

# Proposed Demolition at Dolphin House Flat Complex, Dolphin's Barn, Dublin 8

Preliminary Examination (in accordance with Article 120 of the  
Planning & Development Regulations 2001-2019)

## Strategic Assessment **Built Environment**

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## 1 Introduction

Dublin City Council is proposing the demolition of two blocks of flats (Flats 45 – 68 & 69 – 92) at Dolphin House, Dolphins Barn, Dublin 8. The demolition will also include for limited underground works such as the removal of foundations and some utility connections. Following demolition, the area is to be topsoiled and grass-seeded to facilitate future redevelopment, which will be subject to a separate planning consent progress.

Brady Shipman Martin was appointed by Dublin City Council to prepare a screening for mandatory EIA and a Preliminary Examination of the proposed sub-threshold development, which examines the type and scale of the Proposed Development and the receiving environment in addition to the nature, size and location of the Proposed Development.

The report has been prepared for Dublin City Council by Thomas Burns, (B.Agr.Sc. (Landscape); Dip. E.I.A. Mgmt., Ad.Dip. Plan. & En. Law) Partner with Brady Shipman Martin, environmental, landscape and planning consultants.

The application for the Proposed Development is also accompanied by a Screening for Appropriate Assessment (AA) prepared by Brady Shipman Martin.

### 1.1 Environmental Impact Assessment

EIA requirements derive from Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment, as amended by Directive 97/11/EC, 2003/35/EC and 2009/31/EC. The Directive and its amendments were subsequently codified and replaced by Directive 2001/92/EU, as amended in turn by Directive 2014/52/EU. This amending Directive was transposed into national planning consent procedures in September 2018 through the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018).

The objective of the EIA Directive is to ensure a high level of protection of the environment and human health, through the establishment of minimum requirements for environmental impact assessment prior to development consent being given, of public and private developments that are likely to have significant effects on the environment.

EIA is mandatory for certain projects and for other projects that meet or exceed a stated threshold as set out in Annexes I and II of the Directive (and Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended). Projects that do not meet or exceed a stated threshold are subject to a Preliminary Examination for the requirement, or not, for 'sub-threshold' EIA.

The Proposed Development is a local authority own development and therefore, the requirement for sub-threshold EIA is addressed under Article 120 of the Planning and Development Regulations 2001-2019, which states:

*(a) 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.*

*(b) 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.*

## 2 Description of the Site, the Proposed Development and the Planning Context

### 2.1 Site Location and Description

The proposed project site is located in Dolphin's Barn, Dublin 8. It forms part of a larger flat complex which is undergoing significant regeneration. Immediately to the south of the site are three individual blocks of flats that have recently been fully redeveloped. The site is bounded to the east by Dolphin's Barn Road and to the north by an industrial complex and the former Rialto Cinema complex. The Grand Canal is approximately 120m to the southwest of the site.

The subject site itself comprises two four-storey blocks of flats on an area of amenity grassland. The northern side of the buildings is entirely in hard-standing.

The location of the proposed project is shown in **Figure 1**.

There are no European Sites (Natura 2000 Sites) or Natural Heritage Areas (NHA) on or adjoining the site. The nearest European Sites are the South Dublin Bay Special Protection Area (SPA) and Special Area of Conservation (SAC) over 5km to the east. The nearest NHA is the Grand Canal proposed NHA c.120m to the southwest.



Figure 1 Site Context (red line shows indicative site area – refer to project documentation for full details)

## 2.2 The Proposed Development

The Dolphin House complex was constructed in the 1950's and sits on c.7.5 hectares. At one stage it comprised over 430 homes made up of flats in 6 blocks through the estate and also senior citizen units. A phased regeneration of the site is currently underway with Phase 1 completed in 2018/2019. Phase 1B of the redevelopment (refer to Figure 1 above) is expected to progress to planning in mid-2020.

