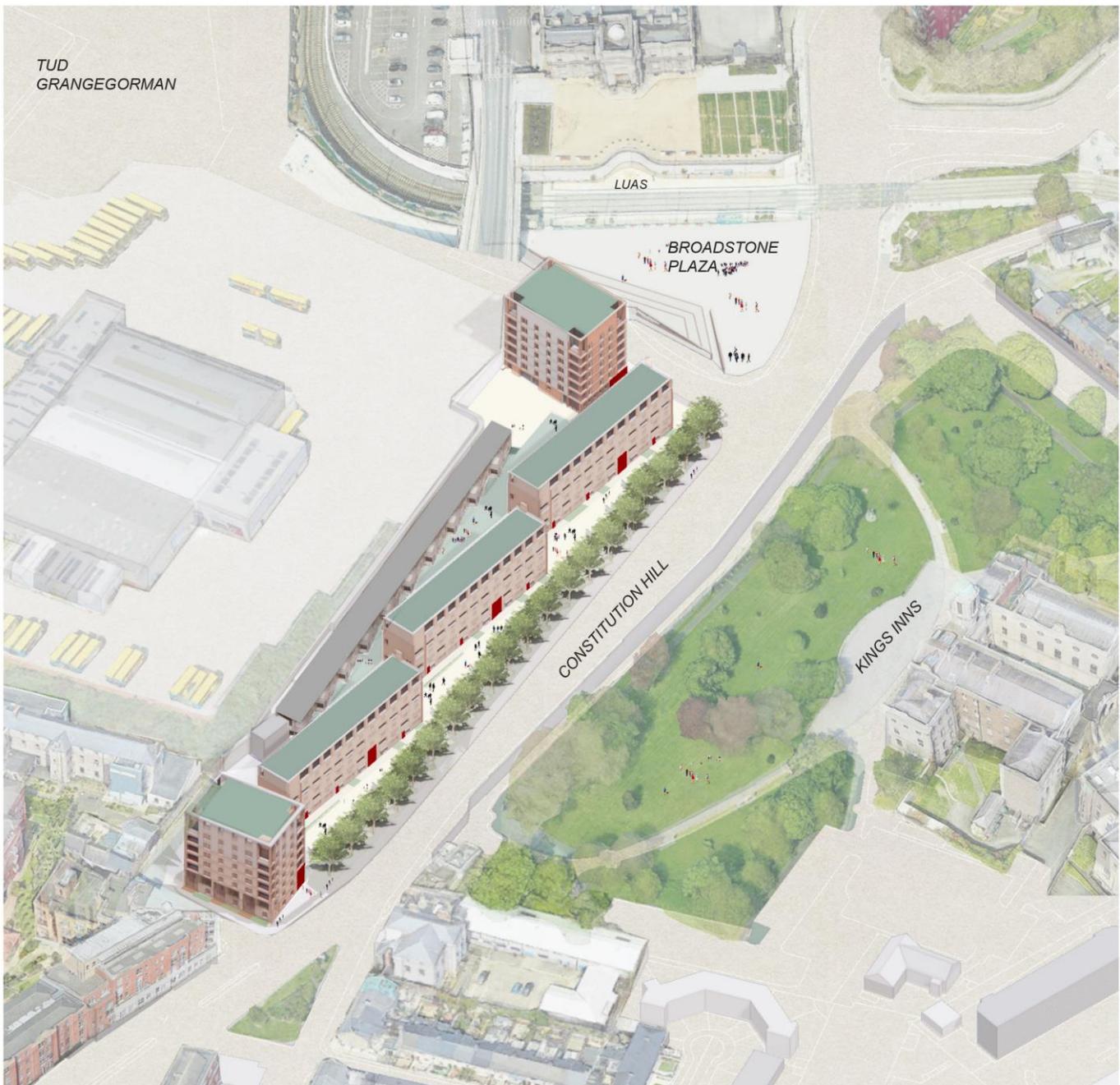


Figure 1.0 Proposed Site Layout

4.2.2 Demolition

A balanced approach has been taken to demolition on site to ensure that as much of the original building structures can be maintained, whilst facilitating a deep retrofit of the existing residential units on site. Whilst much of the external structures of the 3 no. existing apartment blocks are to be retained, a soft strip of existing buildings to include removal of partition walls and services, furniture, floors and ceilings shall be required.

Externally, demolition of the existing pump room, ESB substation and single story shed buildings shall be required. Excavators and concrete crushers will be used to demolish the

shallow concrete foundations, blockwork walls and steel/concrete roofs. Concrete will be crushed and recycled where possible.

Given the nature of the existing structures, it is anticipated that demolition waste materials will comprise mainly of structural concrete, metal and timber / timber composite. Waste asphalt will also be generated from the excavation of existing access routes and car parks across the development area.

To maximise the materials suitable for reuse / recycling / recovery, a selective demolition methodology involving a comprehensive 'soft strip' operation will be adopted. This methodology complies with the objectives of the National Construction Demolition Waste Council to promote construction and demolition waste prevention, reduction, reuse of materials, recovery, and recycling. This has been adopted as construction best-practice and ensures minimum disposal to landfill.

4.2.3 Construction

Subject to successful grant of planning, it is intended for the main works to commence in 2023. An enabling works package, with a duration of circa five months will be completed before the main contract works start on site. The enabling works include:

- Soft strip of existing buildings to remove furniture, floors, ceilings and services
- The diversion of services across the site
- The construction of a temporary pump room
- The construction of the proposed ESB substation
- The demolition of the existing pump room, ESB substation and single story shed buildings

Given the precedent set by the existing development on the site and in reflection of the two phases of construction as proposed, no 'out of the ordinary' construction processes have been identified or are expected.

