

EIA Screening

Social Housing Bundle 4, Development at Church of the Annunciation, Finglas

Dublin City Council

June 2024



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1. INTRODUCTION

1.1 Background

This Environmental Impact Assessment (EIA) Screening report was prepared by MacCabe Durney Barnes on behalf of Dublin City Council, to accompany a Part 8 proposal for the development of 110 no. residential units on a site of circa 0.77 hectares in area, located to the south of Cappagh Road (R103) and to the east the Cardiffsbridge Road (R103), Finglas.

This document has been prepared in order to assist Dublin City Council in the determination of the proposed development at the subject site. The purpose of this EIA Screening Report is to assess the possible impacts on the environment of the proposed residential apartment development on lands at the Church of the Annunciation site in Finglas.

1.2 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

1.3 Methodology

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

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

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

1.4 Data Sources

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

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie>
- Dublin City Development Plan 2022-2028
- Dublin City Council Planning Application Portal
- An Bord Pleanála Planning Applications
- EPA - <https://gis.epa.ie/EPAMaps/>
- GeoHive – <http://map.geohive.ie/mapviewer.html>.
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>

In addition to the above the following project specific reports were utilised to inform this report:

- Appropriate Assessment Screening - prepared by NM Ecology
- Preliminary Ecological Appraisal – prepared by NM Ecology
- Construction & Environmental Management Plan – prepared by ORS
- Resource Waste Management Plan – prepared by ORS
- Waste Classification Report – prepared by Ground Investigations Ireland
- Arboricultural Impact Assessment – prepared by Charles McCorkell Arboricultural Consultancy
- Engineering Report – prepared by Malone O'Regan
- Operational Waste Management Plan – prepared by Traynor Environmental Ltd
- Archaeological Impact Assessment – prepared by John Purcell Archaeological Consulting

2. THE SITE AND SURROUNDINGS

2.1 Site Context

Finglas is located around 5km north west of the City Centre and lies broadly north of the Tolka Valley Park. The area is broadly split into two parts, Finglas East and Finglas West, as it is bisected in a north-south manner by the R135. The site is located in Finglas West, south of Cappagh Road (R103) and to the east of Cardiffsbridge Road (R103). The site is located immediately west of Coláiste Eoin and north of Coláiste Íde College of Further Education.

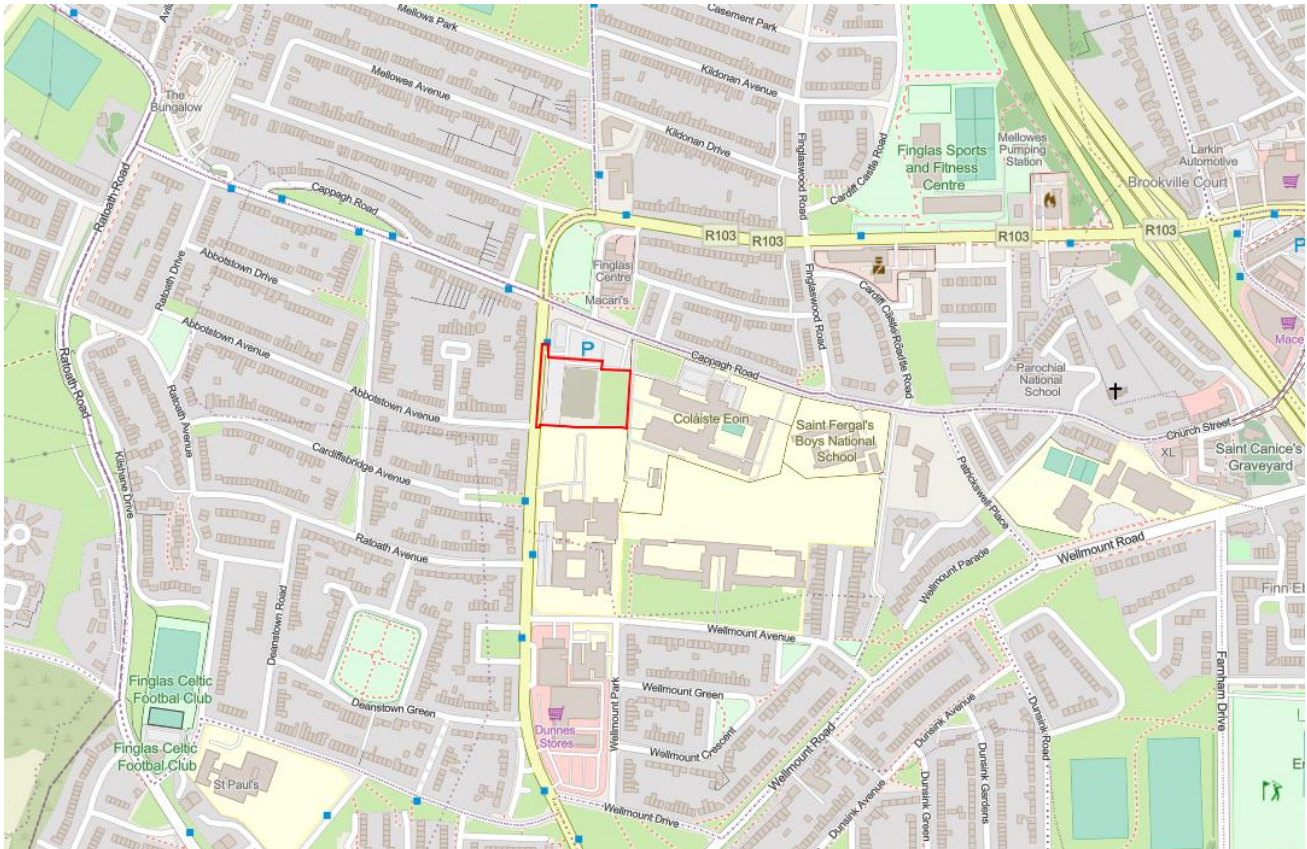


Figure 1: Site Context

2.2 Site Description

The site is bound by the permitted new Church of the Annunciation to the north with Cappagh Road further north and to the west by Cardiffsbridge Road. It forms part of a formerly institutional enclave which includes four schools (Coláiste Eoin, St Fergal's Boys National School, St Brigid's Infant National School and Coláiste Íde, College of Further Education), public open space and sport facilities (indoors and outdoors). The Church of the Annunciation was formally located on the site and has been relocated north of the subject site. The subject site is 0.77 ha (net area 0.71) and its location is illustrated in the figure below. The new Church of the Annunciation will be located immediately north of the subject site. Under PA. Reg. Ref 3023/19, demolition of the existing Church of the Annunciation building (c.3166sqm) and the construction of a new church/ parish pastoral centre building on a smaller site north of the subject site was granted by Dublin City Council in March 2020. The site is currently fenced by hoarding, as the Church has now been demolished.

Directly across Cappagh Road to the north, an open space is bound by a parade of shops which includes a butcher, a takeaway, a pharmacy, a Spar and Tesco Express. Some additional commercial uses (hairdresser and clothes alterations) can be found on the upper floor of some of the units.

Immediately to the east is Coláiste Eoin which includes a series of buildings (up to 2 storeys). The site is separated from the part 8 site by school grounds and an access road, which is closed by a vehicular gate on the Cappagh Road. The closest school buildings are located around 20m away from the boundary separating the sites. South of Coláiste Eoin and generally south-east of the site is a large greenfield site bounded by Fergal's lane. The site is currently closed to public access. Immediately to the south of the Part 8 site is the Leisure-Point Sports Complex. The complex forms part of Colaiste Íde. It includes indoor (gym, basketball etc) and outdoor (7 a-side soccer pitches) sports facilities. The west of Cardiffsbridge Road consists of one and two-storey houses.



Figure 2: Part 8 application Site

The site consists of brownfield land and is relatively flat. It was previously used as institutional lands and was home to the Church of Annunciation. It is currently hoarded. The site slopes slightly north to south. There are mature trees located along the western boundary of the site and on part of the southern boundary. The trees are typically 11-19m in height.

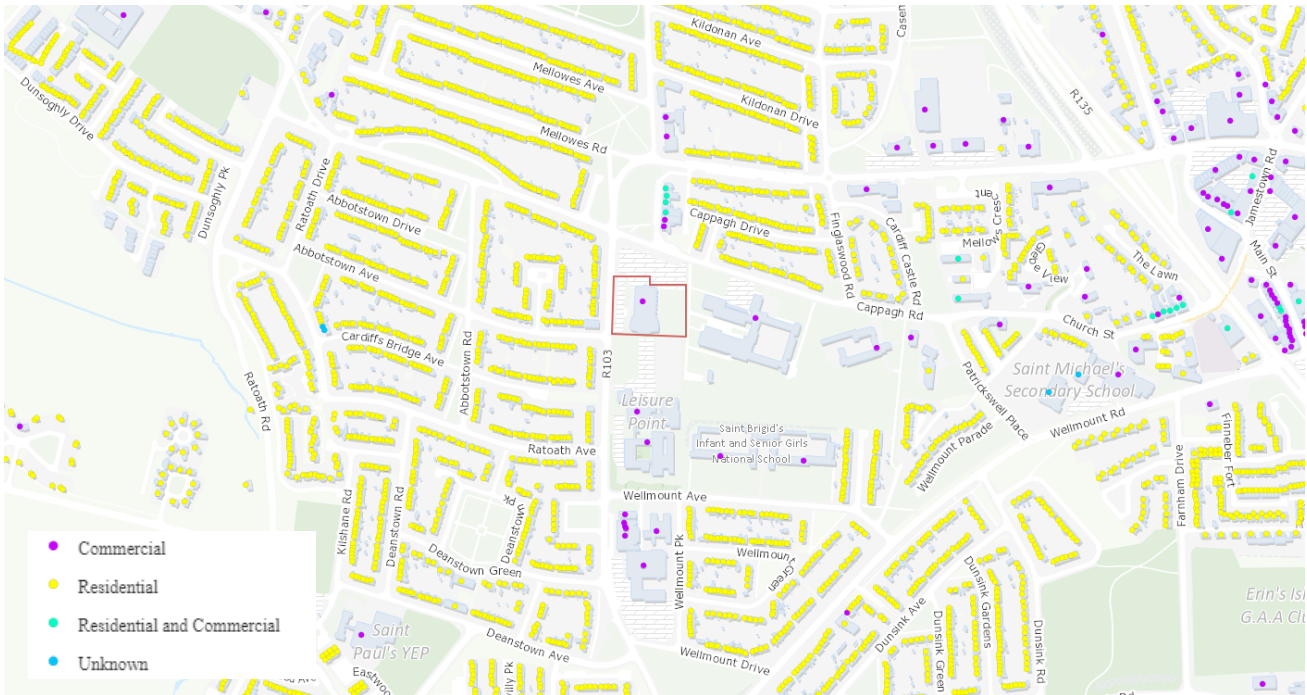


Figure 3: Land Use Surrounding the Site (Source: Myplan)

2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the EPA Mapping Tool, Geological Survey Ireland, the Dublin City Council Planning Application Portal and the relevant local statutory planning documentation, including the Dublin City Development Plan 2022-2028.

2.3.1 Bedrock

According to an examination of the information available on GSI database, the site is part of the Lucan formation with the underlying bedrock limestone, subcategorised as dark limestone and shale bedrock.

2.3.2 Soils

The site was cross-referenced with the Teagasc Soil Information System (SIS) soil profile map which states that the surface soil at the site location is classed as 'Urban'. Urban soils are formed from human construction and industrial activities along with fuel combustion, transport emissions and waste dumping and therefore contain manufactured materials and waste. According to EPA Maps the subsoil type is limestone till and soils are made ground.

A Ground Investigation Report prepared by Ground Investigation Ireland accompanies this application. The report notes the following conditions:

"Topsoil was encountered in some of the exploratory holes and was present to a maximum depth of 0.50m BGL. Tarmac surfacing was present typically to a depth of 0.08m to 0.18m BGL. Made Ground deposits were encountered beneath the Topsoil/Surfacing and were present to variable depths of between 0.50m and 1.70m BGL. These deposits were described generally as grey brown or brown slightly sandy slightly gravelly Clay with cobbles and boulders and contained occasional fragments of concrete, red brick and plastic or grey slightly sandy clayey fine to coarse subangular to subrounded Gravel or Crushed Rock Fill."

