EIA Screening

Social Housing Bundle 5, Development at Basin View, Dublin 8

Dublin City Council

October 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 and National Development Finance Agency (NDFA) to accompany a Part 8 proposal for the development of 171 no. residential units on a site of circa 1.64 hectares at the Basin Street Flats, Basin View, Dublin 8.

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 development on lands at the Basin Street Flats, Basin View, Dublin 8.

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:

- Asbestos Demolition Survey Report – prepared by OHSS Safety Consultants
- Appropriate Assessment Screening - prepared by NM Ecology
- Preliminary Ecological Appraisal – prepared by NM Ecology
- Construction & Demolition Environmental Management Plan – prepared by Panther Environmental Solutions Ltd
- Arboricultural Impact Assessment – prepared by Charles McCorkell Arboricultural Consultancy
- Engineering Report – prepared by Malone O'Regan
- Resource Waste Management Plan – Prepared by Conviro
- Operational Waste Management Plan – prepared by Traynor Environmental Ltd
- Archaeological Impact Assessment – prepared by John Purcell Archaeological Impact Assessment

2. THE SITE AND SURROUNDINGS

2.1 Site Context

The Part 8 site consists of the Basin Street Flats, Basin View, Dublin 8. The site is 2km southwest of O'Connell Bridge, 650m north of Coombe Women's Hospital, 500m south of Heuston Station, abutting the eastern boundary of St. James's Hospital. The St James's Luas stop is c. 150m to the west of the site. In addition to nearby access to the Luas red line network at St James's, the site avails of good public transport connectivity with a number of adjacent Dublin Bus routes. There is a wide range of facilities accessible within a short walk of the site. The surrounding area of Basin View is characterised by residential, educational and healthcare uses. Please refer to the Social Infrastructure Audit prepared by MacCabe Durney Barnes for further details.

The site is bounded by Basin Grove apartments and St. James Primary School to the south; Luas light rail line and St. James' Hospital Campus to the west, Basin Street Lower/Ewington Lane and Mary Aikenhead House Flats to the north and Basin View Street/ Brandon Terrace to the east. Current vehicular and pedestrian access is from Basin View.