It is proposed that the project will be completed in two phases. The first phase involves the amalgamation and redevelopment of existing Block 1 (block nearest to Broadstone depot), the construction of a new apartment block on the northern end of the site and two duplex homes. This phase will deliver circa 49 no. homes along with the multi-purpose childcare facility. It is anticipated that works will commence in 2023 and will be complete by 2025. The second phase will provide for the redevelopment of the two other existing housing blocks, along with the construction of a new apartment block to the south of the site and 10 no. duplex houses at the rear of the site, thereby delivering the remaining 75 homes. This phase will commence immediately following the completion of Phase I and should be complete by Summer 2027.

This timeline is indicative at this stage and is subject to change depending on planning approval, the tender process and other external factors including existing supply chain constraints at the time of going to market. It is assumed that all construction related activity will be undertaken in accordance with best practice / industry guidance and shall adhere to relevant emission, discharge and noise limit thresholds during construction. A Demolition & Construction Management Plan has been prepared in support of the development proposal and will be implemented by the appointed Contractors on site.

A preliminary desk study was completed to assess the geology of the site and ground conditions from available information. The study revealed that subsoils in the area consist of made ground overlying till derived from limestones which, in turn, overlay rock. Due to relatively poor ground conditions at shallow depth, piles are proposed to ensure the foundations reach a competent bearing stratum.

4.2.4 Control of Surface Water

During construction on-site treatment measures will be installed to treat surface water run-off from the site to 5 mg/l for hydrocarbons, 30mg/l for suspended solids and a PH range of between 6-10 prior to discharge to the receiving surface water sewer, at a controlled flow rate agreed with DCC. This treatment will be achieved by the installation/construction of settlement tanks/ponds, the installation of proprietary surface water treatment systems including Class 1 full retention petrol interceptors and spill protection control measures. Settlement tanks/ponds will be sized to deal with surface run-off and any groundwater encountered. These ponds will reduce the level of suspended solids and incorporate a series of baffles and be sized to ensure sufficient retention time that allows for the required level of settlement and treatment. The level of suspended solids will be reduced to meet the characteristics of the temporary discharge license limits.

Surface water discharges will be retained within the various SuDS systems up to and including the 1 in 100-year event plus 20% for climate change. The proposed SuDS techniques are indicated on drawing CONHIL-ARUP-XX-00-DR-C-2101 and include green roofs, blue roofs, porous paving, planter boxes and swales. The estimated existing/pre-development runoff from the Constitution Hill site is 102 l/s. The post development runoff rate following maximum implementation of the proposed SuDS strategy is 7.87 l/s. Full implementation of the proposed SuDS scheme will therefore result in an 92% reduction in the amount of surface water currently leaving the site

The project is fully compliant with the Greater Dublin Drainage Study (GDDS), a policy document designed to provide for future drainage infrastructure in an integrated manner and to ensure long term improvement to the quality and quantity of storm water run-off in the capital.

4.2.5 Hours of Construction

Construction operations on site will be limited to the Dublin City Council Environmental Guidelines, which state the hours of operation for building sites are:

- Monday to Friday 07.00 to 18.00
- Saturday 08.00 to 14.00
- Sundays and Public Holidays no noisy work on site.

It may be necessary for some construction operations to be undertaken outside these times. For example, it may be necessary to make service diversions and connections outside the normal working hours. Deviation from these times may be permitted in exceptional circumstances, where prior written approval has been received from the relevant local authority

4.2.6 Landuse Activity and Frequency/Duration

The proposed development is intended to provide 124 no. permanent housing units in a mix of one, two and three-bed apartment and duplex units, providing for a total of 430 bedspaces. Assuming an average household size of 2.7 persons per household, the development has the potential to house circa 335 persons.

The site already accommodates 88 no. units. Based on the same household size of 2.7 persons, the site had the capacity to accommodate circa 238 persons. Accordingly, whilst the landuse remains the same, the proposed development does seek to intensify the residential use of the site, increasing the number of people living on the site by 97 no. persons.

Whilst both construction phases of the development are temporary, the operational phase of the development and its residential use and associated services are permanent.

4.3 Other Relevant Studies / Assessments

This assessment is cognisant of, and refers to a number of technical assessments submitted with the planning proposal, inclusive of relevant mitigation measures including;

- Architectural Report, prepared by Grafton Architects
- Arboriculture Assessment and Impact Report, prepared by Brady Shipman Martin
- Invasive Alien Plant Species Survey, prepared by Brady Shipman Martin
- Landscape Report, prepared by Brady Shipman Martin
- Infrastructure Planning Report, prepared by ARUP
- Flood Risk Assessment, prepared by ARUP
- Demolition and Construction Management Plan, prepared by Arup
- Operational Waste Management Plan, prepared by Grafton Architects (included in Architectural Report)
- Transport Statement (inclusive of Interim Mobility Plan'), prepared by Arup
- Sunlight/Overshadowing/Daylight Report prepared by ARUP
- Energy Statement, prepared by ARUP
- Sustainability Report, prepared by MG
- Lifecycle Analysis Report, prepared by MG
- M & E Developed Design Report, prepared by ARUP
- AA Screening Report, prepared by Openfield Ecological Services
- Archaeological Desktop Report, prepared by IAC

5.0 DESCRIPTION OF ASPECTS OF THE ENVIRONMENT LIKELY TO BE SIGNIFICANTLY AFFECTED

The most likely significant negative effects on the environment, without appropriate mitigation measures in place, are:

- Increased demand on community's (including schools), recreation and amenity services;
- Construction and operational traffic resulting in traffic congestion to local or strategic road networks;
- Demolition works resulting in noise and dust;

- Population growth resulting in increased foul and storm water discharges to the public sewers and municipal sewage treatment plant waste infrastructure, incapable of meeting demand;
- Increased water usage from the development impacting on water supply resources; and
- Potential overlooking impacts on the amenities of adjoining properties.