A Waste Classifications Report prepared by Ground Investigation Ireland also accompanies this Part 8 application.

2.3.3 Hydrology

The EPA database of river and streams does not show any watercourses within the site or the surrounding area. The site is located c.680m from the Bachelors Stream (EPA Code: 09B14) located to the north east of the site and the Scribblestown Stream (EPA Code: 09S06) is located c.650m to the south west of the site. Both streams are tributaries to the River Tolka which discharges into the South Dublin Bay and River Tolka Estuary SPA c.6.4km south east of the site. The River Tolka is located approximately c.1km south of the subject site. Under the Water Framework Directive status assessment 2016-2021, the River Tolka and its tributaries Bachelors Stream and Scribblestown Stream identified proximate to the site, are categorised as 'Poor Status' and have been assigned a risk level of "At Risk."

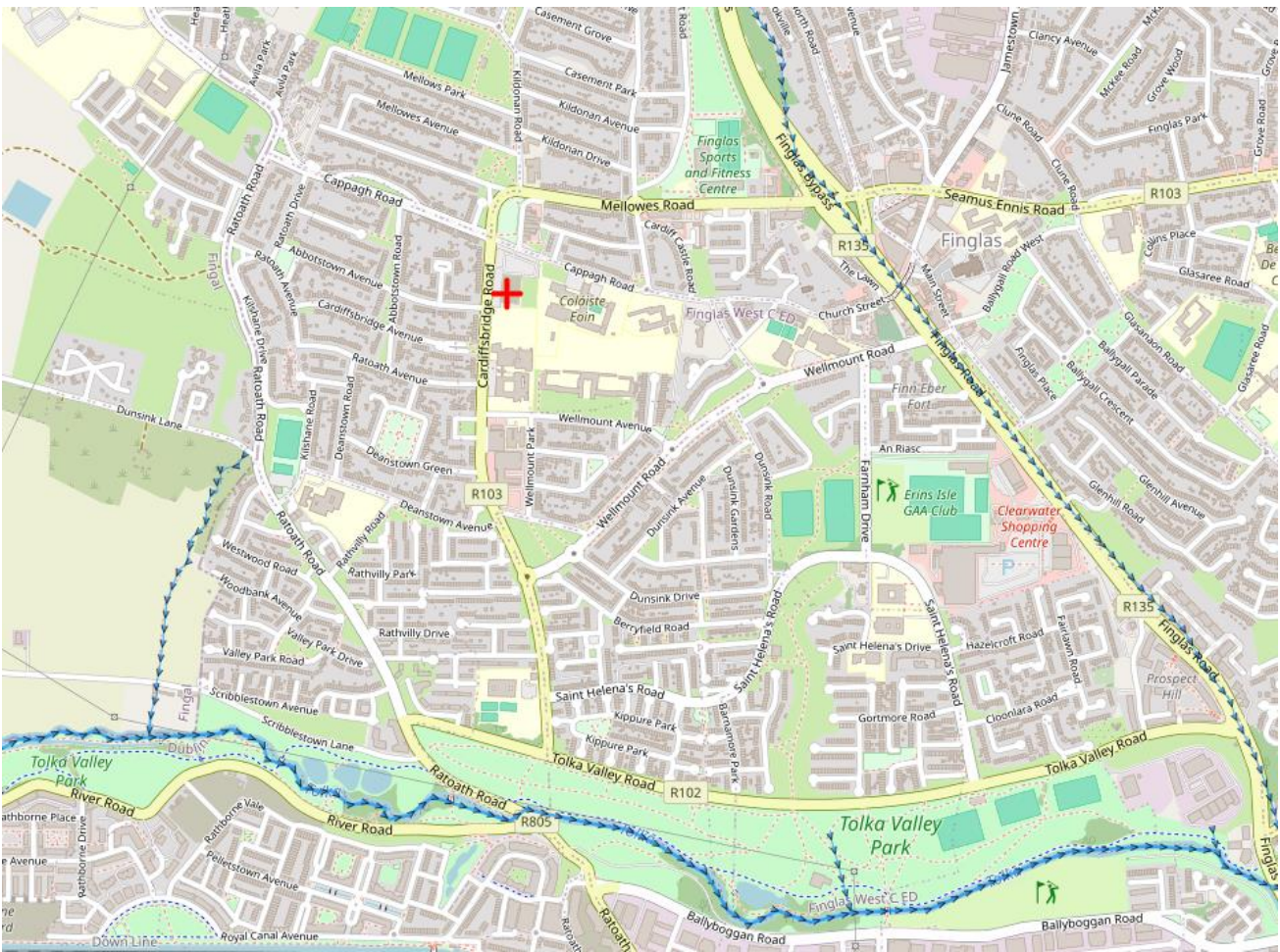


Figure 4: River Waterbodies in the context of the subject site (Source: EPA Maps)

A Strategic Flood Risk Assessment (SFRA), as required by 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' (DEHLG and OPW, 2009), has been undertaken as part of the preparation of the Dublin City Development Plan 2022-2028. The SFRA contains a Composite Flood Zone Map, which indicates that the proposed development falls within a predictive Flood Zone C. There is no Zone A or Zone B within the vicinity of the site. A Desktop Flood Risk Assessment prepared by Malone O'Regan accompanies this application.



Figure 5: Extract of DCC Composite Flood Map (Source: DCC)

2.3.4 Aquifer and Groundwater

The subject site is underlain by an aquifer which is identified as a “Locally Important Aquifer”. It is categorised as bedrock that is Moderately Productive only in Local Zones.



Figure 6: Aquifers in the vicinity of the Site (Source: EPA Mapping Tool)

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is of “High Vulnerability”.

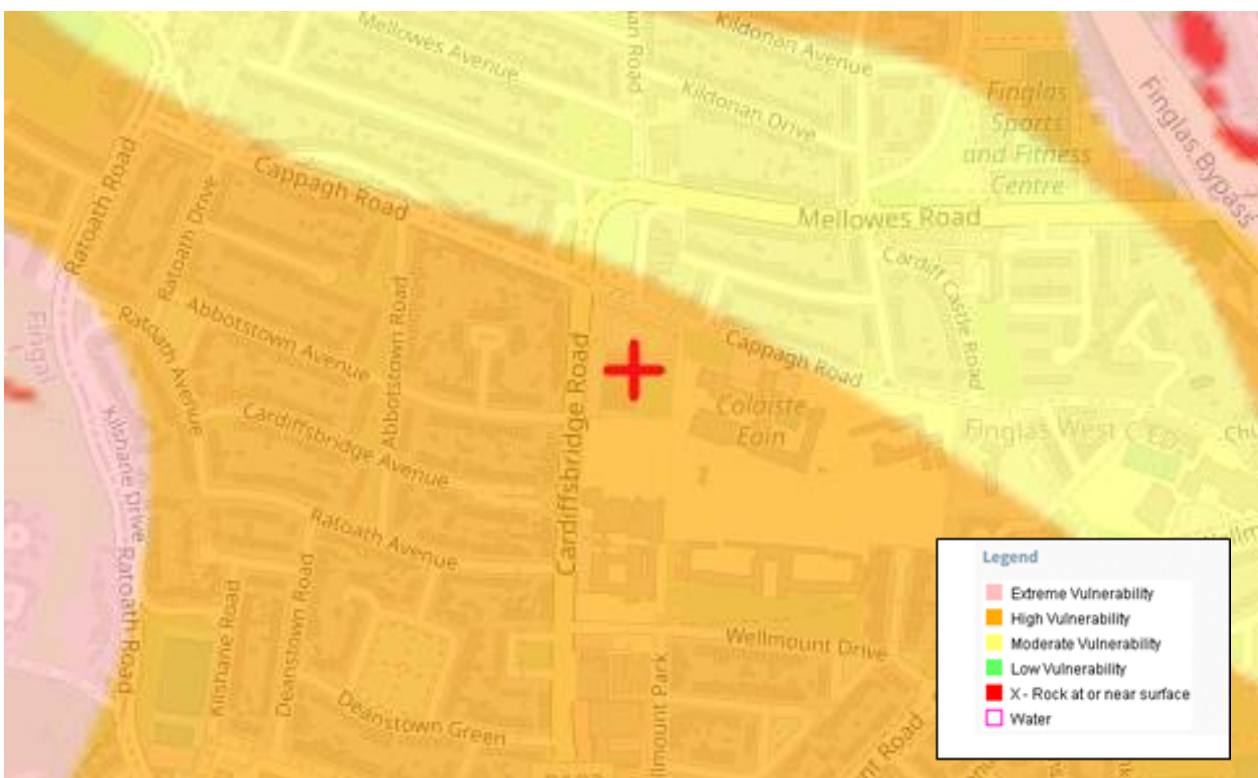


Figure 7: Ground Water Vulnerability (Source: EPA Maps)

2.3.6 Radon

The EPA portal shows between one in twenty homes in this area are likely to have high radon levels as shown below.



Figure 8: Radon Levels in the Context of the Subject Site (Source: EPA Maps)

2.3.7 Air quality

The site falls within Air Quality Index Region where the index indicates that the air quality is 'Good' according to EPA Maps. The site is situated in Zone 1 Dublin City (EPA Mapping: Air Zone Designation, 2021).

2.3.8 Designated sites

There are no designated sites within the subject site or directly adjoining the subject site. The features of interest on each European site are displayed in Table 1. Watercourses, SPA's and SAC's proximate to the subject site are seen in the figure below.

Table 1: European Sites in the Context of the Subject Site

| Site Name | Distance | Qualifying Interests |
|-----------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| South Dublin Bay and River Tolka Estuary SPA (4024) | 6.4 km south-east | Key habitats: coastal wetlands Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull |

| Site Name | Distance | Qualifying Interests |
|--------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage) |
| North Dublin Bay SAC (site code 206) | 9.1 km east | <p>Annex I habitats: inter-tidal mudflats / sandflats (including patches of Salicornia and other annuals), salt marshes, annual vegetation of drift lines, embryonic shifting dunes, white dunes, grey dunes, dune slacks</p> <p>Annex I habitats: petalwort <i>Petalophyllum ralfsii</i></p> |
| North Bull Island SPA (2006) | 9.1 km east | <p>Special conservation interests: wintering populations of light-bellied brent goose, shelduck, teal, pintail, shoveler, oystercatcher, golden plover, knot, sanderling, dunlin, black-tailed godwit, bar-tailed godwit, curlew, redshank, turnstone, black-headed gull</p> |