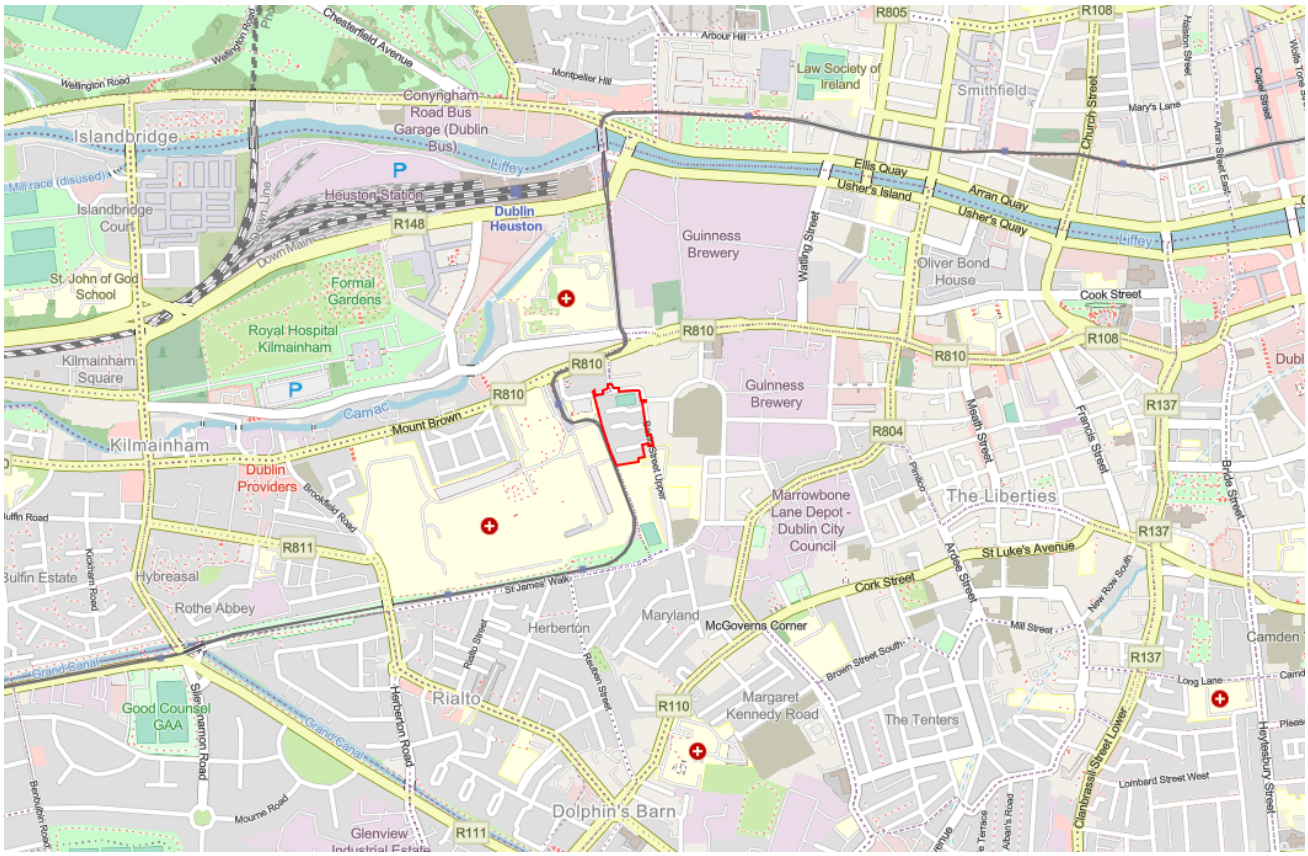


Figure 1: Site Location Map

2.2 Site Description

The Part 8 site is c.1.64 ha and located at Basin View, Dublin 8. The site is currently occupied by 5 no. residential apartment blocks, surface car parking, and Oisin Kelly Park. Oisín Kelly Park is 0.422ha in area and accommodates a small hardstanding playing area and a grassed playground. The park is currently underutilised by the general public and the playground equipment and hardstanding playing area have been the subject of anti-social behaviour.

To the north of the site, the Mary Aikenhead House apartment complex is located, which is listed on the National Inventory of Architectural Heritage (Ref nos. 50080302 and 50080343). The blocks are 5 storeys in height. The apartment complex is rated of regional importance and of architectural, historical and social interest. The social housing complex is bound by Ewington Lane and Basin Street Lower. Towards the east of the site, along Basin View Street, there is residential accommodation and on-street car parking. The residential units range in height between 2 to 3 storeys. Further east of St James Avenue, the redevelopment of the Grand Canal Harbour site is ongoing. Also, along Basin View Street, in part, there is a school zone and adjacent to the development site is the We Tots Creche and Pre-School and Fountain Youth Projects. Towards the south east of the site is the Christian Brothers School, Canal Way Educate Together National School and residential units of up to 4 storeys abut the site. To the south of the site is St James's Primary School and ranges up to 3 storeys in height. Towards the west of the site is the Luas red line and St, James's Hospital. Buildings immediately adjacent to the site range in height between 2 to 3 storeys.

The site boundary consists of a low rise wall along the northern boundary of the site. The western boundary consists of a wall separating the Basin Street Flats from the Mortuary, St. James Hospital and the Luas red line. The eastern boundary of the site consists of a low red brick wall with fencing. There are three vehicular access points to the site along Brandon Terrace and pedestrian access also is available at Basin View and Ewington Lane. The southern boundary of the site consists of concrete blocks separating the site from the St. James's Primary School car park.