A range of measures have been developed to avoid, reduce or mitigate likely significant negative effects on the environment with specialist input retained to advise the design team, as detailed in accompanying reports and summarised for the purpose of this report. At a strategic level, mitigation measures include:

- Design of landscape to enhance the public realm and incorporate recreation and amenity services;
- Development of a Preliminary Demolition & Construction Management Plan to mitigate construction related impacts;
- Design of the town houses with no habitable windows overlooking the bus depot;
- Provision of SUDS measures to naturally attenuate water on site and provision of bluegreen roofs to minimise surface water discharge; and
- Development and the future implementation of a Mobility Plan to reduce car usage.

The most significant positive effects on the environment will be

- Regeneration of a significant residential site through the retrofitting of existing homes and the provision of new homes;
- Provision of a new multi-purpose childcare facility within the community and a number of dedicated play spaces;
- Significant public realm improvement works providing for enhanced accessibility and residential amenity in the general area; and
- Provision of residential units to meet the housing demands of a growing population.

6.0 ASSESSMENT OF MANDATORY REQUIREMENT FOR EIA

The prescribed classes of development for the purpose of mandatory EIA are set out in Schedule 5 of the Planning & Development Regulations 2001 (as amended) ('The Regulations'). The following table assesses the proposed development in the context of the mandatory EIA threshold relevant to this project.

Legislative Provision	Mandatory EIA Threshold	Assessment	Is EIA required on this basis?
Planning and Development Regulations 2001 (as amended), Schedule 5, Part 2: Project Type 10. Infrastructure projects Class (b)(i) Paragraph 10:	<i>"Construction of more than 500 dwelling units"</i>	The proposed development of 124 no. dwelling units is below the 500-unit mandatory threshold and represents 24.8% of the threshold number of dwelling units	No

<p>Class (b)(iv) Paragraph 10:</p>	<p><i>“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”</i> (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use).</p>	<p>The site area of the proposed development measuring circa 0.76 hectares in area is not situated within a business district and is significantly below the 10-hectare threshold for urban development³ in the case of; ‘other parts of a built-up area’.</p> <p>Whilst the proposed development can be considered to correspond to project types 10(b)(i)10(b)(iv) above, because it is below the relevant thresholds, it will not be of the listed class as understood by the Regulations.</p>	<p>No</p>
<p>Project Type 13. Changes, extensions, development and testing</p>	<p>Any change or extension of development which would:</p> <p>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and</p> <p>(ii) result in an increase in size greater than 25 per cent, or an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.</p>	<p>The area of the site will be unchanged by the development. The number of dwelling units will be increased from circa 88 no. units to 124 no. units. This is an increase of 36 no. units. The threshold is 50% of the 500 units, which is 250 units. The scale of the proposed increase is thus well below the relevant threshold and does not meet the 13(a)(i) or (ii) criteria.</p>	<p>No</p>

Table 1 - Screening Matrix for Mandatory EIA

The proposed development is not a project as per the EIA Directive, and it does not exceed any of the thresholds set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended) that would trigger mandatory requirement to undertake EIA.

The project is thus under the threshold for Mandatory EIA and can thus be considered a ‘sub-threshold’ development for the purposes of EIA.

7.0 THE PRELIMINARY EXAMINATION

7.1 Approach

The ‘sub threshold’ assessment is conducted pursuant to the provisions of Article 120(1) of the Planning and Development Regulations 2001 (as amended) in relation to ‘Sub-threshold EIAR’ which sets out the requirement for the Planning Authority, to carry out a **preliminary examination** of at least; *the nature, size and the location* of the development in order to determine a requirement for environmental impact assessment and the preparation of an Environmental Impact Assessment Report (EIAR). (This is consistent with the OPR Step 2 Recommendation).

³ It is noted that in *Carvill and Flynn v Dublin City Council & Ors* [2021 No. 111JR] THE High Court took the view that urban development generally encompasses ‘buildings or construction’.

The conclusions from the **preliminary examination** are intended to confirm one of the following:

- I. there is **no real likelihood** of significant effects on the environment arising from the proposed development, or
- II. there is **significant and realistic doubt** in regard to the likelihood of significant effects on the environment arising from the proposed development; or
- III. there is **a real likelihood** of significant effects on the environment arising from the proposed development.

Where there is no real likelihood of significant effects, it can be concluded that EIA is not required. Where there is significant and realistic doubt, the provisions of Article 120 dictate that the Authority shall prepare, or cause to be prepared, the information specified in Schedule 7A (of the aforementioned regulations) for the purposes of a screening determination. Where there is a real likelihood of significant effects, then the proposed development will be subject to environmental impact assessment and cause an environmental impact assessment report (EIAR) to be prepared.

7.2 The Nature of Development

Redevelopment of the subject site for residential use is consistent with, and responsive to the statutory land use and spatial development objectives for the site and for the wider Dublin City area as set out in the Dublin City Development Plan 2016 – 2022. The development does not seek to introduce a new use on the site but rather seeks to regenerate and rejuvenate the site through retrofitting and the provision of new build structures.

The policies and objectives within the Dublin City Development Plan promote the intensification and consolidation of the city. It states; *"this will be achieved in a variety of ways, including the encouragement of development at higher densities, especially in public transport catchments."*⁴

The Constitution Hill Flats comprise of three existing apartment blocks built along Constitution Hill Road in the 1960s. Each block has five storeys and in general the blocks are similar to each other. The ground floor level differs on each to follow the slope on the site, which rises from south to north.

The proposed redevelopment will consist of a refurbishment of and extensions to the existing blocks the construction of two new residential blocks north and south of the site and the construction of a row of new two-storey mews houses to the west adjacent to the Dublin Bus Depot. Landscaping will form an important part of the development with a shared garden courtyard and raised esplanade forming part of the proposed site plan. The central area of the site is dedicated to functional play/park areas and landscaped features designed to aid pedestrian movement and encourage active mobility and security throughout the scheme.

It is considered that no significant natural resources will be used; namely land, soil, water or biodiversity.