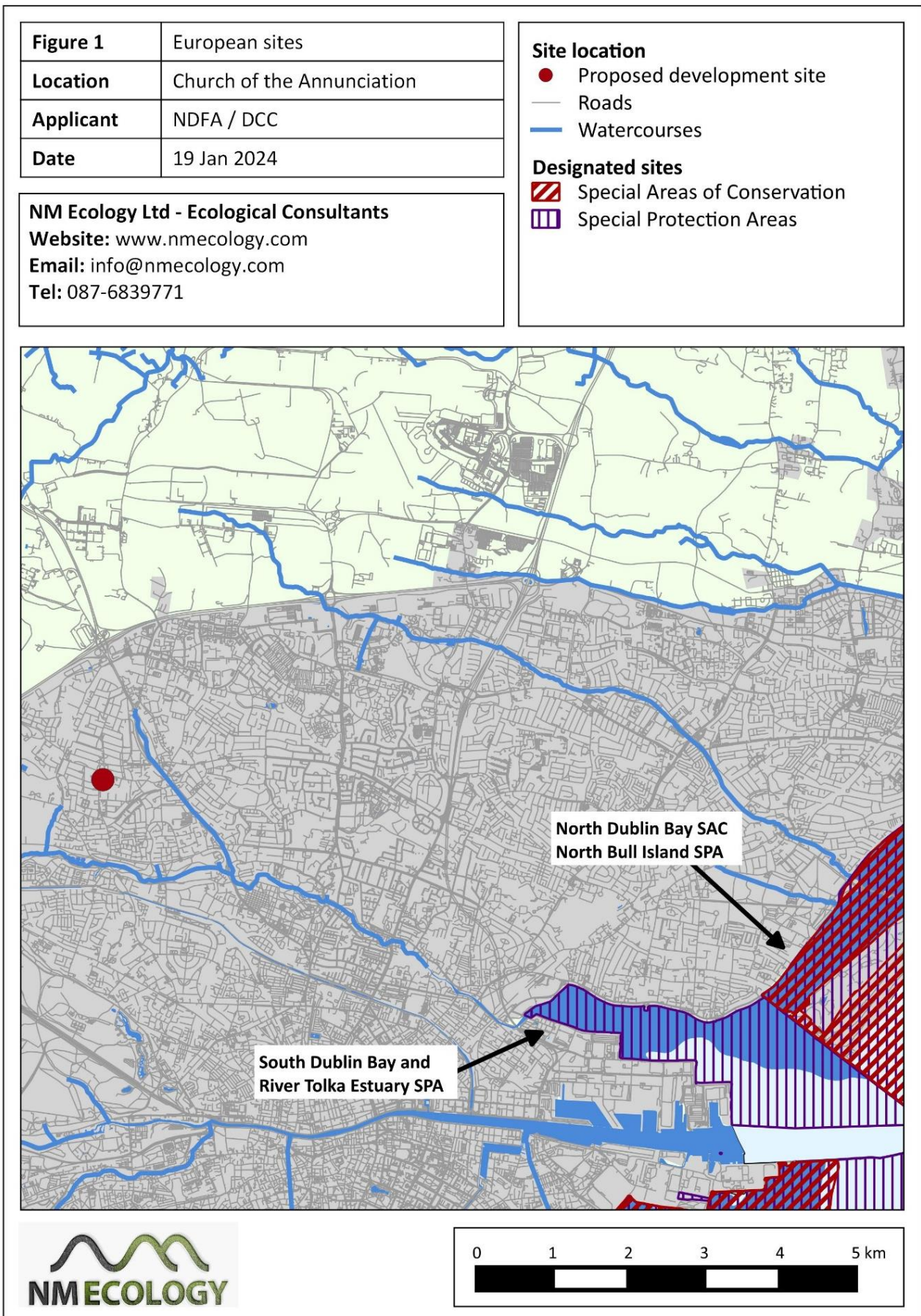


Figure 9: Watercourses & European Sites (Source: NM Ecology)

2.3.9 Proposed Natural Heritage Areas (pNHA)

The accompanying preliminary Ecological Appraisal prepared by NM Ecology identified the following proposed natural heritage areas (pNHA). The below figure prepared by NM Ecology also illustrates the watercourses and pNHA in the surrounding area.

Table 2: Proposed Natural Heritage Areas

| Site Name | Distance | Reasons for designation |
|-----------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Royal Canal pNHA (site code 2103) | 1.4 km south | Diversity of habitats, ecological connectivity, and protected aquatic plant species (Opposite-leaved Pondweed <i>Groenlandia densa</i>) |
| Santry Demesne pNHA (178) | 4.1 km north-east | Former demesne woodland and a protected species (Hairy St John's-wort <i>Hypericum hirsutum</i>) |

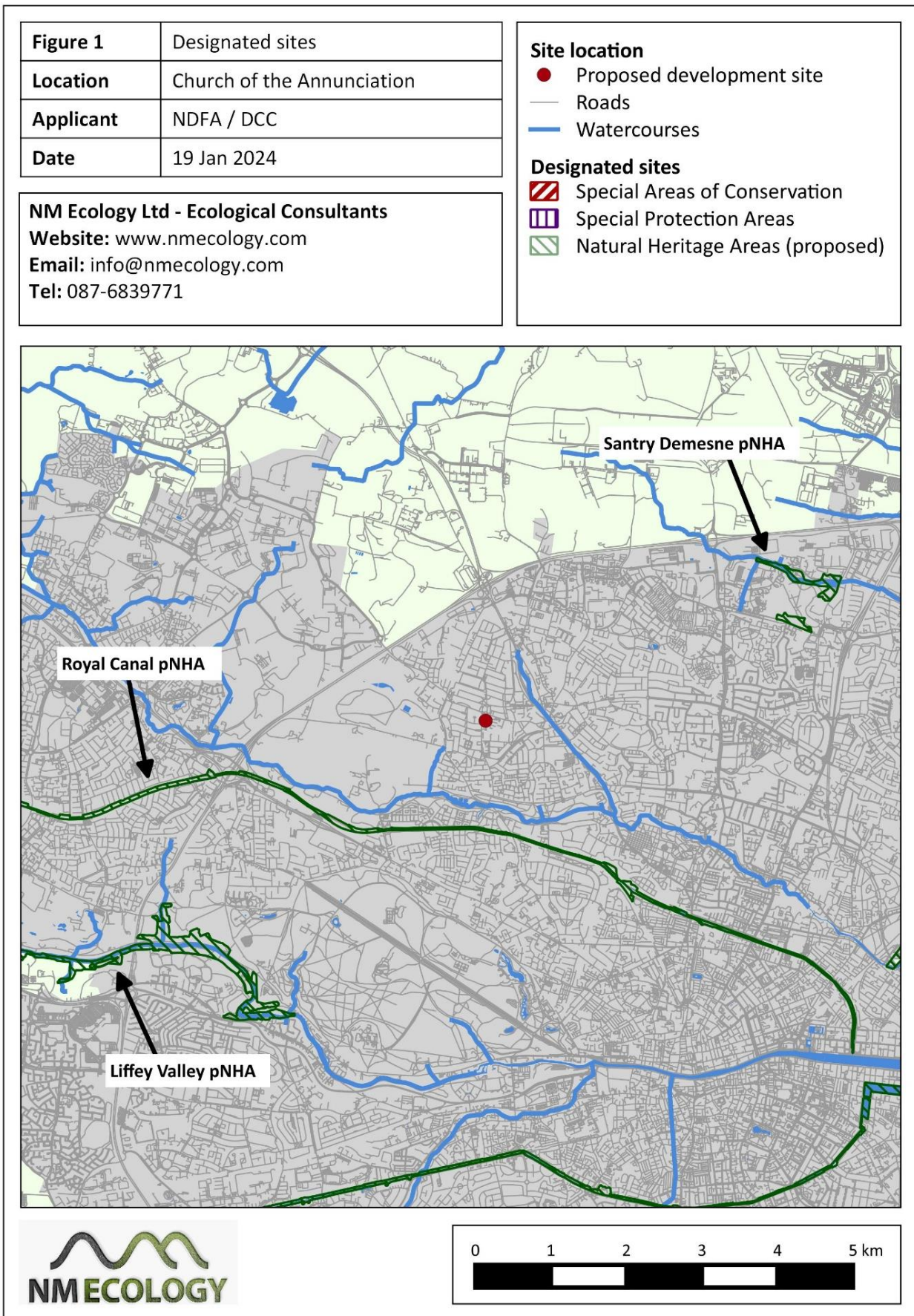


Figure 10: Proposed Natural Heritage Areas & Watercourses (Source: NM Ecology)

2.3.10 Cultural Heritage

2.3.10.1 Archaeology

The Part 8 site is not located within a one of archaeological potential. The proposed development site does not include any recorded archaeological monuments. No sites are located within the immediate environs of the site. The closest recorded monument is the site of a 17th century house located over 400m to the east of the site. Recorded monuments situated within area are:

| SMR/ RMP No | Class | Townland | Notes |
|---------------|-------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| DU014-066008- | Town defences | Finglas East | The N section of 'King William's Rampart' forms a boundary wall to the present Vicarage garden and the S boundary of the car park. It runs in a NE-SW direction (L 80m, Wth 3.5-6m, H 1.5-3.5m). Both faces are revetted with stone walling. In the W end of the rampart is a vaulted chamber entered from a round-arched opening. The vault runs N-S (dims. L 3.7m, Wth 3.6m, H 2m.). It is lit by slit opes. Between 1986 and 1994 excavations in the immediate vicinity of the site produced 13th-15th-century pottery and evidence for an E extension to the rampart (Cotter 1992, 16). This site may be interpreted as fortifications erected by the Duke of Ormonde in 1649 (Anon 1897, 452; Joyce 1912, 270-1). This S portion of 'King William's Rampart' lies S of Cappagh Road. A lane runs along the S face of the earthwork. It comprises a continuous section of flat-topped bank which takes a sharp bend (H 3m, Wth 3.2m, L 48m.). The S face was formerly faced by a buttressed wall (Joyce 1902, 270). It is overgrown with ash and thorn. Traditionally associated with King William, who is said to have camped in Finglas after the Battle of the Boyne, 1690, (Anon 1897, 452). Investigations by OPW of the site uncovered 15th-century pottery which suggests that the ramparts may be the remains of a stockade built to protect the manorial estate founded by Archbishop Comyn in 1181. Test excavations in 1995 confirmed that the rampart continued along the N perimeter of the present site. Archaeological deposits with a date range of 14th-17th centuries were built up around it (Halpin 1995, 25). |
| DU014-066002- | Ritual site - holy well | Finglas East | This is a natural spring enclosed within a railing and embellished with a monument to St Patrick, murals and a grotto. A stone-lined bath in the front may have been built in the 1760's when the well was developed as a spa (Daly 1957, 20; Ó Danachair 1958, 76). This was a station well according to the Ordnance Survey Name Books. The waters were thought to cure sore eyes and inveterate ulcers. Still venerated. Daly (1957, 20) recorded the following details about this well; 'Near Finglas village was another St. Patrick's well. A short time prior to 1760 a stone arch was built over it, on account of cures which it had effected and for many years people visited there for the curing of sore eyes and inveterate ulcers. Patients applied rags dipped in the water to the affected part as well as drinking some of the water'. |
| DU014-066003 | House - 17th century | Cardiffscastle | Named on the 1st edition OS 6-inch map (1837) as 'Cardiff castle in ruins'. The OS 6-inch map shows an L-shaped building N of the |

| SMR/ RMP No | Class | Townland | Notes |
|---------------|---------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | | road. This area has since been developed. Not visible at ground level. |
| DU014-066005- | House - 16th/17th century | Finglas West | A manor established by Archbishop Comyn in 1181 appears to have been on the present site of the convent which on the 1st edition OS 6-inch map (1843) is called Springmount, later known as Fortwilliam. In 1228 Archbishop Luke established an episcopal residence on the site. During the period that Alexander de Bicknor held the See of Dublin 1317-1319, this residence became known as the Court. It was a substantial mansion. There are references to stone walls, leaden gutters, iron bars, kitchen, brewhouse and furnaces (Ball 1920, 85). The Civil survey (1654-6) mentions a 'stone house' at Oldcourt on the church farm at Finglas (Simington 1945, 140). Excavations in 1992 failed to reveal any traces of the site (O'Flanagan 1993, 27). Further excavations in 1995 revealed the walls of a rectangular, two-roomed structure (L 20m, Wth 4.5m) associated with 16th-17th century material. This has been interpreted as an out-building associated with Fortwilliam (Halpin 1996, 24-25). |