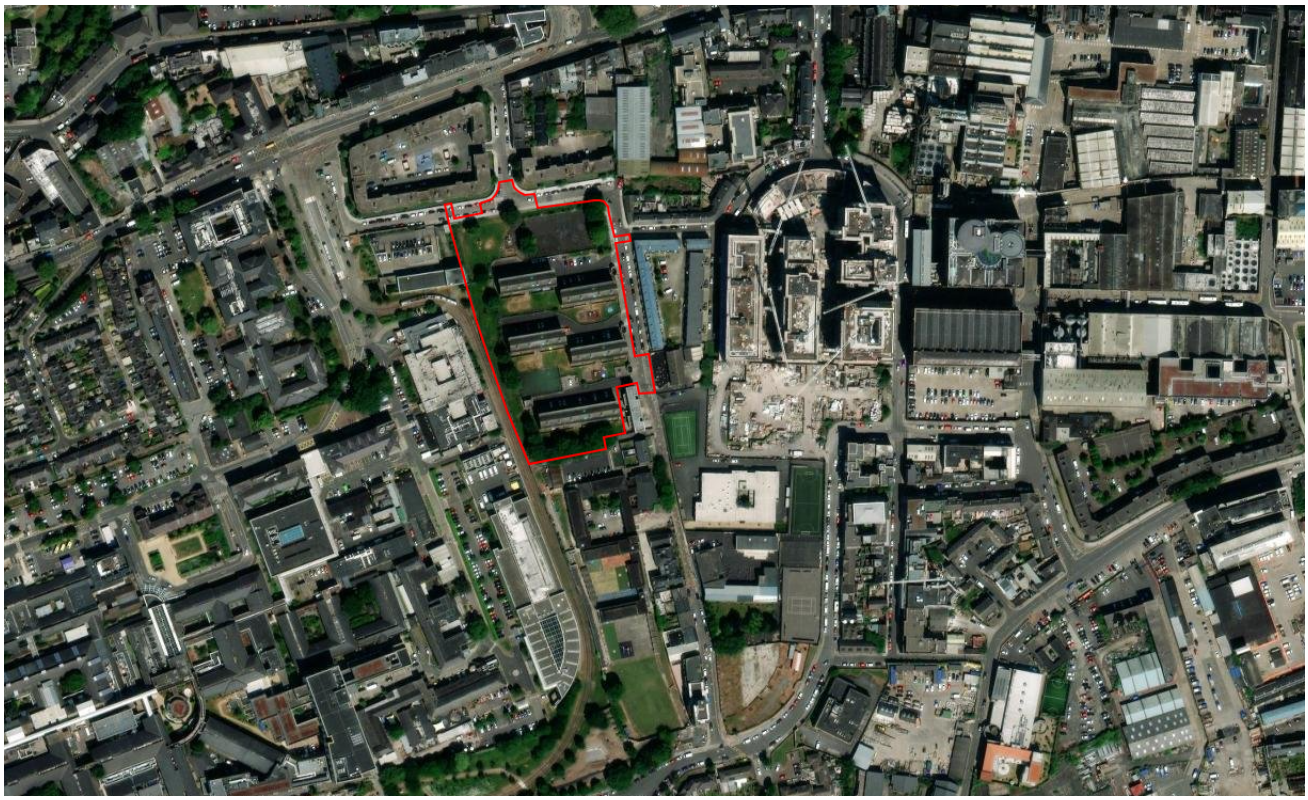


Figure 2: Site Context

The site consists of 5 no. residential apartment blocks comprising 115 social housing units. Within the site there is also communal open space with 2 no. playgrounds and a basketball court. Surface car parking is provided for the apartment blocks. The 5 no. blocks are 5 storeys and have pitched concrete roofs with partly recessed balconies and masonary walls. At ground floor level, there is own door access and private open space to courtyard and stair towers are placed centrally within each block.

Figure 3: Aerial View of the Existing Site Layout

The first edition OS map and the 25" map shows the site marked as city basin and was in use as a reservoir for drinking water. This dated to the 19th century. Proximate to the site was the nearby distinctly shaped harbour of the Grand Canal, and this harbour was the original terminus of the Grand Canal, until the main line canal was extended further east around Pearse Street to be closer to the ports and docks. This section of the grand canal remained and provided water and served as a vital transport network. The supply of water to the City Basin ceased in 1869 as the new high-pressure water supply from the Vartry scheme came into use. The former city basin was infilled in the 1960s and 70s along with the harbour. The flat blocks are constructed over this infilled basin. The site has been developed as the Basin Street Apartments in 1967.