⁴ Dublin City Development Plan 2016 – 2022. Written Statement. 2.2.1. Pg. 21

It can be anticipated that the demolition works as detailed in Section 4.2.2 of this report, will be carried out in accordance with normal relevant standards including dust, noise and traffic controls, all in accordance with the measures detailed in the accompanying Demolition & Construction Management Plan. The Main Contractor will be required to monitor the baseline noise levels at the site prior to commencement of the project, with a noise monitoring regime being developed for the duration of the construction works on site as part of a Noise and Vibration Management Plan (NVMP). A dust minimisation plan will be formulated for the demolition and construction phase of the project. As is common and best-practice, pre-demolition surveys will be undertaken on all structures to be demolished which will consider waste streams from both non-structural (soft-strip) and structural demolition activities. To maximize the materials suitable for reuse / recycling / recovery, a selective demolition methodology involving a comprehensive 'soft strip' operation will be adopted. Accordingly, during the demolition and construction phases of development, the proposed development is likely to generate localised and short-term impacts, particularly relating to noise and dust, as well as traffic.

When occupied, it can be anticipated that the development will have negligible potential to cause any pollution or nuisance. Further to this, there are no sources for major accidents or hazards on or in the environs of the site.

Other waste generated during construction and operation can be anticipated to be typical for a medium scale residential development. Apart from demolition waste, no other significant waste streams will be generated.

The intended residential use is not just consistent with the site-specific 'Z1 Zoning' land use objective applicable to the site under which 'residential' is a permissible use but is consistent also with several key housing policies set out in Chapter 5 Quality Housing including inter alia:

Policy QH5: To promote residential development addressing any shortfall in housing provision through active land management and a coordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.

Policy QH6: To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

Policy QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

Policy QH8: To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.

Policy QH21: To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.

The nature of the development is compatible with the surrounding land uses and would be supported by the availability of, and proximity to retail, community and local service provision within the immediate neighbourhood and public transport accessibility. The nature of development is not an activity that gives rise to emissions.

7.3 The Size of Development

The project involves the redevelopment of a 0.76 ha area of urban serviced land in Dublin City to provide 124 no. residential units of varying tenure and typology. The residential numbers and tenure typology have been designed responsive to regional and national objectives on compact growth/sustainable development, which seek higher residential densities in urban areas and in proximity to high-capacity public transport.

The centrality of the site in the context of Dublin City is a significant factor when determining what a 'sustainable density' is for the subject lands. The design team has decided that the subject lands would benefit from a greater density of residential units due to the proximity to the city core and availability of transport corridors. Increased residential provision has been afforded for on the northern and southern peripheries of the site which was previously underutilised space. The proposed scheme is therefore consistent with Policy SC13 of the Dublin City Development Plan where it is the policy of the Council: *"to promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas..."*⁵

This increased density and number of units is consistent with that which has been identified and allocated as part of the spatial land use development objectives for the site set out in the City Development Plan. The scale of the layout and the building height is responsive to the regeneration objectives of the site, best practice urban design guidelines, and is compatible with the scale and form of established and regenerated buildings in the locality.

7.4 The Location of Development

The environmental sensitivity of the subject site and its receiving environment has been considered through examination of various technical and scientific assessments as detailed in section 4.1.2 of this report and listed in Section 4.3.

The proposed residential development is considered to be appropriately located on serviced urban land which benefits from a high level of supporting community services and infrastructure, including accessibility to the city centre and the wider Dublin city Metropolitan Area which will benefit future residential occupants.

The subject site is not located within or proximate to any natural amenity features including; a watercourse, wetland feature, coastal zone, mountain or forest area, Nature

⁵ Dublin City Development Plan 2016 – 2022. Written Statement. SC13. Pg. 62

Reserves or Parks. The site benefits from its located situated immediately across the road and to the west of King's Inns Park.

The site does not comprise nor is it situated immediately adjacent to any ecological or sensitive amenity area designated at National or European Level (SACs and SPACs) which have been so designated for the purpose of conservation of specific qualifying natural ecological features of conservation interest) the extent and relationship of such designated sites is illustrated in Appendix 1. The site does not comprise any watercourse feature which presents hydrological connectivity with downstream features that would exist or occur post development.

The absence of features of built, landscape heritage or visual amenity within or immediately adjacent to the subject site, confirms that there is no inherent landscape, cultural and heritage sensitivity of the subject site or its immediate environment.

The locational characteristics facilitate and support urban regeneration specifically in the form of residential development and the delivery of the calculated housing need as identified in the City Development Plan, at an appropriate, accessible location which has sufficient capacity to accommodate that development. Further to this, the existing apartment buildings have already established a successful precedent for residential use on the subject lands.

The site-specific and locational characteristics including the presence of the existing residential apartments 'The New Hardwicke' to the south and the residential neighbourhoods of Linenhall Terrace, Coleraine Street and Lisburn street; supporting community facilities and availability of public transit – illustrate the suitability of the site for a higher density of residential living within the subject site, especially in the context of accommodating urban population growth.

7.5 Conclusion of the Preliminary Examination

The preliminary examination confirms that there is no real likelihood that the proposed development, by reason of its 'nature, size and location' is likely to give rise to significant effects on the receiving environment, save for localised, short-term temporary impacts associated with demolition. Furthermore, having regard to the urban location of the development proposal, further consideration should be given to the likelihood of potential significant effects on the environment arising from the proposed development when considered by itself or cumulatively with other projects.

Thus, taking a precautionary approach and consistent with statutory provisions of Article 120 of the Planning Regulations, along with the published methodological guidance which this assessment is based; the information specified in Schedule 7A (of the aforementioned regulations) for the purposes of a screening determination has been prepared.

8.0 EIA SCREENING DETERMINATION

This section considers the characteristics of the proposed development and its potential to impact on the environment, on its own or in combination with other potential developments, in the region.