The Proposed Development consists of the demolition of two blocks of flats (Flats 45 – 68 & 69 – 92) on a subject site of c.0.5 hectares at Dolphin House. Each block contains 23 flats – a total of 46 – which are a mixture of 1 and 2 bed units. The majority of the flats are unoccupied with the residents of the final flats to be rehoused in the coming months. The demolition works are required to facilitate the progression of Phase 2 of the Dolphin House redevelopment programme, which is expected to progress to planning in 2021.

Future development plans for the site have not yet been finalised by DCC, but the proposals to demolish the two flat blocks have been brought forward by DCC to alleviate ongoing anti-social behaviour and to facilitate any future development plans.

The two blocks consist of a mixture of masonry and reinforced/mass concrete walls on what appears to be a strip footing foundation with a reinforced concrete slab on each floor. There will be limited underground works such as the removal of the foundations and some utility connections. Following demolition works the area is to be topsoiled and grass-seeded.

The Site is not susceptible to flooding.

## 2.3 Dublin City Development Plan 2016-2022

The Development Plan indicates that the Site and the wider Dolphin House area is within a Strategic Development & Regeneration Area (SDRA No. 13). The Plan notes that:

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*"Dolphin Estate (Dolphin House and Park) is a large local authority flat complex (comprising 436 flats including 44 senior citizen flats) on circa 7.5 hectares of land in the south-west inner city. Regeneration proposals for this area include part demolition, refurbishment and new build, in order to achieve a greater mix of uses and residential tenure diversity and unit mix."* (sub-section 15.1.1.16, page 288).

The Site is identified under landuse zoning objective Z14: *"To seek the social, economic and physical development and/or rejuvenation of an area with mixed use, of which residential and 'Z6' would be the predominant uses"*

The Grand Canal to the south is highlighted as a Conservation Area.

### 3 Screening for Environmental Impact Assessment (EIA)

#### 3.1 Introduction

Screening is a process used to establish whether EIA is required for a Proposed Development. There are a number of steps in the screening process.

The mandatory requirement for EIA is generally based on the nature or scale of a Proposed Development, as set out in EIA Directive 2001/92/EU, as amended by Directive 2014/52/EU. These mandatory requirements are transposed into Irish Law in the Planning and Development Act 2000, as amended (hereafter the PDA, 2000), and the Planning and Development Regulations 2001, as amended (hereafter the PDR, 2001) and relevant European and national guidance, including: *Environmental Impact Assessment of Projects Guidance on Screening, EU, 2017*, and *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018*.

These identify certain types and scales of development, generally based on thresholds of scale, for which EIA is mandatory.

Projects require EIA where:

- they meet or exceed the stated thresholds in Schedule 5 Part 1 of the PDR 2001, as amended, or where no thresholds are set, or
- where they meet or exceed national thresholds set out in Schedule 5 Part 2 of the PDR 2001, or where no thresholds are set.

Where EIA is required, the applicant (developer) must prepare and submit an Environmental Impact Assessment Report (EIAR) and the Directive sets out the minimum information, which the EIAR must include in Annex IV (also provided in Schedule 6 of the PDR 2001).

Developments which correspond to Schedule 5 Part 2 project types (Classes) but which are below the given threshold are considered for the requirement for potential sub-threshold EIA.

### 3.2 Mandatory EIA

Section 172 of the PDA, 2000, as amended, provides the legislative basis for mandatory EIA. It states:

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

*(a) the proposed development would be of a class specified in –*

*(i) Part 1 of Schedule 5 of the Planning and Development Regulations 2001, and either –*

*I. such development would exceed any relevant quantity, area or other limit specified in that Part, or*

*II. no quantity, area or other limit is specified in that Part in respect of the development concerned,*

*or*

*(ii) Part 2 of Schedule 5 of the Planning and Development Regulations 2001 and either –*

*I. such development would exceed any relevant quantity, area or other limit specified in that Part, or*

*II. no quantity, area or other limit is specified in that Part in respect of the development concerned,*

*or*

*(b) (i) the proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 but does not exceed the relevant quantity, area or other limit specified in that Part,*

*and*

*(ii) the planning authority or the Board, as the case may be, determines that the proposed development would be likely to have significant effects on the environment.”*

#### 3.2.1 Part 1 of Schedule 5 of PDR, 2001

Projects listed for the purposes of EIA in Part 1 of Schedule 5 typically include major industrial, chemical, energy, waste, infrastructure and intensive agricultural developments. The Proposed Development does not correspond to a class of development set out under Part 1 of Schedule 5 and therefore, EIA is not a mandatory requirement under this provision.