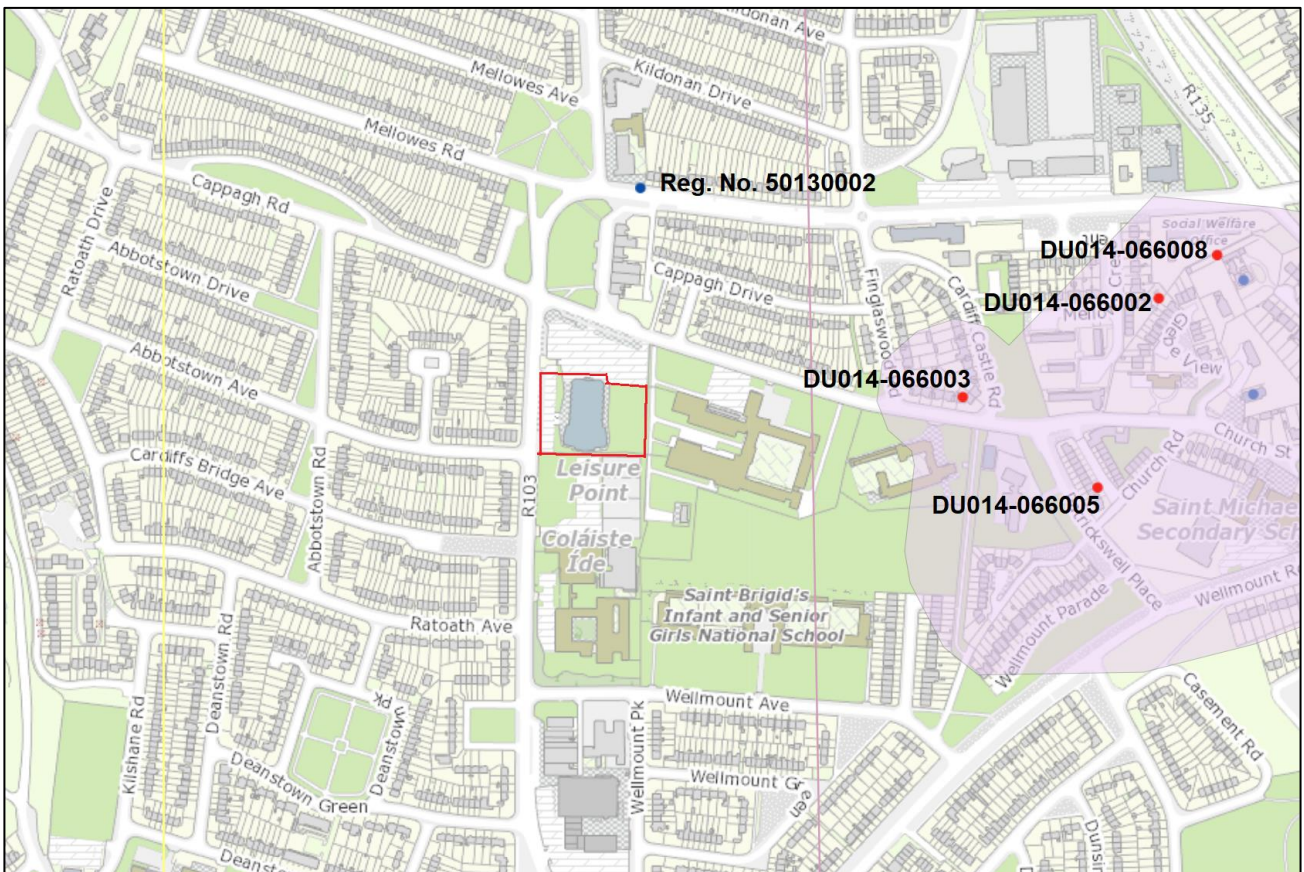


Figure 11: Recorded Monuments in the context of the subject site (Source: NIAH)

An Archaeological Impact Assessment has been undertaken by John Purcell Archaeological Consulting and is submitted as part of the Part 8 application. The report states, a review of the archaeological evidence for the

area has shown that the site does not contain any historic structures or archaeological remains. Given the extensive disturbances to the site, the potential for historic remains is low.

2.3.10.2 Architectural Heritage

The site does not include any structures listed on the Record of Protected Structures or the National Inventory of Architectural Heritage. The closest NIAH structure is a post-box (Reg no. 50130002) located over 180m north at Mellows Road, Dublin 11. The post box is regional rating and categorised as artistic, social and technical interest.

2.3.11 Zoning at the subject site

Under the Dublin City Development Plan 2022-2028, the site is zoned Z1 Sustainable Residential Neighbourhoods and Z15 Community and Social Infrastructure. The proposed development of 110 no. residential units, community, arts and cultural space, and public open space is compatible with the permissible uses stipulated in the City Development Plan. The proposed development is complying with the zoning objectives of the subject site.

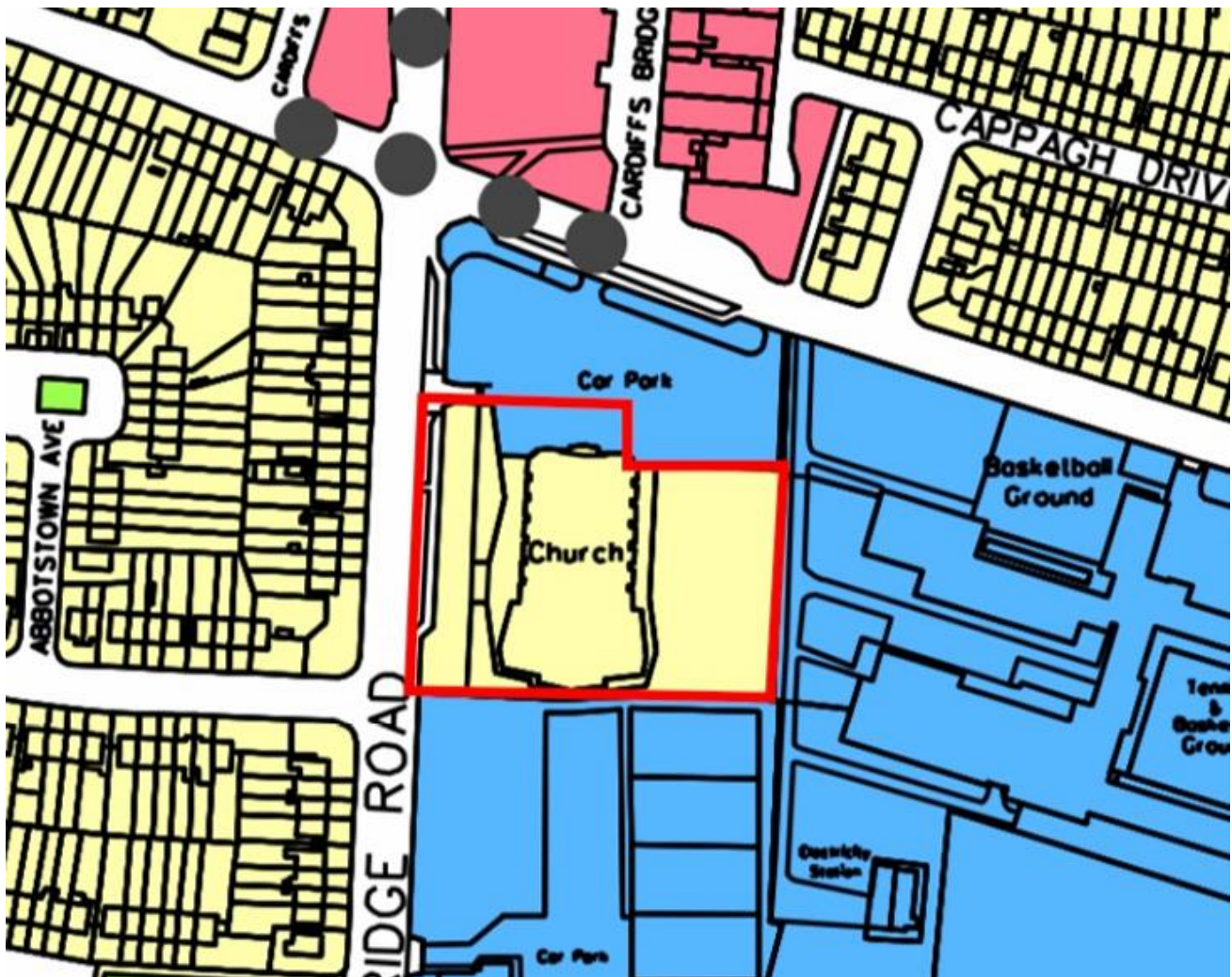


Figure 12: Zoning at the Subject Site demarcated with a red line (Source: Dublin City Development Plan 2022 – 2028)

2.3.12 Ecological nature of the site

The preliminary Ecological Appraisal report prepared by NM Ecology includes details of the habitats recorded within the site. A summary of the ecological features identified are included below.

2.3.12.1 Bats

A bat activity survey was carried out to determine whether the trees and other habitats were of importance for foraging or commuting bats. Due to the presence of some rough sleepers on the site, the surveyor elected to carry out the survey using static detectors rather than a handheld detector. Three Anabat Express detectors were left in suitable habitats for three nights from 26 – 28 September 2023. Weather conditions were suitable for a bat survey, with sunset temperature of 10 – 15 °C, light winds and dry conditions.

The locations of detectors were as follows: Detector 1 was placed among trees in the car park to the north of the Site, Detector 2 was placed at the treeline in the west of the Site, and Detector 3 was placed in the dry meadow in the east of the Site. Common pipistrelles were recorded on each of the three nights at Detector 3. There was no clear temporal pattern to the results: bats were recorded at dusk on some nights, the middle of the night on other occasions, and at dawn on other occasions; this suggests that bats were feeding within the Site rather than commuting to / from a nearby roost. No other species of bat were recorded at Detector 3, and no bats of any species were recorded at Detectors 1 and 2.

The low levels of bat activity may be explained, in part, by the prevalence of artificial lighting in the surrounding area. Streetlights along Cardiffsbridge Road and Cappagh Road may have indirectly illuminated the vegetation surrounding Detectors 1 and 2, reducing its suitability for foraging bats. Widespread streetlighting in the surrounding area, as well as floodlighting of playing fields (e.g. the Leisure Point facility to the south of the Site) further reduces the suitability of the area for bats.

A bat activity survey during the recommended survey season and in ideal weather conditions recorded only occasional activity by common bat species within the Site. Therefore, the Site is considered to be of Negligible importance for foraging / commuting bats.

2.3.12.2 Summary of Identification of Important Ecological Features

Table 3 provides a summary of all ecological features identified within the Site, including their importance and legal / conservation status.

Table 3: Important ecological Features within the Site (Source: NM Ecology)

| Ecological feature | Importance | Legal status | Important feature? |
|-----------------------------------------|---------------|--------------|--------------------|
| Designated sites | International | HR | No |
| Buildings and artificial surfaces (BL3) | Negligible | - | No |
| Recolonising bare ground (ED3) | Negligible | - | No |
| Treeline (WL1) | Negligible | - | Yes |
| Dry meadow (GS2) | Negligible | - | No |
| Rare / protected flora | N.A. | - | No |
| Invasive plant species | N.A. | - | No |
| Terrestrial mammals | Negligible | WA | No |
| Bats | Negligible | HR, WA | No |

| Ecological feature | Importance | Legal status | Important feature? |
|-----------------------------------|------------|--------------|--------------------|
| Birds (including nesting habitat) | Negligible | WA | Yes |
| Fish and aquatic fauna | N.A. | WA | No |
| Reptiles and amphibians | Negligible | - | No |
| Invertebrates | Negligible | - | No |

* HR – European Communities (Birds and Natural Habitats) Regulations 2011 (as amended); WA - protected under Section 19 or 20 of the Wildlife Act 1976 (as amended)

The only Important Ecological Features identified in Table 3 is nesting birds. Impacts on nesting birds, which is discussed below and impacts can be avoided using best practice mitigation.

2.3.13 Trees

A total of 43 trees were identified in the tree survey that accompanies the application prepared by Charles McCorkell Arboricultural Consultant, most of which are in the west of the Site. Some trees whose trunks are located outside the Site boundary were also included, as their canopies and (estimated) root zone are within the Site. It will be necessary to remove 18 trees (4 trees of moderate quality and value (B Category), 10 trees of low quality and value (C Category), and 4 trees of poor quality (U Category)) to accommodate the proposed development, but the remaining 25 trees will be retained.