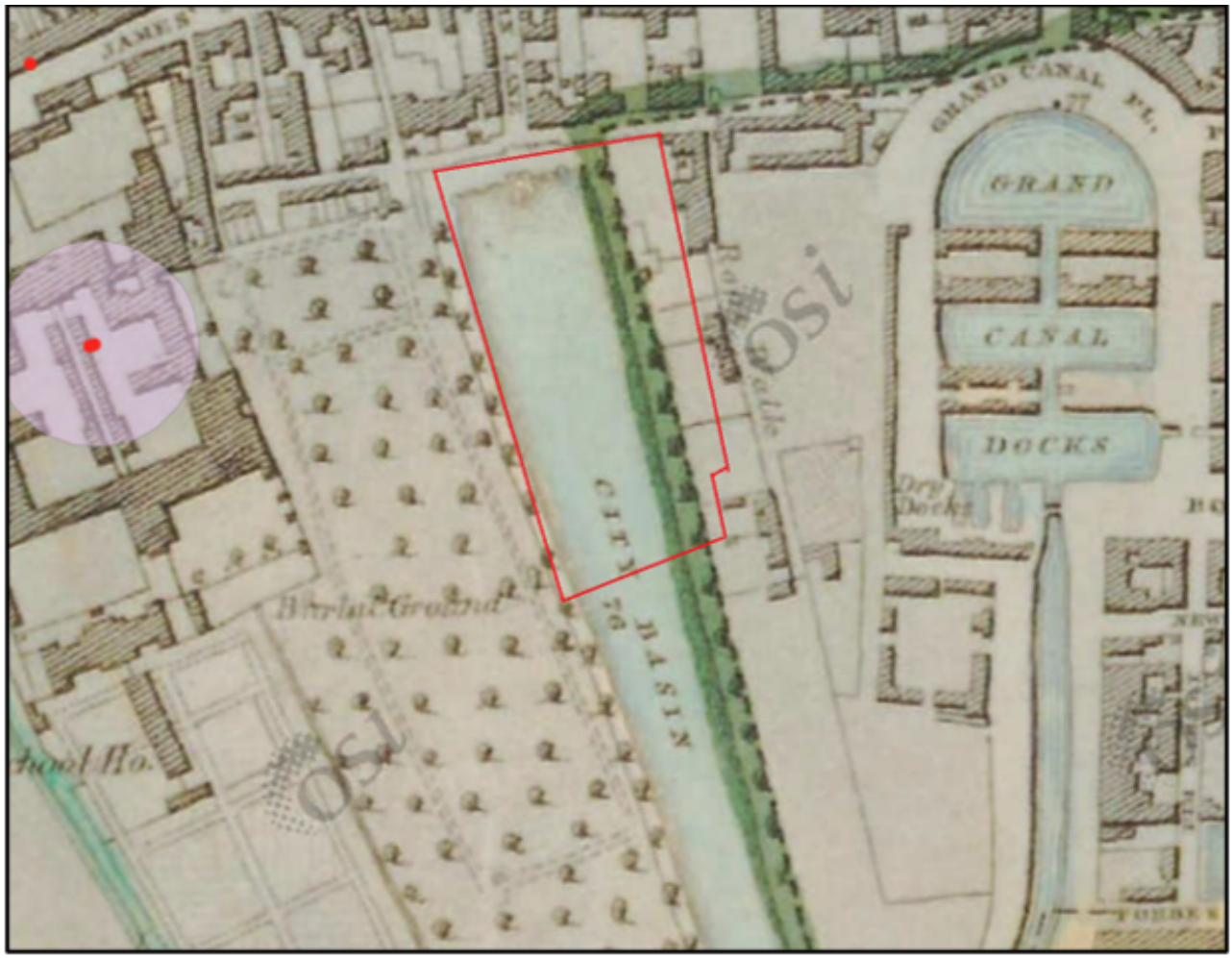


Figure 4: First edition OS Map for the site

There is an existing treelines in the north, west and south of the site. In total, 36 no. trees were recorded with 9 no. B Category trees, 21 no. C Category trees and 6 no. U category trees. A large proportion of the site consists of buildings, internal roads and parking spaces to the north of each building. There are small patches of scrub at various locations throughout the site, including the northwestern boundary and north and south of the all-weather pitch. Green space is also provided at the site and patches of dry meadow at the site.

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 the GSI database, the site is part of the Lucan formation with the underlying bedrock of 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.