#### 3.2.2 Part 2 of Schedule 5 of PDR, 2001

Having regard to Part 2 of Schedule 5, the Proposed Development can be considered to correspond to a Class 15 development “Works of Demolition”, which are:

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*“Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”*

The Proposed Development (the demolition works) are being carried out to secure an area, which will be subject to redevelopment/regeneration works. Therefore, the Proposed Development can be considered as facilitating future development, being of an “urban development” type as set out under Class 10(b)(i) or 10(b)(iv) of Part 2 of Schedule 5:

*“Class 10(b) (i). Construction of more than 500 dwelling units.”*

*“Class 10(b) (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.”\**

\* Being located in a built-up area, outside of a business district the appropriate threshold under Class 10(b)(iv) is 10 hectares.

While the Proposed Development will facilitate a type of residential or urban development as above, it does not meet or exceed specified thresholds. Therefore, EIA is not a mandatory requirement under a provision in Part 2 of Schedule 5 of the PDR 2001.

As the Proposed Development corresponds to Class 15 specified in Part 2 of Schedule 5 of the PDR 2001, it is subject to a Preliminary Examination of likely significant effects on the environment prior to the making of a determination on the requirement for a ‘sub-threshold’ EIA.

### 3.3 Preliminary Examination for Sub-Threshold EIA

The following Preliminary Examination was undertaken pursuant to the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) which transposed Directive 2014/52/EU and having regard to the ministerial Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (August 2018)<sup>1</sup>. In the ministerial guidelines the preliminary examination process is described in chapter 3 “Pre-Application stage” and under the sub-heading “Screening”.

This Preliminary Examination was based on professional expertise and experience, and having regard to the ‘Source – Pathway – Target’ model which identifies the source of likely significant impacts, if any; the environmental factors which will potentially be affected; and the route along which those impacts may be transferred from the source to the receiving environmental factors.

Generally it is noted that a screening determination “is a matter of professional judgement, based on objective information relating to the proposed project and its receiving environment. Environmental effects can, in principle, be either positive or negative” (section 3.1 of Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, 2018). However, the process must

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<sup>1</sup> Prepared by the Department of Housing, Planning and Local Government.

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also have regard to the ruling of the European Court that the EIA Directive has a “*wide scope and a broad purpose*” when determining if EIA is required<sup>2</sup>.

As the Proposed Development is a local authority own development, this Preliminary Examination is carried out in accordance with the provisions of Article 120 of PDR 2001.

The Preliminary Examination considered the nature, size and location of the Proposed Development and this report sets out the reasoning that “*there is no real likelihood of significant effects on the environment arising from the proposed development*” and “*that an EIA is not required.*”

### 3.4 Criteria under Schedule 7 of Planning and Development Regulations 2001-2019

The criteria for determining if a development would, or would not, be likely to have significant effects on the environment is set out in Schedule 7 to the PDR 2001. The criteria are grouped under three headings as follows:

1. Characteristics of the Proposed Development
2. Location of Proposed Development
3. Characteristics of Potential Impacts

Each of the above groupings includes a number of sub-criteria and information is provided for each in the following sections 3.4.1 – 3.4.3 respectively.

#### 3.4.1 Characteristics of the Proposed Development

Table 3.1 assesses the environmental sensitivity of the characteristics of the Proposed Development and the potential for significant impact.