Construction works are required within the Route Protection Areas of retained trees. These works have been identified within the accompanying Arboricultural Impact Assessment report and can be addressed using sensitive design and construction methods of work.

The loss of baseline habitats will be compensated by biodiversity enhancements proposed as part of the landscaping scheme. A summary of the mitigation measures that will be implemented are discussed in section 5.4 of this report. And detailed in the Preliminary Ecological Appraisal Report prepared by NM Ecology.

2.3.14 Protection of treeline and nesting birds

Some mature trees suitable for nesting birds will be felled to accommodate the proposed development. The canopies of these trees could potentially be used by nesting birds. Under Section 22 of the *Wildlife Act 1976* (as amended), it is an offence to kill or injure a protected bird or to disturb their nests. If any of the trees will need to be felled or otherwise modified, it is recommended that it takes place between September and February (inclusive), i.e. outside the nesting season. If this is not possible, an ecologist will survey the affected areas in advance to assess whether any breeding birds or mammals are present. If any are encountered, vegetation clearance will be delayed until the breeding attempt has been completed, i.e. after chicks have fledged and a nest has been abandoned.

2.3.15 Other Site Environmental Sensitives

Demolition works of the Church of Annunciation were carried out under 3023/19. There are no additional noted environmental sensitivities associated with the subject site.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

The proposed development is described as follows in the public notices.

Notice is hereby given of the construction of 110 residential units for ‘Older Persons’ at a site c.0.77 ha at the site of the former Church of Annunciation on Cardiffsbridge Road, Finglas, Dublin 11, which will consist of the following:

- One apartment block ranging from 4 to 5-storeys, containing:
 - 110 residential units for ‘Older Persons’ comprising 106 no. 1-bed and 4 no. 2-bed; and
 - 434 sq.m. of community, arts and cultural facilities.
- 15 no. car parking spaces and 87 no. cycle spaces.
- 935 sq.m. of public open space and 609 sq.m. of communal open space.
- One vehicular and pedestrian access and one dedicated pedestrian access off Cardiffsbridge Road.
- Boundary treatments, public lighting, site drainage works, internal road surfacing and footpath, ESB meter rooms, plant rooms, stores, bin and bicycle storage, landscaping; and
- All ancillary site services and development works above and below ground.



Figure 13: Proposed Development (Source: Sean Harrington Architects)

3.2 Surface Water Infrastructure

3.2.1 Existing Services

An existing network of drainage runs around the perimeter of the site on one side. These underground sewers carry surface water runoff towards existing catchment areas in the north Dublin area. Due to the relative levels of the existing drainage within the road and the proposed site levels, it is possible to achieve a gravity connection to the surface water drainage pipework installed. There is a 225mm concrete sewer running parallel to the western boundary of the site on Cardiffsbridge Road.

3.2.2 Proposed Services

The proposed surface water drainage system is designed to comply with the 'Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Technical Document – Volume 2, New Developments, 2005' and the 'Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005'. CIRIA Design Manuals C753, C697 and C609 have also been used to design the surface water drainage system within the site.

The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawings SHB4-CAF-DR-MOR-CS-P3-130, 150 and 151. Surface water runoff from new internal road surfaces, footpaths, other areas of hardstanding and the roofs of buildings will be collected within a gravity drainage network and directed towards an attenuation storage system. The attenuation storage is sized to cater for a 1 in 100-year storm event.

The outfall from each attenuation storage system will be restricted to the applicable 'greenfield' runoff rate using a Hydrobrake flow control device. A number of sustainable drainage systems (SuDS) are proposed in order to minimise the volume and rate of runoff from the site. Further details on these SuDS measures are provided in Section 2.5. All surface water drainage will be designed and installed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works

3.3 Foul Water Infrastructure

3.3.1 Existing Services

An existing network of drainage runs around the perimeter of the site on one side. These underground sewers carry foul water towards existing treatment areas in the north Dublin area. Due to the relative levels of the existing drainage within the road and the proposed site levels, it is possible to achieve a gravity connection to the foul water drainage pipework installed. There is a 225mm concrete sewer running parallel to the western boundary of the site on Cardiffsbridge Road

3.3.2 Proposed Services

The proposed foul water drainage system is designed to comply with the 'Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Technical Document – Volume 2, New Developments, 2005' and the 'Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005'. The proposed foul water drainage layout for the development is indicated on Malone O'Regan drawings SHB4-CAF-DR-MOR-CS-P3-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system.

3.4 Water Supply Infrastructure

3.4.1 Existing and Proposed

A 100mm diameter watermain is located under the road in Cardiffsbridge Road to the west of the proposed development. This connection is taken from the main 225mm diameter watermain located under the footpath in Cardiffsbridge Road. The proposed watermain layout is indicated on drawing SHB4-CAF-DR-MOR-CS-P3-140 which accompanies this planning application.

4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator (OPR) has issued guidance on EIA screening in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids planning authorities as the Competent Authority (CA) in this area.



Figure 14: Extract from OPR EIA Screening Guidance Note

This report has had regard to the OPR guidance and methodology.

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage 1 stage (a) of the OPR guidance.

4.2 Sub-threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

In Part 2 of schedule 5, the following is the relevant to assessment of sub-threshold development.

10. Infrastructure projects

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

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

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

(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.

("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

In relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub-threshold development with reference to the above thresholds and under Step 1(c) of the OPR guidance a preliminary examination is required under Step 2.

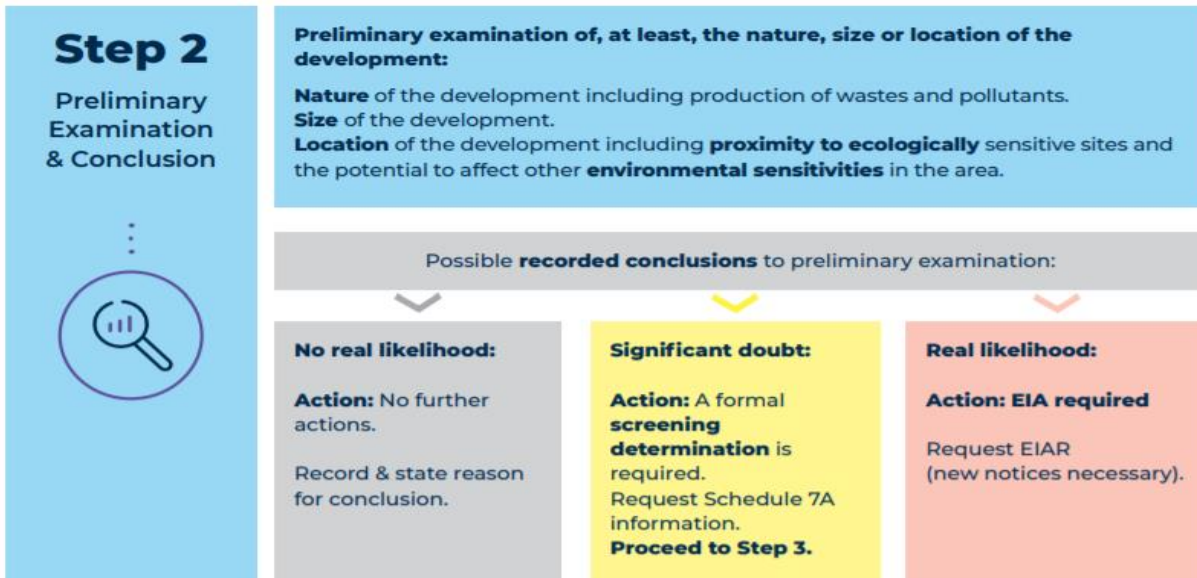


Figure 15: Extract from OPR EIA Screening Guidance Note

4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

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

The OPR guidance states a number of questions to assist the preliminary examination.

This overlaps with the submitted Appropriate Assessment (AA) screening report and consideration of hydrological and other connections to European sites.

4.4 Nature of the development:

i) Is the nature of the proposed development exceptional in the context of the existing environment?

The nature of the development is the construction of 110 no. residential units in one apartment block with community, cultural and arts space at ground floor and public open space. It is considered that the proposed development is consistent with the zoning objectives on the site. The site is situated within a predominantly residential area, education facilities and small-scale commercial uses. The site is located within a Strategic Development Regeneration Area which are considered as areas capable of delivering significant quantities of homes and employment for the city. Within the SDRA 3 Finglas, the site has been earmarked for redevelopment. It is considered that no significant natural resources will be used; namely land, soil, water or biodiversity. 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. Therefore, it is considered that the proposed development is not exceptional in the context of the existing urban environment.

ii) Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

The nature of the proposed use is primarily residential with community, arts and cultural uses proposed. During the construction phase, any waste generated from the proposed development will be dealt with in the appropriate manner in accordance with the appropriate standards and best practice methodology. A Construction and Environmental Management Plan and Resource Waste Management Plan accompanies this application which sets out measures/ approaches relating to construction waste arising and any emissions or pollutants arising during construction.

When occupied, it can be anticipated that the development will have negligible potential to cause any pollution or nuisance. Further to this, site is not located on or immediately surrounding a source for major accidents or hazards. The nearest Seveso site to the site is located c. 2.2 km from Chemco Ireland Ltd, which is an upper tier Seveso site. Other waste generated during construction and operation can be anticipated to be typical for a medium scale residential development. The proposed development by its nature will not cause any significant waste, emissions or pollutants during operation.

iii) Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not exceptional in the context of the existing environment. The infill application site is 0.77 ha and will result in 110 no. residential units on site, community and arts space, and public open space. The development will result in a density of 154 units per hectare. This is not exceptional in an urban context. The proposed apartment block is 5 storeys with a step down in height to the south. Moreover, the lands are zoned Z1 Sustainable Residential Neighbourhoods and Z15 Community and Social Infrastructure in the Dublin City Development Plan 2022-2028.

The proposed infill development will provide much needed residential accommodation for senior citizens as well as community space for residents and the wider community to utilise. The proposed development is consistent with local, regional and national policy, particularly in delivering compact growth within the existing built-up envelope of urban areas and responds to the need for higher residential densities in urban areas and in proximity to existing and planned high-capacity public transport.

iv) Are there cumulative considerations having regard to other existing and/or permitted projects?

To consider potential in-combination effects, planning applications (recently granted or under consideration) in the vicinity of the site were reviewed on the online planning records of Dublin City Council and An Bord Pleanála. A 1km radius was utilised during the search of applications in order to identify applications to consider potential in-combination effects. Various extensions and retention permissions were noted among the applications permitted in the vicinity of the site and these are not recorded in this section due to the scale and nature of those developments. They can be summarised as follows:

Table 4: Relevant Permitted Planning History

| DCC / ABP Planning Reg. Ref | Lodged | Planning Status | Description of Development Summary | Development Address | Distance from Site (km) |
|-----------------------------|----------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| PA. Reg. Ref 3023/19 | 23/12/19 | Granted | Demolition of the existing Church of the Annunciation building (c.3166sqm) and construction of a new church/parish pastoral centre building on a smaller site of 0.44ha. The residual site area (0.72ha) will be subject of a separate future application. | Church of the Annunciation, Cappagh Road and Cardiffsbridge Road, Finglas West, Dublin 11 | Subject site |
| ABP Ref. 314610 | 09/09/22 | Granted 12 th March 2024 | BusConnect Ballymun/Finglas to City Centre Core Bus Corridor Scheme | The Finglas Section of the permitted scheme will commence on the R135 Finglas Road at the junction with R104 St. Margaret's Road and will be routed along the R135 Finglas Road as far as Hart's Corner in Phibsborough, where it will join the Ballymun Section of the Proposed Scheme. | 0.7 |
| PA. Reg. Ref. 4795/2 | 17/11/23 | Granted | 2 storey extension to the rear of the existing school building including 3 no. classrooms, 2. No. SET rooms with ancillary accommodation, removal of 2 no. existing pre-fab buildings and all associated site works | St Fergal's Boys National School on the Cappagh Road. | 0.3 |

Social Housing Public Private Programme Bundle 4 & 5

The Social Housing Public Private Programme (PPP) current bundle No. 4 includes eight sites and bundle no. 5 includes two sites, all in the Dublin City Council area. Each site includes a mixture of housing typology (for example apartment, duplex, house) and site development works. In addition to the subject site, under Social Housing Bundle 4, a concurrent Part 8 application is also being pursued by Dublin City Council, which is noted

below in order to provide a robust assessment of the potential cumulative effects. It is also noted, under Social Housing Bundle 5, it is intended to deliver a development comprising residential units, commercial/ retail and community space at a site bound by Barry Road and Barry Avenue, Finglas, Dublin 11.