In January 2024, IGSL completed a comprehensive programme of site investigations for the site. The ground investigation findings demonstrate a variable sequence of soils mantling the site, thought to be Made Ground in the upper 1m to 3m. The findings in all the cable percussive boreholes suggest a stiff to very stiff over-consolidated clay underlies the cover of Made Ground. Groundwater strikes were largely absent in shallow excavations. The absence of water entry may be attributed to the permeability of the natural clay. A Waste Acceptance Criteria (WAC) and Environmental Testing was completed on thirty soil samples from boreholes and trial pits. Asbestos (<0.001% to 0.095%) levels in the form of both Chrysotile and Amosite were found in samples from 0.30m to 2.0m depth. Given the abundance of rubble noted in the made ground cover on site, the potential to intercept similar "fibres/clumps" cannot be discounted.

2 no. infiltration tests were performed to assess the suitability of the sub-soils for dispersion of storm water through a soakaway system. Both tests were carried out primarily in the Made Ground Clay soils within open excavations. Infiltration rates of f = 6.492 x 10-6 m/s and f = 4.915 x 10-6 m/s were calculated. The impermeable fine-grained nature of the soils may account for the low infiltration rates obtained.

2.3.3 Hydrology

The EPA database of river and streams does not show any watercourses within the site or the immediate surrounding area.

The nearest stream is the Camac stream (EPA Code 09C02) which is located c. 350 m to the north west of the site. It discharges into the River Liffey at Heuston Station. The River Poddle (EPA Code 09P03) is c. 900 m to the east but is culverted and flows into the River Liffey. The River Liffey (EPA Code 09L01) enters the South Dublin Bay and River Tolka Estuary SPA.

Under the Water Framework Directive status assessment 2016-2021, the Camac Stream and River Poddle are of "Poor" status and deemed "At Risk". The River Liffey (Liffey Estuary Upper) is a Transitional Waterbody and is of "Good" ecological status and its risk is under review as of May 2024.

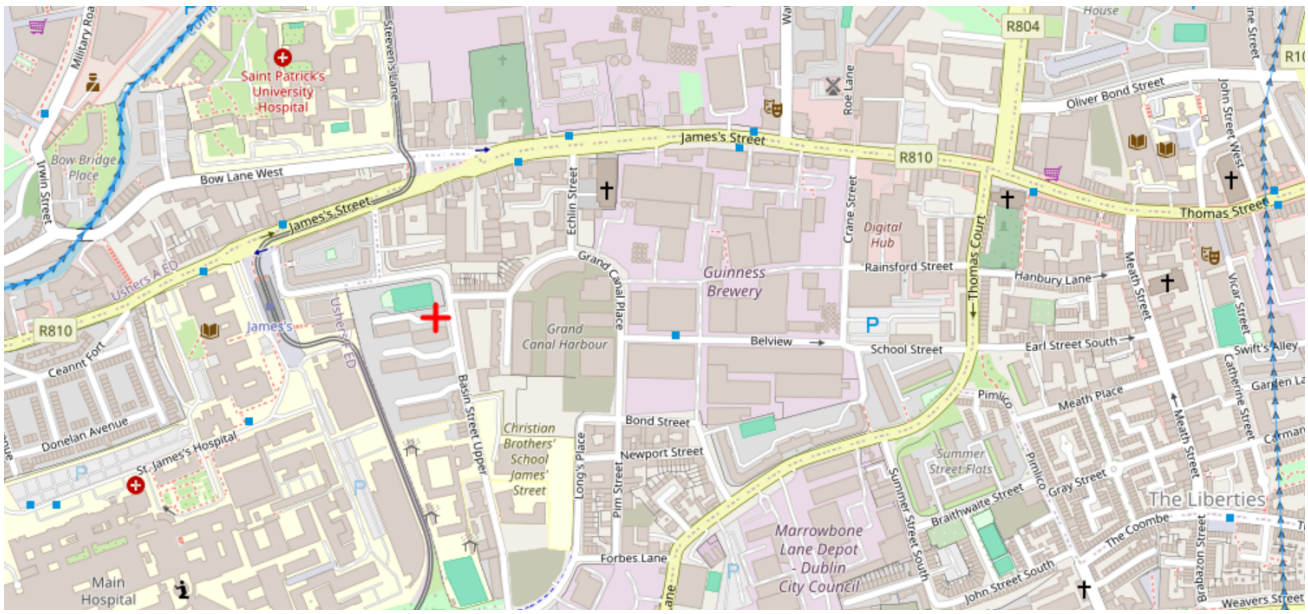


Figure 5: River Waterbodies in the context of the subject site (Source: EPA Maps)

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 a Zone A designation to the northwest of the site on Mount Brown Street and Bow Bridge. The flood risk designations proximate to the subject site are not considered to pose a risk to the subject site. A Desktop Flood Risk Assessment has been prepared by Malone O'Regan and accompanies this application.