**Table 3.1 Characteristics of the Proposed Development**

Type and Characteristics of Proposed Development	Comment
a) the size and design of the whole of the proposed development,	The Proposed Development relates to the demolition of 2 blocks of flats (46 units) on a small urban site of 0.5 hectares. The blocks and site comprise part of a wider existing residential development at Dolphin House, which is being redeveloped/regenerated on a progressive basis.  There is no likelihood of significant environmental effects by reason of the size and design of the Proposed Development.
b) cumulation with other existing development and/or development the subject of a consent for	The Proposed Development relates to minor works on a small urban site of 0.5 hectares. The Site is part of a wider existing residential development at

<sup>2</sup> ECJ cases C-72/95, C-2/07 and C-275/09.

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Type and Characteristics of Proposed Development	Comment
<p>proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,</p>	<p>Dolphin House, which is being redeveloped / regenerated on a progressive basis.</p> <p>The Proposed Development adjoins a previously permitted regeneration development for 43no. residential units in 5no. two, three and four-storey blocks at Dolphin House (DCC plan reg. ref.: 3764/16). This small scale development was significantly below any thresholds for EIA and did not require EIA.</p> <p>There is no likelihood of significant environmental effects by reason of cumulation with other development for the purposes of Section 172(1A)(b) of the PDA, 2000.</p>
<p>c) the nature of any associated demolition works,</p>	<p>The Proposed Development consists of the demolition of two blocks of flats (Flats 45 – 68 &amp; 69 – 92) on a subject site of c.0.5 hectares at Dolphin House.</p> <p>The two blocks consist of a mixture of masonry and reinforced/mass concrete walls on what appears to be a strip footing foundation with a reinforced concrete slab on each floor. There will be limited underground works such as the removal of the foundations and some utility connections. Following demolition works the area is to be topsoiled and grass-seeded.</p> <p>There is no likelihood of significant environmental effects by reason of the small-scale demolition works.</p>
<p>d) the use of natural resources, in particular land, soil, water and biodiversity,</p>	<p>The Site is an existing developed urban site and the Proposed Development will not require specific use of natural resources – other than limited topsoiling of the area post demolition works.</p> <p>No likelihood of significant environmental effects arises.</p>
<p>e) the production of waste,</p>	<p>The Proposed Development relates to the demolition of 2 urban blocks of flats to facilitate future regeneration proposals. The demolition works are small in scale and in area and there are no unusual aspects to the Proposed Development.</p> <p>Therefore, production of waste will be limited to the materials from demolition and these will be subject to appropriate recycling or removal to approved, licensed facilities. No likelihood of significant environmental effects arises.</p>

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Type and Characteristics of Proposed Development	Comment
f) pollution and nuisances,	<p>Construction works have the potential for noise disturbance. However, any such disturbance will be temporary (limited to the demolition/works period), localised and controlled and mitigated by standard construction best practice and normal day-time working hours.</p> <p>No other pollution or nuisances are identified and no likelihood of significant environmental effects arises.</p>
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, and	<p>The Site will be secured and demolition works managed, controlled and mitigated by standard construction best practice and normal day-time working hours.</p> <p>There are no unusual aspects to the Proposed Development. No particular risks are identified and no likelihood of significant environmental effects arises.</p>
h) the risks to human health (for example, due to water contamination or air pollution).	<p>The Site will be secured and demolition works managed, controlled and mitigated by standard construction best practice and normal day-time working hours.</p> <p>No particular risks are identified and no likelihood of significant environmental effects arises.</p>

### Summary

There is no likelihood of significant effects on the environment arising from the nature of the Proposed Development.

The Proposed Development involves the demolition of 2 blocks with 46 flats on a 0.5 hectare site highlighted for redevelopment/regeneration. Therefore, the scale of the Proposed Development, when viewed individually and/or cumulatively, is very small in terms of the extent of development and significantly below relevant EIA thresholds.

This scale of development will not give rise to significant effects on the environment either by way of its size or design.

Any potential pollution aspect will be avoided through appropriate standard construction practice management regimes.

Any noise and nuisance associated with the proposed works will be temporary or short-term and subject to standard construction management and best practice procedures.

Any waste arising will be taken from the site for reuse or disposal, subject to normal statutory controls.

### 3.4.2 Location of the Proposed Development

Table 3.2 assesses the location of the Proposed Development with regard to the environmental sensitivity of the geographical area likely to be affected and the potential for significant impact.