Table 5: Pending Part 8 Proposal in Proximity to the Subject Site

| Applicant | Address | Summary of Proposed Development | Distance from Site (km) |
|---------------------|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Dublin City Council | Cardiffsbridge Road, Wellmount Road and Wellmount Drive, Finglas, Dublin 11, | One apartment block with primary frontage onto Cardiffsbridge Road, ranging in height from 4 to 6-storeys, comprising 77 residential units (38 no. 1 bed units, 25 no. 2 bed units and 14 no. 3 bed units); 135 sqm community, arts and cultural space; 0.56 ha public open space; 28 no. car parking space, 2 no. motorcycle spaces and 1 no. loading bays and 175 no. bicycle spaces | 0.5 |

All accompanying reports such as the traffic, AA screening, Construction Environmental Management Plan (CEMP) etc. have taken into account the proposed in-combination effects. Notwithstanding this, it is reasonable to assume that all development consents would incorporate conditions requiring protection of the environment during the construction and operational phase.

The accompanying confirmation of feasibility from Uisce Eireann determines the existing infrastructure is adequate to cater for the proposed development. As a result, it is not anticipated that there will be any cumulative effects relating to water supply and foul drainage during the operational phase.

In-combination effects on Natura 2000 sites is a Habitats Directive issue and it is addressed in the AA Screening Report included under separate cover. It concludes that the construction and presence of this development will have no adverse effects on Natura 2000 sites or their conservation objective, alone or in combination with other plans and projects.

Overall, it is considered that the proposed development will have a significant permanent positive impact when considered in the context of existing and approved projects/ plans. Due to the accessible location and the planning objectives / zoning for the surrounding area, and in particular, the area's designation as a Strategic Development Regeneration Area means that development is continually occurring. However, given the relative scale of the proposed development and segregation from other sites and no major projects have been identified that would result in significant in-combination effects, it is considered unlikely that these developments would have the potential to result in significant negative cumulative impacts in combination with the proposed project.

4.5 Location

i) Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?

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 2.3 of this report.

The subject site is not within a European site. As identified in section 2.3 of this report, the nearest European site to the subject site is 6.4km away (South Dublin Bay and River Tolka Estuary SPA (004024). The closest EPA Water Framework Directive watercourse is Scribblestown Stream and Bachelors Stream, which are tributaries of the River Tolka. No potential pathways from the subject site to the River Tolka or its tributaries were identified. 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 Reserves or Parks.

As noted in the AA Screening: *"The South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA are located 6.4 km and 9.1 km from the Site, respectively. Both SPAs cover extensive areas of intertidal mudflat and sandflat in Dublin Bay, and they are designated to protect a range of species that are present in winter months. The Site does not contain any amenity grassland, and the dry meadows consist of coarse grasses that are unsuitable for brent geese. There are no wet areas suitable for waders. Therefore, the Site is considered to be unsuitable for any of the species associated with the SPAs in Dublin Bay."*

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 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.

ii) Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

The detailed sensitivities of the site are outlined in section 2.3 above. There are no recorded monuments situated within the site boundary. There are no structures on the record of protected structures (RPS). It does not lie within a zone of archaeological interest. 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.

A preliminary Ecological Appraisal was prepared by NM Ecology. As noted in the preliminary ecological appraisal report, the only Important Ecological Features identified in this assessment are the treeline and nesting birds. Potential impacts on these features are considered in Section 4.1 of the Preliminary Ecological Appraisal Report. All other ecological features discussed in the report are considered to be of Negligible ecological importance, so they are not listed as Important Ecological Features.

The Preliminary Ecological Appraisal further notes that;

"Some mature trees suitable for nesting birds will be felled to accommodate the proposed development. The canopies of these trees could potentially be used by nesting birds. Under Section 22 of the Wildlife Act 1976 (as amended), it is an offence to kill or injure a protected bird or to disturb their nests. If any of the trees will need to be felled or otherwise modified, it is recommended that it takes place between September and February (inclusive), i.e. outside the nesting season. If this is not possible, an ecologist will survey the affected areas in advance to assess whether any breeding birds or mammals are present. If any are encountered, vegetation clearance will be delayed until the breeding attempt has been completed, i.e. after chicks have fledged and a nest has been abandoned."

The proposed development site contains no other features of any ecological significance. According to the AA screening report accompanying this application, it can be concluded that the proposed development; individually or in combination with another plan or project, will not have a significant effect on any European

sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

4.6 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there are doubts regarding the likelihood of significant effects on the environment arising from the proposed development in relation to treeline and nesting birds and to proceed to a Step 3 assessment as per the OPR Guidelines.

5. SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION


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

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

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

Step 3

Formal
Screening
Determination



Screening Exercise:
Is the proposal likely to have significant effects on the environment?

In making the determination, the planning authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.

Screening Determination: Recorded outcomes to screening determination must state main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 of the Regulations and mitigation if relevant.

Figure 16: Extract from OPR EIA Screening Guidance Note

5.1 Schedule 7 criteria for determining whether development should be subject to an environmental impact assessment

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7. Schedule 7 criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment.

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

Table 6 Characteristics of the proposed development

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1.Characteristics of proposed development The characteristics of proposed development, in particular to:</p> | |
| <p>a) the size of the proposed development,</p> | <p>The proposed works at the 0.77 ha site consists of the construction of 110 no. residential units, community, arts and cultural space, and public open space. A Resource Waste Management Plan (RWMP) will be in place for the construction phase of the development. With mitigation measures detailed in the CEMP and RWMP no significant negative effects are likely.</p> <p>The proposed development provides an appropriate and compatible form of infill development within an urban context on lands which are zoned for Sustainable Residential Neighbourhoods and Community and Social Infrastructure. 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. Having regard to the size and design of the proposed development, which is infill in nature, the potential for significant effects on the environment are not anticipated.</p> |
| <p>(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,</p> | <p>Section 4.4 (iv) of this report identified relevant permitted planning permission and applications for the assessment of cumulative effects. In addition, the assessment includes a concurrent Part 8 proposals by Dublin City Council at Wellmount Road under the SHB 4 PPP, therefore it is considered prudent for this development to be included in the assessment of effects.</p> <p>Together, with the proposed development and other permitted developments in the vicinity of the site are not likely to give rise to significant effects and is likely to positively impact on the area. In arriving at this conclusion, other permitted development as well as proposed Part 8 applications by DCC in the vicinity of the site has been taken into account.</p> |
| <p>(c) the nature of any associated demolition works,</p> | <p>The proposal entails the clearance of the site and the construction of 110 no. residential units, community, arts and cultural space, and public open space. Demolition works of the Church of the Annunciation at the subject site were carried out under a separate permission PA. Reg. Ref. 3023/19. During the pre-construction phase of the development the removal of any remnants of the Church of Annunciation buildings will be undertaken to facilitate the site works.</p> |
| <p>(d) the use of natural resources, in particular land, soil, water and biodiversity,</p> | <p>The nature of the proposed use and scale of development is such that its development would not result in a significant use of natural resources. At present, following the demolition of the Church of the Annunciation at the subject lands, the site has remained vacant. It will therefore result in the efficient use of infill land and will utilise the urban development land that is aligned to the development objectives of the</p> |

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>Development Plan. There will be no use of natural resources at the site given the nature of works proposed.</p> <p>The scale and quantity of construction materials used will not be such that would concern in relation to significant effects on the environment. During construction, the contractor will take all appropriate measures to protect against accidental spillages or pollution.</p> <p>The development will generate water demands during the construction and operational phases of the development. Water will be supplied from the public watermain. A Confirmation of Feasibility (COF) has been received from Uisce Eireann (Formerly Irish Water). A Copy of the Uisce Eireann COF Letter is provided in Appendix A of the accompanying Engineering Report prepared by Malone O'Regan</p> <p>The operation of the scheme would not use such a quantity of water to cause concern in relation to significant effects on the environment. Foul water will be discharged to a local authority foul sewer on Cardiffsbridge Road and conveyed to the Ringsend Waste Water Treatment Plant. Rainwater runoff from roofs and other impermeable surfaces will be channelled to an attenuation storage system in the north-west of the Site, and discharged at a controlled rate to a local authority storm drain under Cardiffsbridge Road. The system will include an oil and hydrocarbon interceptor.</p> <p>A desktop flood risk assessment report accompanies this application. The assessment concludes:</p> <ul style="list-style-type: none"> • <i>"A DFRA appropriate to the type and scale of development proposed, and in accordance with 'The Planning System and Flood Risk Management Guidelines – DoEHLG-2009' has been undertaken.</i> • <i>The proposed development site has been scoped and assessed for flood risk in accordance with the above guidelines. • The primary flood risk to the proposed development site can be attributed to a fluvial flood event in the River Tolka beyond the southern site boundary. The site is not at risk of pluvial or groundwater flooding.</i> • <i>The Register Of Hydrometric Stations in Ireland indicates that the Finglas Weir Gauging Station is a water level and flow recorder station and is currently inactive. The gauge datum recorded at this point is 17.502m. The Botanic Gardens Gauging Station is a water level and flow recorder station and is currently active. The gauge datum recorded at this point is 11.439m.</i> • <i>The minimum finish floor proposed is 63.350m. The finish floor level is significantly higher than both of the gauge datum recorded. This indicates that the site is not at risk to possible flooding.</i> • <i>The Strategic Flood Risk Assessment, Dublin City Development Plan contains a Composite Flood Zone Map. The map Indicates that the proposed development falls within a predictive Flood Zone C. There is no Zone A nor Zone B within the vicinity of the site. The nearest zone A or B is at the River Tolka 600m away.</i> |

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> Overall, and in consideration of the findings and recommendations of this DFRA, it is considered that the development as proposed is not expected to result in an adverse impact to the hydrological regime of the area or to increase flood risk elsewhere and is therefore considered to be appropriate from a flood risk perspective.” <p>The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment. The overall environmental impact under these headings is therefore considered to be low. In addition, the AA screening report accompanying this application concludes that the proposed development will not cause any significant impacts on designated sites, habitats, legally protected species, or any features of ecological importance.</p> <p>A preliminary Ecological Appraisal accompanies this application. The appraisal concludes that the only Important Ecological Features identified in this assessment are the treeline and nesting birds. Some mature trees suitable for nesting birds will be felled to accommodate the proposed development. Impacts on nesting birds can be avoided using best practice mitigation. It is considered that as the Site is of low baseline ecological importance, and no ecological impacts are currently envisaged, it is not necessary to carry out an Ecological Impact Assessment. The loss of habitats will be compensated by biodiversity enhancements proposed as part of the landscaping scheme. the proposed development is considered to provide a net gain in biodiversity, and thus complies with Policy GI16 of the Dublin City Development Plan.</p> |
| (e) the production of waste, | <p>All inert material and non-hazardous waste will be disposed of from the site in accordance with the categorisation of waste and in accordance with the relevant licencing and regulatory requirements. The scale of the waste production with the use of licenced waste disposal facilities and contractors does not cause concern for likely significant effects on the environment.</p> <p>Normal builders’ waste (rubble, excess building materials) will be generated during the construction phase. All construction works will be carried out in accordance with the CEMP and RWMP prepared by ORS.</p> <p>During the operational phase, the proposed development will give rise to general non-hazardous waste including paper, cardboard, plastics, metals, electrical equipment and electrical waste commensurate with the residential and community uses of the site. An operational Waste Management Plan prepared by Traynor Environmental accompanies this application. All domestic waste will be disposed of by a licensed waste contractor. No significant waste streams during operation are anticipated.</p> |
| (f) pollution and nuisances, | <p>The construction phase of the project has the potential to be a source of pollution in relation to water, noise, vibration, dust and traffic. There</p> |