8.1 Characteristics of the Proposed Development

Screening Criteria	Construction Impacts	Operational Impacts
<p>Size of the proposed development</p>	<p>The construction works are confined to an area of 0.76 hectares and will be completed in 2 separate phases over a 48 month period. A Construction & Demolition Management Plan (CDMP) will be in place for the construction phase.</p> <p>With mitigation measures detailed in the CDMP no significant negative impacts are likely.</p>	<p>The development proposes 124 no. apartments and a childcare facility on a brownfield site. The brownfield site already comprises residential uses and the proposed development seeks to intensify these uses, whilst enhancing the public realm and overall urban environment. The site adjoins other established urban uses including residential, commercial and community uses and is well connected in terms of public transport and pedestrian and cycle links</p> <p>Having regard to the size of the proposed development, on brownfield land which is infill in nature, the potential for significant impacts on the environment are not anticipated.</p>
<p>Cumulation with other proposed developments</p>	<p>Section 4.1.2 of this report details the other planning permissions granted in the vicinity of the site. These sites are in separate ownership and are removed from the subject site by means of roads, high boundary walls and third party properties. If all sites were to undergo construction at the same time, temporary negative impacts could accrue, primarily arising from noise, dust, visual impact and construction traffic.</p> <p>However, neighbouring permitted developments will be obliged to operate within acceptable, established environmental parameters which will mitigate the potential for adverse impacts. Further, development has been conditioned to be managed in accordance with a CDMP to be agreed with the planning authority.</p> <p>Accordingly, no significant negative, long term impacts are likely.</p>	<p>The proposed development is located near other residential units and facilities within walking distance of the city centre. The sites which have the benefit of planning permission as detailed in Section 4.1.2 of this report are in need of regeneration and revitalisation and have been identified for development within the Dublin City Development Plan</p> <p>It is considered that the proposed development in combination with other permitted development in the area is likely to positively impact on the area, enhancing the visual appearance of the area and improving the public realm as well as providing for much needed housing and diversity in house type.</p> <p>No significant negative impacts are likely.</p>
<p>Use of natural resources</p>	<p>Much of the site has been subjected to significant modern impact and is brownfield in nature. No greenfield land is being absorbed to accommodate the development proposal.</p> <p>Energy, including electricity and fuels, will be required during the construction phase. The construction process will include use of various raw materials. No out of the ordinary use of natural resources is likely during the construction process.</p> <p>No significant negative impacts are likely.</p>	<p>The site has been zoned to facilitate the orderly and planned growth of the area and has been identified <i>'to protect, provide and improve residential amenities'</i>.</p> <p>Water, consumption of electricity and energy related to the occupancy of the residential units and childcare facility will be required. No out of the ordinary use of natural resources are likely during the operation phase.</p> <p>No significant negative impacts are likely.</p>
<p>Production of Waste</p>	<p>The construction process will result in some construction related waste. It will be necessary to demolish part of the buildings to facilitate regeneration. Demolition works will occur in accordance with the procedures detailed in the CDMP and waste will be disposed of to a licensed waste facility in compliance with the CDMP.</p>	<p>Operational waste generated will be domestic waste from the residential units and commercial waste from the library facility. All domestic and commercial waste will be disposed of by a licensed waste contractor.</p> <p>No significant negative impacts are likely.</p>

	No significant negative impacts are likely.	
Pollution and Nuisances	<p>The construction process has the potential to cause nuisance related to noise, dust and vibration impacts as detailed in Section 7.2. The Main Contractor will be required to monitor the baseline noise levels at the site prior to commencement of the project, with a noise monitoring regime being developed for the duration of the construction works on site as part of a Noise and Vibration Management Plan (NVMP). A Dust Minimisation Plan will be formulated for the demolition and construction phase of the project. The proposed development will be subject to normal conditions related to construction working hours to protect the residential amenity of the area as detailed in Section 4.2.4.</p> <p>With mitigation measures in place no significant negative impacts are likely.</p>	<p>An Operational Waste Management Plan will be put in place measures to avoid and / or mitigate pollution from operational waste.</p> <p>With mitigation measures in place no significant negative impacts are likely.</p>
Risk of Major Accidents	<p>None foreseen, subject to strict compliance with building regulations and environmental controls.</p> <p>No significant negative impacts are likely.</p>	<p>None foreseen, subject to strict compliance with building regulations and environmental controls.</p> <p>No significant negative impacts are likely.</p>
Risks to Human Health	<p>The Noise and Vibration Management Plan and the Dust Minimisation Plan will detail measures to mitigate any likely impacts associated with noise, dust or pollution from the construction process and will provide relevant non exceedance thresholds.</p> <p>With mitigation measures in place no significant negative impacts are likely.</p>	<p>The proposed development will be connected to public water and sewer infrastructure. No emissions other than from air conditioning and heating units are anticipated.</p> <p>No significant negative impacts are likely.</p>

Table 8.1 Characteristics of the Proposed Development Matrix

Conclusion: No significant effects likely to arise associated with the characteristics of the proposed development.

Rationale: The scale and extent of the works proposed are relatively small in scale and size. Measures including SUDs, retention of the existing tree line where possible and minimising the loss of same, additional tree planting and the CEMP contribute to minimise adverse effects on biodiversity and water quality.

8.2 Location of Proposed Development

The proposed site is not located within any designated or protected sites under EU or National legislation. The following table, Table 8.2, assess the impacts of the proposed development in relation to its location.