**Table 3.2 Location of Proposed Development**

Type and Characteristics of Potential Impacts	Comment
i) the existing and approved land use	The existing landuse is residential and the site is zoned for regeneration/residential use. Redevelopment works are also currently on-going on adjacent lands in Dolphin House.  No likelihood of significant environmental effects arises.
j) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,	The Site is an existing developed urban site and the Proposed Development will not require specific use of natural resources – other than limited topsoiling of the area post demolition works.  It will have negligible impact on the quality and regenerative capacity of natural resources in the area.  No likelihood of significant environmental effects arises.
k) the absorption capacity of the natural environment, paying particular attention to the following areas:	Having regard to the criteria listed below, it is considered that the site has a high absorption capacity for the scale and type of development proposed and no likelihood of significant environmental effects arises.
(i) wetlands, riparian areas, river mouths;	No impact arises.
(ii) coastal zones and the marine environment;	No impact arises.
(iii) mountain and forest areas;	No impact arises.
(iv) nature reserves and parks;	No impact arises.
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;	A separate Screening Report for the requirement for Appropriate Assessment (AA) has been prepared and excludes any potential for impact on Natura 2000 Sites.  No impact arises.

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Type and Characteristics of Potential Impacts	Comment
(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;	No issues arise.
(vii) densely populated areas;	The relatively small site (c.0.5 hectares) is located in an existing developed/urban context, which is the subject of on-going and future regeneration / redevelopment.  No likelihood of significant environmental effects arises.
(viii) landscapes and sites of historical, cultural or archaeological significance.	The Proposed Development has no impact on any aspect of sensitive landscape or heritage.  No likelihood of significant environmental effects arises.

### Summary

There is no likelihood of significant effects on the environment arising from the location of the Proposed Development.

By virtue of its zoning and location adjoining similar regeneration/redevelopment development, the proposed development is appropriately located within surrounding landuses.

The Screening for the requirement for Appropriate Assessment (AA) concludes that the Proposed Development, by itself or in combination with other plans and projects, in light of best scientific knowledge, will not, in view of the conservation objectives of the site, adversely affect the integrity of any European Sites.

In terms of other environmental sensitivities, *e.g.* landscapes/sites of historical, cultural or archaeological significance, the Proposed Development will not give rise to any significant effects.

The site can successfully accommodate the Proposed Development without any significant environmental effects.

### 3.4.3 Type 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 (*i.e.* Sections 3.4.1 & 3.4.2 and Tables 3.1

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and 3.2 above), 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 PDA, 2000, taking into account the assessment provided in Tables 3.3 & 3.4.

Table 3.3 Type and Characteristics of the Potential Impacts

Type and Characteristics of Potential Impacts	Comment
a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),	Any potential impact will be temporary, short-term and limited to the site and its immediate adjoining properties. Therefore, the geographical extent and population likely to be affected are very small and no likelihood of significant environmental effects arises.
b) the nature of the impact	There are no unusual aspects to the Proposed Development and any potential impacts are consistent with and typical of normal small scale redevelopment/regeneration works.  No likelihood of significant environmental effects arises.
c) the transboundary nature of the impact	No transboundary impacts arise.
d) the intensity and complexity of the impact,	No impact of an unusual intensity or complexity is expected.
e) the probability of the impact	N/A
f) the expected onset, duration, frequency and reversibility of the impact,	Any potential impacts will be temporary or short-term associated with the normal construction of Proposed Development.  No medium or long-term impact arises and no likelihood of significant environmental effects arises.
g) 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	The Proposed Development does not give rise to cumulation with other development for the purposes of Section 172(1A)(b) of the PDA, 2000.