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>will likely be potential for localised dust and noise produced during the demolition and construction phases. This will be managed by ensuring construction work largely operates within the approved hours of construction. Standard dust and noise prevention mitigation measures will be employed and monitored. As such, pollution and nuisances are not considered likely to have the potential to cause significant effects on the environment.</p> <p>The CEMP report prepared by ORS addresses dust control and a number of mitigation measures have been proposed for the development.</p> <p>A variety of items of plant will be in use during the construction phase. There will be vehicular movements to and from the site that will make use of existing roads. Due to the nature of these activities, there is potential for the generation of elevated levels of noise.</p> <p>The Contractor will aim to restrict noise levels to the following levels during construction:</p> <ul style="list-style-type: none"> • Daytime (08:00 to 19:00 hrs) – 70dB • Evening (19:00 to 23:00 hrs) – 50dB • Night-time (23:00 to 08:00 hrs) – 45dB (measured from nearest noise sensitive location). <p>To minimise noise from construction operations, no heavy construction equipment/ machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the construction site before 08:00 or after 19:00, Monday to Friday, and before 08:00 or after 14:00 on Saturdays. No activities shall take place in site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 19:00 and 08:00am. The main source of vibration during the construction phase is associated with excavation and ground-breaking activities.</p> <p>There is also potential for noise pollution during the operational phase in the form of parking cars at the development. However, the ambient noise levels will mask this noise during the daytime.</p> <p>During the operational phase the principal forms of air emissions relate to discharges from motor vehicles on the Cappagh Road/ Cardiffsbridge Road and heating appliances in the building.</p> <p>An Operational Waste Management Plan will be put in place with measures to avoid and / or mitigate pollution from operational waste.</p> <p>The potential sources of traffic pollution can be mitigated, and these measures are detailed in the CEMP prepared for the development. With the implementation of these mitigating measures, there are no likely residual significant effects on the environment.</p> |

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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> | <p>Standard construction practices will be employed throughout the construction phase. The nearest Seveso sites identified include Chemoc Ireland Ltd located at Unit 2, Stadium Business Park, Ballycoolin Road, Cappagh, Dublin 11, which has been categorised as an Upper Tier Seveso Site and Hunstown Power Station located at Johnstown Ireland which has been categorised as a lower tier Seveso site. There are no technologies or substances to be used in the development which may cause concern for having likely significant effects on the environment. There is no significant risk of accidents or disasters.</p> <p>No significant effects are anticipated from the identified Seveso sites listed above.</p> <p>The subject site is located within a Flood Zone C and is not in proximity to a Flood Zone A or B. According to the OPW flood mapping there has been no flooding events at the subject site. The potential impact of climate change has been considered for in the design of the surface water drainage network and storage system.</p> <p>The project does not provide for pollutants or construction works that would give rise to environmental risks, and/or disasters in the area. No significant effects on the environment are anticipated during operation.</p> |
| <p>h) the risks to human health (for example, due to water contamination or air pollution).</p> | <p>There is no pollutant in the soil and subsoil on site. The contractor at the subject site will continue to ensure that in the event that any waste arises from the subject site that it will be removed in a manner which meets the appropriate standards and best practice, in particular, the recommendations of the Waste Classification Report should be implemented. Having regard to the CEMP, it can be concluded that with mitigating measures, there would be no significant effect upon human health.</p> <p>The development will generate water demands during the construction and operational phases of the development. Water will be supplied from the public watermain. A Confirmation of Feasibility has been received from Uisce Eireann (Formerly Irish Water). A Copy of the Irish Water Confirmation of Feasibility Letter is provided in Appendix A of the accompanying Engineering Report prepared by Malone O'Regan</p> <p>Foul water will be discharged to a local authority foul sewer on Cardiffsbridge Road and conveyed to the Ringsend Waste Water Treatment Plant. Rainwater runoff from roofs and other impermeable surfaces will be channelled to an attenuation in the north-west of the Site, and discharged at a controlled rate to a local authority storm drain under Cardiffsbridge Road.</p> <p>Dust and air quality control measures for the construction phase of development are detailed in section 4.3 of the CEMP. It Can be concluded that with mitigating measures, there would be no significant effect upon human health.</p> |

| Schedule 7 Criteria Commentary | Schedule 7 Criteria Commentary |
|--------------------------------|--------------------------------------------------------------------------------------------------------|
| | The project is unlikely to give rise to risks to human health arising from contamination or pollution. |

Table 7 Location of the proposed development

| 2. Location of proposed development. | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to: | |
| a) the existing and approved land use, | <p>The subject site is currently an infill brownfield site following the demolition of the Church of the Annunciation. The proposed use on site is compatible with the land use zoning of the subject lands Z1 'Sustainable Residential Neighbourhoods' and Z15 'Community and Social Infrastructure'. Residential is permitted under Z1. Under Z15, community facility, cultural/recreational building and uses are permissible. Car parking ancillary to main use are open for consideration.</p> <p>The proposed development is compliant with the zoning objectives for the site. In determining the zoning of the subject site, the Planning Authority will have thoroughly assessed the nature of the site as part of the Strategic Environmental Assessment and Appropriate Assessment for the Dublin City Development Plan 2022-2028 to ascertain its capacity to accommodate such development and merit a zoning as designated. There are no apparent characteristics or elements of the design of the scheme that are likely to cause significant effects on the environment. The addition of this development is not considered to have a significant impact on the environmental sensitivities of the area.</p> |
| (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground, | <p>The nature of the proposed development is such that the natural resources used in its development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site.</p> <p>The land may be categorised as urban infill development land, well serviced by infrastructure, public transport, community services and where the objective is to maximise its development potential in the interests of sustainable development and compact growth.</p> <p>An Appropriate Assessment Screening, Construction & Environmental Management Plan have been prepared and informed the preparation of this EIA Screening. An assessment of the project has shown that significant effects are not likely to occur at these areas alone or in combination with other plans or projects.</p> |

| 2. Location of proposed development. | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>In relation to biodiversity on the site, the preliminary Ecological Appraisal found no rare habitats or habitats of particularly high ecological value (i.e. International, National or County Importance) are present at the site. No rare plants have been recorded during any of the site visits undertaken.</p> <p>As mentioned previously, there are no significant watercourses within the proposed development site. The nearest EPA recorded watercourse is the Scribblestown Stream and Bachelors Stream, both tributaries of the River Tolka.</p> <p>The site is underlain with as dark limestone and shale bedrock and the soil type is made ground. The site itself is underlain by a region of 'Low' groundwater vulnerability. The subject site is underlain by an aquifer which is identified as a "Poor Aquifer". It is identified that the Bedrock is Moderately Productive only in local zones.</p> <p>In addition, during construction all appropriate best practice construction methods and measures are being employed at the subject site. The construction of the project will be managed and carried out by a suitably qualified and experienced nominated contractor who will ensure that best practice measures are used in terms of the subject site and its environs to ensure the safeguarding of natural resources (such as soil, land and water).</p> |
| c) the absorption capacity of the natural environment, paying particular attention to the following areas: | |
| (i) wetlands, riparian areas, river mouths; | The closest watercourses to the site is Bachelors Stream and Scribblestown Stream, which are tributaries of the River Tolka. There are no interactions from the development with these watercourses, therefore absorption capacity is not affected. The proposed development is not likely to give rise to significant effects on wetlands, riparian areas, and river mouth. |
| (ii) coastal zones and the marine environment; | The site is not located proximate to a coastal zone or marine environment. No direct or indirect impacts are considered to arise. |
| (iii) mountain and forest areas; | Not applicable due to location of scheme. |
| (iv) nature reserves and parks; | The proposed project is not located on or adjoining any nature reserves or parks. The South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA are located 6.4 km and 9.1 km from the Site, respectively. The Tolka River park is located c. 1km from the subject site. |
| (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and; | The subject site is not used by any protected species for feeding purposes. Direct and indirect pathways to the Natura 2000 sites are examined in the AA screening prepared by NM Ecology. The AA Screening concludes: <i>"Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there</i> |

| 2. Location of proposed development. | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p><i>is no likelihood of significant impacts on any European sites. This is based on three key conclusions:</i></p> <ul style="list-style-type: none"> • <i>The Site is not within or adjacent to any European sites, so there is no risk of direct effects</i> • <i>There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects</i> • <i>Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.</i> <p><i>Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out. Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.</i></p> <p><i>In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion."</i></p> |
| (vi) in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure; | <p>Under the Water Framework Directive status assessment 2016-2021, the River Tolka and its tributaries Bachelors Stream and Scribblestown Stream identified proximate to the site, are categorised as 'Poor Status' and have been assigned a risk level of "At Risk." The project will not have any impact on the areas environmental quality standards having regard to its defined status laid down in legislation of the European Union.</p> |
| (vii) densely populated areas; | <p>The site is located within the existing urban settlement of Cappagh Road in West Finglas. The site is c. 1km north of Finglas Village. It is situated in the Electoral Division of Finglas South A which had 2,904 persons in 2016 which increased to a population of 2,909 persons in the 2022 census. This is an increase of 5 persons. It is prudent to note that the boundary's for the electoral divisions have been changed by the CSO between the 2016 Census and the 2022 Census.</p> <p>The proposed development will result in the delivery of residential accommodation and neighbourhood facilities in the form of a new community, arts and cultural space, and public open space. The site is located in an urban context which is served with public transport, commercial services and other community facilities. It is supported by existing educational, residential, retail, services, churches, in the broader area and recreational facilities. The proposed development</p> |

| | |
|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>2. Location of proposed development.</p> | |
| | <p>is considered at scale with the existing urban context of the surrounding area.</p> |
| <p>(viii) landscapes and sites of historical, cultural or archaeological significance</p> | <p>No archaeological monuments are located on the proposed development site. There are no recorded monuments (RMP/ SMR sites). There are no protected structures located on or near the subject site.</p> <p>As stated in the Archaeological Impact Assessment: <i>"A review of the archaeological evidence for the area has shown that the site does not contain any historic structures or archaeological remains. Given the extensive disturbances to the site, the potential for historic remains is low. However, due to the scale of the site (0.77 hectares) and in compliance with Dublin City Council (DCC) requirements, archaeological testing is recommended for the proposed development prior to the commencement of development. These works will be under licence the National Monuments Service All recommendations are subject to agreement with the Office of the City Archaeologist and the NMS."</i></p> <p>Having regard to the proposed scheme, it is considered that the proposed project will not have a significant negative impact on landscapes and sites of historical, heritage, cultural or archaeological significance.</p> |

5.1.1 Types and Characteristics of Potential Impacts

The likely significant effects on the environment of proposed development relate to those criteria set out in paragraph (b)(i)(l) to (V) of section 171A of the Act, taking into account—

- a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),
- b) the nature of the impact,
- c) the transboundary nature of the impact,
- d) the intensity and complexity of the impact,
- e) the probability of the impact,
- f) the expected onset, duration, frequency and reversibility of the impact,
- 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,
- h) the possibility of effectively reducing the impact.

The OPR's Practice Note on EIA Screening considers what are **likely significant effects**. Refer to Box 1 below.

Box 1: Likely Significant Effects

1. Are the effects identified likely to occur?

This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.

2. Are the effects, which are likely to occur, significant?

EPA draft guidelines define a '*significant effect*' as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.

3. Will identified likely significant effects impact the environment?

Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.

The factors of the environment to be described and assessed are:

- **population and human health;**
- **biodiversity, with particular attention to protected species and habitats;**
- **land, soil, water, air and climate;**
- **material assets, cultural heritage and the landscape; and**
- **the interaction between the factors.**

The following table summarises the likelihood of effects on the environmental factors listed in the box above, having regard to the analysis set out in sections 2 and 4 of this assessment.