Screening Criteria	Response
Existing and Approved Landuse	<p>The proposed development will result in the regeneration and revitalisation of an existing residential site, the provision of functional open space, and a new multi-purpose childcare facility to replace the existing creche facility on site.</p> <p>The completed development will not result in a change of use on site having regard to the existing residential units. The proposed development will provide for additional residential units and accommodate diversity of unit type in an established urban environment. The</p>

	<p>proposed use is compatible with the existing land use which seeks <i>‘to protect, provide and improve residential amenities’</i>.</p> <p>No significant negative impacts are likely.</p>
Abundance, Quality and Regenerative Capacity of Natural Resources	<p>The subject site is brownfield in nature and is not sensitive in terms of natural resources. Much of the site has been subjected to significant modern impact with significant ground alteration in the past resulting in the removal of original ground surfaces.</p> <p>The most significant feature of the site is the linear group of Lime trees that have been established along the grass verge between Constitution Hill and the grounds of the Constitution Hill Flats complex. The Lime trees are a valuable amenity to the local landscape and are mostly to be retained with the exception of one tree at the southern end. A new specimen tree is to be planted as a replacement within a new paved area just south of the tree’s current location.</p> <p>No significant negative impacts are likely.</p>
Wetlands and Watercourses	<p>The development site is entirely composed of buildings and hard surfaces with small areas of highly modified green space. It is surrounded on all sides by either roads or other buildings. There are no water courses in this vicinity.</p> <p>There is a pathway from the development site to Dublin Bay via the surface water sewer and the Ringsend wastewater treatment plant</p> <p>Whilst the proposed development will slightly increase the loading to the Ringsend WWTP, the AA Screening Report confirms that additional loading to this plant arising from the operation of the project are not significant as there is no evidence that pollution through nutrient input is affecting the conservation objectives of any of the Natura 2000 sites in Dublin Bay. In any event, Irish Water received planning permission to upgrade the WWTP in 2018 and the works are expected to be complete by 2023, at the same time as completion of the proposed development.</p> <p>There are no wetlands or watercourses likely to be impacted by the construction or operation of the proposed development.</p>
Coastal Zones	<p>At its closest point, the boundary of the development site is c.3km from the South Dublin Bay and River Tolka Estuary SPA. The distance from the coast is adequate to predict that there will be no impacts upon this area, its habitats or their protected species.</p> <p>Having regard to the distance of the site from the coast and the intervening urban landscape of varying sizes and heights, it is unlikely that the proposed development will be viewed from the coastal zone</p> <p>There are no coastal zones affected by the proposed development.</p>
Mountain and Forest Areas	<p>There are no mountain ranges or forest areas in, adjoining or in proximity to the subject site and which are likely to be affected by the proposed development.</p>
Nature Reserves and Parks	<p>No Nature Reserves or Parks will be affected by the proposed development.</p>
Nationally Designated Sites	<p>There are no national sites (i.e. Natural Heritage Areas (NHA) or proposed Natural Heritage Areas (pNHAs) within, or adjacent to the site. Similarly, there are no Recorded Monuments or features within the site.</p> <p>No nationally designated sites will be affected by the proposed development.</p>
European Sites	<p>As stated in the AA Screening Report accompanying the development proposal, the development site is not located within or directly adjacent to any Natura 2000 site (SAC or SPA). This part of north Dublin is a built-up business, residential and commercial zone and is predominantly composed of surfaces that are sealed with tar macadam and concrete. The boundary of the development site is c.3km from the South Dublin Bay and River Tolka Estuary SPA, the nearest Natura 2000 site to the development site.</p> <p>The AA Screening Report determined that significant effects are not likely to arise, either individually or in combination with other plans or projects to the Natura 2000 network. This conclusion is based on best scientific knowledge</p> <p>No European sites will be affected by the proposed development.</p>
Environmental Quality Standards	<p>The proposed development is considered unlikely to result in exceedance of Environmental Quality Standards. The potential for impacts on Environmental Quality Standards will be</p>

	minimised through implementation of appropriate best practice measures and adherence to the CEMP.
Densely Populated Areas	<p>The site is appropriately zoned to facilitate development and has been identified for the improvement of residential amenities. The principle of the proposed development on the land has been planned under the Dublin City Development Plan and a Strategic Environmental Assessment (SEA) has been undertaken in support of its vision.</p> <p>The intended residential use is not just consistent with the site-specific 'Z1 Zoning' land use objective applicable to the site under which 'residential' is a permissible use but is consistent also with several key housing policies set out in Chapter 5 Quality Housing which seeks to densify development in Dublin City and proposes compact growth.</p>
Landscapes of Historical, Cultural or Archaeological Significance	<p>There are no protected structures, protected features or protected landscapes within the subject site. There is a protected structure on the neighbouring Bus Depot site to the west. The site has been heavily modified and previously excavated to accommodate development.</p> <p>No landscapes of historical, cultural or archaeological significance are likely to be impacted by the proposed development. While the construction of the flats in the mid-20th century is likely to have had a significant impact upon any subsurface archaeology that survived in this area, the report confirms that there remains potential for archaeological remains to survive below the ground surface across the site. All ground disturbances associated with the proposed development therefore, shall be monitored by a suitably qualified archaeologist.</p>

Table 8.2 Location of Proposed Development Matrix

Conclusion: No significant effects likely to arise associated with the location of the proposed development.

Rationale: The proposed development is located in an urbanised environment, on a site already used for residential purposes, but in need of significant regeneration. The proposed development will regenerate the site, enhance residential use and significantly improve the public realm providing for an overall better quality of urban living.

8.3 Characteristics of Potential Impacts

The characteristics of potential impacts arising from the proposed development are detailed in Table 8.3.