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Type and Characteristics of Potential Impacts	Comment
h) the possibility of effectively reducing the impact.	<p>Any potential impacts will be temporary or short-term associated with the normal construction of Proposed Development on an urban site.</p> <p>Any such potential impacts may be appropriately mitigated through standard construction best practice and control of working hours.</p> <p>No likelihood of significant environmental effects arises</p>

**Table 3.4 Assessment against the factors specified in Section 171A(b) of the Planning and Development Act 2000, as amended.**

EIA Factor	Comment
Population	<p>The relatively small site (c.0.5 hectares) is located in an existing developed/urban context, which is the subject of on-going and future regeneration / redevelopment.</p> <p>Positive impact in facilitating future regeneration proposals.</p> <p>No negative impact arises.</p>
Human Health	<p>The Site will be secured and demolition works managed, controlled and mitigated by standard construction best practice and normal day-time working hours.</p> <p>No particular human health risks are identified and no likelihood of significant environmental effects arises.</p>
Biodiversity	<p>No adverse impact arises. No impact arises on any European Site (Natura 2000 Sites).</p> <p>No significant impact arises.</p>
Land	<p>The circa 0.5 hectare site is currently a developed urban site, which is zoned for residential use/regeneration.</p> <p>No significant impact arises.</p>
Soil	<p>The circa 0.5 hectare site is currently a developed urban site, which is zoned for residential use/regeneration.</p> <p>No significant impact arises.</p>
Water	<p>The Site is located c.120m northeast of the Grand Canal. The Site is not susceptible to flooding.</p>

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EIA Factor	Comment
	Appropriate surface water management and discharge measures are provided.  No significant impact arises.
Air and Climate	The Proposed Development provides for a small scale demolition works.  No significant impact arises.
Material Assets	No significant impact arises.
Cultural Heritage	There are no known cultural features on the site.  There is no impact on protected structures or architectural conservation areas.  No significant impact arises.
Landscape	There is no impact on Special Amenity Areas, Protected Views or other landscape features of note.  No significant impact arises.
Interaction between factors	No significant impact arises as a result of any potential for interaction between environmental factors.

### Summary

The type or characteristics of the potential impacts arising from the Proposed Development will not give rise to significant environmental impacts.

There are no short, medium or long-term negative impacts and the Proposed Development is considered to be appropriately located and capable of successful integration in the surrounding environment.

Any temporary construction impacts relating to noise and dust are typical of any small-scale urban construction. The proposed works will be confined to the site of the Proposed Development and any potential impact on nearby receptors will be effectively managed through standard best practice construction measures.

The Proposed Development is typical of urban regeneration development works and is located on an appropriately zoned site adjoining similar regeneration-related works.

The Proposed Development does not give rise to any significant impact on environmental (EIA) factors provided in Section 171A(b) of the PDA, 2000.

## 4 Conclusion

The Proposed Development is not a development for which an EIA is mandatory.

This Preliminary Examination has considered the nature, size and location of the Proposed Development and having regard to the criteria set out in Schedule 7 of the

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Planning and development Regulations, 2001-2019, concludes, in accordance with Article 120(1)(b)(i) that *“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.”*

This conclusion is made on the basis that the Proposed Development:

- is of a small-scale on a site of circa 0.5 hectares;
- will not give rise to any likelihood of significant effects on the environment;
- will not adversely impact Natura 2000 Sites or sensitive habitats either on its own or in combination with other projects; and
- falls significantly below any thresholds for EIA set out in any applicable Class of Part 2 of Schedule 5 of the Planning and Development Regulations 2001-2019.

This Preliminary Examination has been informed by a desk study, a site visit, and review of the Screening Report for Appropriate Assessment (AA), and of the proposed project description and reports prepared as part of the application.

The nature, characteristics or impacts of the Proposed Development will not have significant effects on the environment.

The Site is not susceptible to flooding.

Standard best practice methodologies employed during the construction/demolition works will limit any potential disturbance to the Site and prevent any risk of pollution from the Site, as outlined in Sections 3.4.1, 3.4.2 and 3.4.3 above.

The type and characteristics of the potential impacts are not significant, taking into account the characteristics of the Proposed Development and its location. No significant negative effects on the environment have been identified.

The overall conclusion is that there is no requirement for Environmental Impact Assessment of the Proposed Development.

## 5 Key References

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