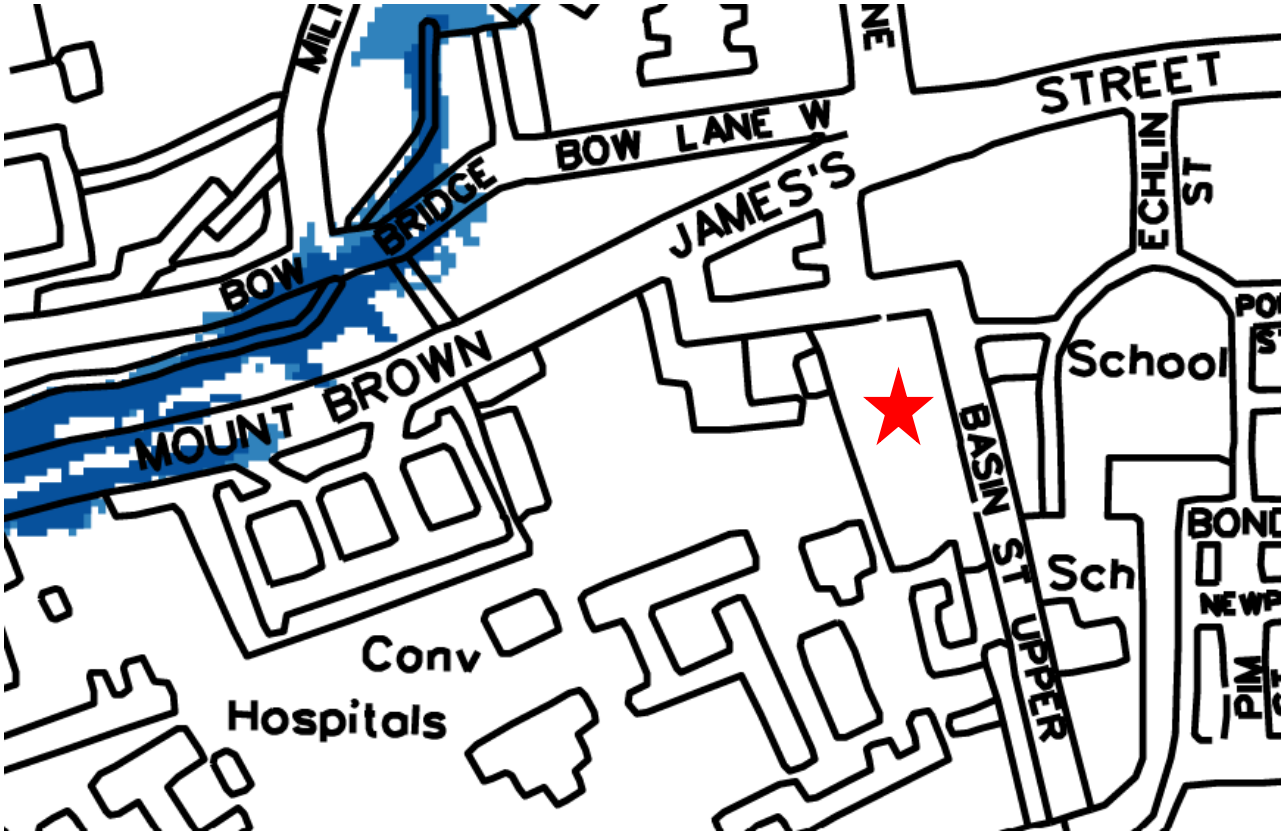


Figure 6 Extract of DCC Composite Flood Map (Source: DCC)

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 which is Moderately Productive only in Local Zones.

Figure 7**: **Aquifers in the vicinity of the Site (Source: EPA Maps)

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is of low vulnerability.