Environmental Parameters	Construction Impacts	Operational Impacts
Population & Human Health	Potential slight, shorter term, temporal negative impact to local residents during works phase, arising from traffic, noise and dust albeit temporary in nature. Compliance with the CDMP will mitigate any significant impacts arising.	The operational impact of the development will be positive, providing for much needed apartment living and affording diversity of tenure to existing and future populations. The public realm and provision of active recreational space will be significantly enhanced resulting in positive impacts to the immediate and surrounding urban area. Whilst the population in the area will intensify, the site and proposed development is within walking distance of all services and facilities and further is well connected by public transport.
Biodiversity	The site is composed entirely of artificial surfaces within a heavily built-up area of Dublin city. An Invasive Alien Plant Species Survey undertaken by Brady Shipman Martin confirms there are no invasive plant or animal species listed on the Third Schedule of the	The proposed public realm and landscaping plan is likely to enhance biodiversity in the area over and above what exists at present. The operational stage is likely to have positive long term impacts. No significant negative

	<p>Habitats Regulations were identified on the site.</p> <p>It is proposed to retain the existing line of Lime trees which define the site thereby ensuring the retention of natural features where possible.</p> <p>Short-term negative impacts may arise due to noise and dust disturbance on biodiversity, but these shall be temporary in nature.</p>	<p>impacts are likely to arise from the operational stage.</p>
<p>Land & Soils</p>	<p>A study of the geology of the site revealed that subsoils in the area consist of made ground overlying till derived from limestones which, in turn, overlay rock.</p> <p>There are likely to be negligible impacts on land and soils, as significant areas of the site have already been subjected to significant areas of modern ground disturbance. Excavated soil will be reused for landscaping insofar as possible.</p> <p>Significant impacts are not anticipated.</p>	<p>No likely significant negative impacts are likely to arise from the operational stage.</p>
<p>Water & Hydrogeology</p>	<p>Overall, the proposed development is relatively small in scale and poses a low risk to water quality during the construction period. Surface water during construction shall be attenuated and discharged to the public sewer as detailed in Section 4.2.4 of this report</p> <p>Given the absence of significant flood risk at the site and a sufficient elevation above ground level, the Flood Risk Assessment report concludes that the proposed development will not have any impact on floodplain storage or conveyance and will therefore not have any impact off site.</p> <p>Likely impacts are not anticipated to be slight and temporary in nature.</p>	<p>As there will be no change to the area of hard standing arising from this development, there can be no negative impact upon surface water quality or quantity leaving the site. It is proposed that surface water is to be attenuated on site before discharging into the public system, thereby resulting in an 84% reduction in the amount of surface water currently leaving the site, significantly improving the existing situation.</p> <p>Foul effluent from the development will be sent to the wastewater treatment plant at Ringsend in Dublin. Emissions from this plant are currently not in compliance with the Urban Wastewater Treatment Directive. In April 2019 Irish Water was granted planning permission to upgrade the Ringsend plant. This will see improved treatment standards and will increase network capacity by 50%, with a target completion date of 2023, just as the first phase of the proposed development is completed.</p> <p>The likely impacts are neutral and positive longterm. No likely significant negative impacts are likely to arise from the operational stage</p>
<p>Air & Climate</p>	<p>There are no point air emissions from the site while some dust can be expected during the construction phase, particularly arising from demolition work., with traffic emissions likely to increase at key stages. A dust minimisation plan will be formulated for the demolition and construction phase of the project. The Main Contractor shall put in place a regime for real time monitoring dust levels in the vicinity of the site during works. The minimum criteria to be maintained shall be the limit specified by the Environmental Protection Agency (EPA) for licensed facilities in Ireland which is 350mg/m²/day as a 30-day average. The Main Contractor shall monitor dust during</p>	<p>Given the location of the development in a highly urbanised environment, proximate to public transport and within walking distance of services and amenities including the city centre, a significant increase in traffic emissions is not likely. This is reflected in the limited extent of car parking provided on site.</p> <p>No likely significant negative impacts are likely to arise from the operational stage</p>

	<p>construction to ensure the limits are not breached throughout the project.</p> <p>Impacts are likely to be short-term, temporary and moderate in nature.</p>	
Noise & Vibration	<p>Existing noise levels in the area are relatively high as a result of traffic on the adjoining R108.</p> <p>Noise during the construction phase and in particular during the demolition of buildings may result in nuisance. However, any impact will be temporary in nature. The Main Contractor is required to monitor the baseline noise levels at the site prior to commencement of the project, with a noise monitoring regime being developed for the duration of the construction works on site as part of a Noise and Vibration Management Plan (NVMP).</p> <p>A specialist sub-Contractor shall be engaged by the Main Contractor to monitor, collate and report on vibration results for the duration of critical work activities, as part of the Noise and Vibration Management Plan.</p> <p>Any adverse impacts are likely to be short-term and temporary in nature. Significant impacts are not anticipated.</p>	<p>Suitable care and attention has been applied in mitigating and minimising noise impact to such an extent that an adverse noise impact will be avoided in the final development. Appropriate acoustic glazing and mechanical ventilation shall be employed to facilitate enjoyment of a good internal noise environment.</p> <p>The existing use of the site shall not change, thereby ensuring that no additional noise generation shall arise.</p> <p>Impacts are likely to be neutral in nature with positive long term impacts for those continuing to live on site within the proposed development.</p>
Landscape	<p>The existing visual appearance and public realm of the site is poor. Any potential negative impacts arising during construction will be temporary in nature.</p> <p>Significant adverse and long terms impacts are not anticipated.</p>	<p>The proposal will result in a change to the landscape although the impact is considered to be long-term, positive in nature, having regard to the existing appearance of the site and the proposal to significantly enhance the public realm.</p> <p>The most significant feature of the site is the linear group of Lime trees that have been established along the grass verge between Constitution Hill and the grounds of the Constitution Hill Flats complex. The Lime trees are a valuable amenity to the local landscape and are mostly to be retained with the exception of one tree at the southern end. A new specimen tree is to be planted as a replacement within a new paved area just south of the tree's current location.</p> <p>No likely significant negative impacts are likely to arise from the operational stage</p>
Material Assets	<p>There could be potential temporary impacts to residences in the vicinity of the site during the construction period, but such impacts will be controlled and managed by the site contractor, in accordance with an agreed CDMP.</p> <p>Significant adverse and long terms impacts are not anticipated.</p>	<p>The site is well positioned adjoining existing services and facilities, in proximity to public bus transport. Whilst the occupation of 124 no. additional residential units is likely to result in an increase in population in the area, the possibility of significant long terms effects to intrinsic local resources of value of the location are not anticipated during operation phases. The subject site and the local neighbourhood are considered sufficiently serviced by utilities and local services and community amenity to accommodate requirements of the proposed development</p> <p>No likely significant negative impacts are likely to arise from the operational stage</p>