Table 8 : Screening Considerations

| Screening Considerations | | | | | | | |
|---------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------|------------------------|-------------------|-------------------|
| Aspect | Phase | Potential Effect | Extent | Probability | Significance of Effect | Quality of Effect | Duration |
| Landscape | Construction (C) | The brownfield site will be replaced by residential units for 'older persons', community, arts and cultural space and open space. Open space will include landscaping. | Local | Likely | Moderate | Positive | Permanent |
| | Operation (O) | Planting selection comprises mix of various species to ensure appropriate character for the area and enhance landscape at the subject lands | Local | Likely | Moderate | Positive | Permanent |
| Visual | C | Perceived negative changes due to emergence of plant and machinery and works | Local | Likely | Moderate | Negative | Short Term |
| | O | Changes to existing character of site with residential development | Local | Likely | Moderate | Positive | Permanent |
| Biodiversity | C | No protected habitats have been identified on the site. | Local | Likely | Moderate | Negative | Permanent |
| | O | Planting selection comprises mix of various species and provision of measures to enhance natural habitats and biodiversity | Local | Likely | Moderate | Positive | Permanent |
| Land & Soil | C | Loss of subsoil from site - Mitigation measures from CEMP, RWMP and Waste Classification Report will ensure soil removal is managed & any potential impacts resolved. | Local | Likely | Moderate | Neutral | Permanent |
| | | Potential contamination due to accidental spillage. | Local | Not Likely | Imperceptible | Neutral | Brief |
| | O | Residential development for 'Older Persons' with community, arts and cultural use and public open space | Local | Likely | Moderate | Positive | Permanent |
| Population & Human Health | C | Construction noise, dust and traffic | Local | Likely | Moderate | Neutral | Short term |
| | O | Delivery of residential units for 'older person', community, arts and culture and open space development | Local | Likely | Significant | Positive | Permanent |
| Water | C | Accidental pollution events occurring to waterways or the groundwater table | Local | Not Likely | Imperceptible | Neutral | Brief - Temporary |

| | | | | | | | |
|-----------------------------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|-----------------|----------|-----------|
| | O | Discharge of treated attenuated surface water to existing surface water network. | Local | Likely | Imperceptible | Neutral | Permanent |
| | | Discharge of foul and wastewater to existing wastewater network | Local | Likely | Imperceptible | Neutral | Permanent |
| Air Quality & Climate | C | Reduction of air quality as a result of construction traffic and HGVs, and emissions from construction and plant machinery | Local | Likely | Not significant | Neutral | Permanent |
| | O | None predicted | - | - | - | - | - |
| Noise | C | Increase in noise as a result of construction activity, and operation of plant and machinery | Local | Likely | Slight | Negative | Temporary |
| | O | Increase in noise level as a result of vehicular movements in and out of residential development | Local | Likely | Imperceptible | Neutral | Permanent |
| Cultural Heritage: Built Heritage | C | None predicted | - | - | - | - | - |
| | O | None predicted | - | - | - | - | - |
| Cultural Heritage: Archaeology | C | While the AIA found that the site does not contain any historic structures or archaeological remains. Given the extensive disturbances to the site, the potential for historic remains is low. However, there is potential that archaeological material may be impacted by groundworks associated with the proposed development and artefacts may be present in disturbed material. | Local | Not Likely | Imperceptible | Neutral | Permanent |
| | O | None predicted | - | - | - | - | - |

Table 9 Characteristics of Potential Impacts

| 3. Characteristics of potential impacts | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account— | |
| (a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected) | The project is constrained in its extent. It is unlikely that the impact of the project will extend beyond the local vicinity of the subject site area during construction. |
| (b) the nature of the impact | <p>There is potential for interaction of effects during the construction phase in relation to soil, water and biodiversity. The negative impacts arise from potential risk of pollution, dust and noise. However, best practice construction measures will be put in place during the construction phase and these measures will continue to be employed in the completion and construction of the remaining elements of the proposed development which will ensure that there are no significant effects on the environment.</p> <p>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.</p> |
| (c) the transboundary nature of the impact | Not applicable due to scale, nature and location of scheme. |
| (d) the intensity and complexity of the impact, | Construction impacts will be temporary and of typically low intensity. The construction methodology adopted will ensure potential impacts are mitigated. |
| (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 | Temporary environmental impacts are likely to occur. These are not likely to be significant, within the meaning of the Directive. |
| (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 | <p>It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the environment. In addition, the assessment has considered the potential effects of the proposed development in combination with additional concurrent Part 8 applications that Dublin City Council will be submitting for approval within a similar timeframe of the proposed development.</p> <p>No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.</p> |

| 3. Characteristics of potential impacts | |
|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (h) the possibility of effectively reducing the impact | It is likely that the operation of the scheme will be neutral to positive. The proposed mitigation measures proposed in the CEMP will mitigate any significant effects identified such that there are no residual effects. The mitigation measures proposed for this application provides a number of recommendations for construction and operational phases of the proposed development that will mitigate any potential effects as a result of the works at the subject site. |

5.2 Schedule 7A information

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

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

Response

Refer to Section 5.1 of this report.

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

Response

Refer to Section 5.1 of this report.

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

Response

Refer to Section 5.1 of this report.

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

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

Response

The Construction and Environmental Management Plan related to the development will include mitigation measures that will ensure there is no likely significant effects on the environment. Waste and emissions arising during the operational phase are not considered to be significant within the meaning of the Directive.

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

Response

Refer to 5.1 of this report.

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

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response –

The Planning Authority are referred to the information submitted with the suite of documentation accompanying this application to support the conclusions included in it, this comprises:

- Appropriate Assessment Screening Report– prepared by NM Ecology
- Preliminary Ecological Appraisal – prepared by NM Ecology
- Construction & Environmental Management Plan – prepared by ORS
- Resource Waste Management Plan – prepared by ORS
- Waste Classification Report – prepared by Ground Investigations Ireland
- Arboricultural Impact Assessment – prepared by Charles McCorkell Arboricultural Consultancy
- Engineering Report – prepared by Malone O’Regan
- Operational Waste Management Plan – prepared by Traynor Environmental Ltd
- Archaeological Impact Assessment – prepared by John Purcell Archaeological Consulting

5.4 Any mitigation measures

A range of construction 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, including the Construction Environmental Management Plan. These have been summarised for the purpose of this report, and at a strategic level, mitigation measures include:

- Construction waste shall be stored and segregated in dedicated waste storage areas which shall optimise the potential for off-site reuse and recycling. All construction waste materials shall be exported off-site by an appropriately permitted waste contractor. Measures and policies for proper waste management during this project are outlined in Section 5 of the CEMP.
- Dust prevention measures will be put in place for any particulate pollution.
- Provision of SUDS measures to naturally attenuate water on site and provision of blue / green roofs to minimise surface water discharge.
- The Contractor will aim to restrict noise levels to the following levels:
 - Daytime (08:00 to 19:00 hrs) – 70dB
 - Evening (19:00 to 23:00 hrs) – 50dB
 - Night-time (23:00 to 08:00 hrs) – 45dB (measured from nearest noise sensitive location)
- Noise and dust monitoring shall be carried out at various stages throughout the project to ensure compliance with the relevant standards.

In terms of Archaeology, due to the scale of the site (0.77 hectares) and in compliance with Dublin City Council requirements, archaeological testing is recommended for the proposed development prior to the

commencement of development. These works will be under licence the National Monuments Service. All recommendations are subject to agreement with the Office of the City Archaeologist and the NMS.

The removal of soil at the site should be carried out in accordance with the recommendations listed within the Waste Classification Report prepared by Ground Investigations Ireland.

It is recommended that tree-felling or otherwise modified works take place between September and February (inclusive), i.e. outside the nesting season. If this is not possible, an ecologist will survey the affected areas in advance to assess whether any breeding birds or mammals are present. If any are encountered, vegetation clearance will be delayed until the breeding attempt has been completed, i.e. after chicks have fledged and a nest has been abandoned.

No crevices or cavities suitable for roosting bats were observed in any of the trees on Site, so all are considered to have Negligible suitability for roosting bats. However, on a precautionary basis all trees will be re-assessed immediately prior to the commencement of construction works to assess any potential changes in their suitability for bats.

A number of biodiversity enhancement measures have been incorporated into the design of the development and these are detailed in the Landscape Design Report prepared by Mitchells Associates and Preliminary Ecological Appraisal prepared by NM Ecology. With the incorporation of these design measures, it may be possible to achieve a net gain in the biodiversity value of the site.

The proposed mitigation measures for the proposed development will mitigate any possible impacts on the environment of the proposed residential development.

5.5 Available Results under other EU Environmental Legislation

Other relevant EU environmental legislation may include:

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

Table 10: EU Legislation

| Directive | Results |
|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SEA Directive [2001/42/EC] | The proposed development is compatible with the land zoning under the Dublin City Development Plan 2022-2028. These lands have been subject to Strategic Environmental Assessment. |
| Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC] | An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application. Taking into |

| Directive | Results |
|-----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>consideration the proposed development works and the operation of development; the lack of a direct hydrological pathway or biodiversity corridor link to conservation sites; and the dilution effect of surface runoff, it is concluded that this development would not give rise to any significant effects on designated sites. The AA Screening concludes:</p> <p><i>“Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:</i></p> <ul style="list-style-type: none"> • <i>The Site is not within or adjacent to any European sites, so there is no risk of direct effects</i> • <i>There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects</i> • <i>Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.</i> <p><i>Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An ‘in-combination effect’ can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.</i></p> <p><i>Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.</i></p> <p><i>In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.”</i></p> |
| Water Framework Directive [2000/60/EC] | Foul water will discharge to the public sewer. Surface water will discharge to the public sewer following implementation of SUDS measures and attenuation on site. Rainwater is unpolluted, so it will not pose a risk to surface water or groundwater, and there is no risk that the surface water outflow could have a negative impact. There is no potential for construction activities to give rise to water pollution as there are no watercourses in the immediate vicinity of the site. |
| Marine Strategy Framework Directive | The site is located inland, away from the coast, there is no likely impact given the distance. |
| Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive | n/a to proposed development |

| Directive | Results |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Industrial Emissions Directive | n/a to proposed development |
| Seveso Directive | The nearest Seveso sites identified include Chemoc Ireland Ltd located at Unit 2, Stadium Business Park, Ballycoolin Road, Cappagh, Dublin 11, which has been categorised as an Upper Tier Seveso Site and Hunstown Power Station located at Johnstown Ireland which has been categorised as a lower tier Seveso site. |
| Trans-European Networks in Transport, Energy and Telecommunication | n/a to proposed development |
| EU Floods Directive 2007/60/EC | The subject site is located within a Flood Zone C and is not in proximity to a Flood Zone A or B. According to the OPW flood mapping there has been no flooding events at the subject site. The potential impact of climate change has been considered for in the design of the surface water drainage network and storage system. The Desktop Flood Risk Assessment undertaken on the site concludes that proposed site is not expected to result in an adverse impact to the hydrological regime of the area or to increase flood risk elsewhere and is therefore considered to be appropriate from a flood risk perspective. |

5.6 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

i) a European site.

Response

An appropriate assessment (AA) screening report accompanies this application. The AA screening concludes:

“Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

- *The Site is not within or adjacent to any European sites, so there is no risk of direct effects*
- *There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects*
- *Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.*

Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An ‘in-combination effect’ can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion."

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

Response

It is not subject to a notice under Section 16(2)b of the Wildlife Act 2000.

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

Response

No likely significant effects on a Natural Heritage Areas have been identified.

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

Response

No likely significant effects on a nature reserve have been identified.

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

Response

No likely significant effects on a refuge for flora or a refuge for fauna have been identified.

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

Response

The AA Screening and Preliminary Ecological Appraisal documents have not identified any likely significant effect on a place, site or feature of ecological interest.

vii) a proposed Natural Heritage Area (pNHA).

Response

The AA Screening and Preliminary Ecological Appraisal documents have not identified any likely significant effect on any pNHA.

6. SCREENING CONCLUSION

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

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

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



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