Cultural Heritage	<p>There are no protected structures, protected features or protected landscapes within the subject site. The site has been heavily modified and previously excavated to accommodate development. While the construction of the flats in the mid-20th century is likely to have had a significant impact upon any subsurface archaeology that survived in this area, the report confirms that there remains potential for archaeological remains to survive below the ground surface across the site. It is recommended that all ground disturbances associated with the proposed development be monitored by a suitably qualified archaeologist.</p> <p>Significant adverse impacts are not anticipated.</p>	<p>No likely significant negative impacts are likely to arise from the operational stage</p>
Interactions	<p>There may be interaction between different environmental topics such as between the water environment and ecology and between ecology and landscape. However, no significant impacts due to interactions are anticipated given that a suite of best practice works measures have been incorporated into the project in accordance with the principles set out in the CDMP.</p>	<p>There may be interaction between different environmental topics such as between the water environment and ecology and between ecology and landscape. However, no significant impacts due to interactions are anticipated given that a suite of best practice works measures have been incorporated into the project design.</p>
Overall	<p>The impacts of all aspects of the development have been considered. It is anticipated that there will not be any significant effects on the receiving environment during construction given that a suite of best practice works measures have been incorporated into the CDMP and mitigation measures are in place as detailed in the reports listed in Section 4.3 of this report.</p>	<p>The design and operational phase of the development has been informed by a suite of environmental studies as detailed in Section 34.3 of this report and which propose mitigation measures to ensure that there will be no significant effects on the receiving environment.</p>

Table 8.3 Characteristics of Potential Impacts on Environmental Parameters

Conclusion: No significant effects likely to arise associated with the potential impacts on environmental parameters.

Rationale: As the preceding table shows, potential impacts relate primarily to temporary impacts at construction stage and the implementation of the Best Practice Construction measures will provide safeguards to avoid significant impacts at this stage.

8.4 Potential Significant Effects

<p>Characteristics of potential impacts The potential significant effects of proposed development in relation to criteria set out under Tables 7.1, 7.2 & 7.3 above, and having regard in particular to:</p>	
<p>(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>Minor and localized temporary impacts are identified primarily at construction stage only.</p>
<p>(b) the nature of the impact;</p>	<p>The nature of impacts arising during construction are considered temporal short term (during construction phase) and localised in terms of scale and spatial extent. Such effects might manifest in terms of localised disturbance caused by specific or ambient construction related activities and can be mitigated within acceptable threshold levels consistent with best practice and executed under a contractor specific construction and environmental management plan as recommended by the project engineer. From consideration of the</p>

	Outline Construction and Demolition Management Plan, such effects are not considered to be of significant scale, duration or intensity. The nature of impacts arising during operation are long-term, permanent and localised in terms of scale and spatial extent. Such effects might manifest in terms of increase in population, greater demand on services and a better quality living environment resulting in an overall improved landscape
(c) the transboundary nature of the impact;	Potential transfrontier impacts are not identified.
(d) the intensity and complexity of the impact;	Whilst best practice guidelines and adherence to statutory requirements will address and mitigate for several environmental parameters during the design, construction and operation process; the principal potential impacts relate to noise & vibration and air & climate during construction.
(e) the probability of the impact;	The design of the proposals, best practice construction measures mitigates against significant effects arising.
(f) the expected onset, duration, frequency and reversibility of the impact;	Subject to implementation and adherence to measures in Section 4.2 & 4.3, impacts identified for topics are not significant and will be temporary in nature relating to the construction phase, and occasional (and mitigated against) in relation to the operational phase.
(g) the cumulation of the impact with the impact of other existing and/or approved projects;	The cumulative impact of the permitted developments and the proposed project are predicted to cause Negligible impacts during the construction and operational phase.
(h) the possibility of effectively reducing the impact	Measures are detailed in Section 4.2 & 4.3 of this report and accompanying planning reports and are derived from best practice guidelines.

Table 8.4 Characteristics of the Potential Impacts - Potential Significant Effects

Conclusion: No significant effects likely to arise associated with the characteristics of the potential impacts.

Rationale: Localised and temporary impacts are identified associated with construction and operation. The mitigation measures in the Construction Management are designed to ensure that should construction commence on the project, significant adverse effects are avoided.

9.0 CONCLUSION

9.1 Screening Conclusion

The proposed development does not trigger the threshold for mandatory EIA/EIAR as set in EU Directive 85/337/EEC (as amended by Directive 97/11/EC, Directive 2014/52/EU and S.I. 454 of 2011; S.I. 464 of 2011; S.I. 456 of 2011 and S.I. No 296 of 2018) and has been assessed as a sub threshold EIA development. This EIA Screening Assessment has determined that the characteristics of the proposed development are considered not significant due to the scale and nature of the proposed development and its footprint, which is confined to an area of less than 1 hectare, the characteristics and sensitivities of the receiving environment and design and mitigation measures that will be implemented as part of the construction phase and operation phase of the proposed development.

Given the scale and nature of the project and taking account of all available information, the overall probability of impacts on the receiving environment arising from the proposed development (during the construction or operational phases) is considered to be low, as

summarised in Table 8.1 to 8.4 above. No significant environmental impacts will occur once mitigation measures outlined in Section 4.0 of this Report are implemented. These mitigation measures are representative of standard industry environmental management that are implemented to minimise the impact of projects to the environment. T

The information provided in this EIA Screening Report can be used by the competent authority, Dublin City Council, to conclude and determine that an EIA is not required for the proposed development as there will be no significant effects. The overall conclusion for this screening appraisal is that having considered the appropriate criteria, Environmental Impact Assessment for the project is not required.

Appendix 1 Designated Natural Amenity Areas relative to the Subject Site