Figure 8: Ground Water Vulnerability (Source: EPA Maps)

2.3.6 Radon

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

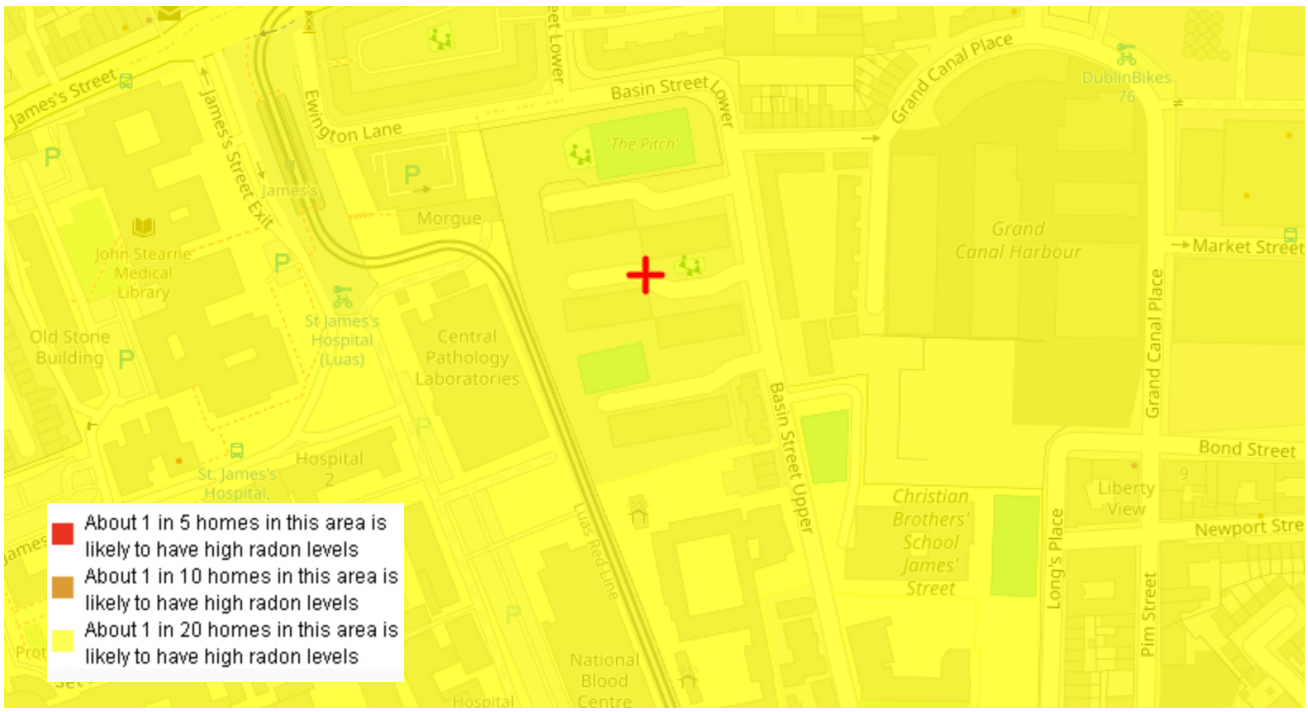


Figure 9: Radon Levels in the Context of the Subject Site (Source: EPA Maps)

2.3.7 Air quality

The site falls within Air Quality Index Region where the index indicates that the air quality if 'Good' according to EPA Maps. The site is situated in Zone 1 Dublin City (EPA Mapping: Air Zone Designation, 2022).

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 the table below. 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

European Site	Distance	Qualifying Interests
South Dublin Bay and River Tolka Estuary SPA (site code 4024)	4.6 km north-east	Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)
South Dublin Bay SAC (site code 206)	5.2 km east	Annex I habitats: inter-tidal mudflats / sandflats, Salicornia and other annuals colonising mud / sand, annual vegetation of drift lines, embryonic shifting dunes Annex II species: N.A.

Figure 1	European sites
Location	Basin View, Dublin 8
Applicant	NDFA / DCC
Date	20 Mar 2024

NM Ecology Ltd - Ecological Consultants
Website: www.nmecology.com
Email: info@nmecology.com
Tel: 087-6839771

Site location
- Proposed development site
- Roads
- Railways
- Watercourses

Designated sites
- Special Areas of Conservation
- Special Protection Areas

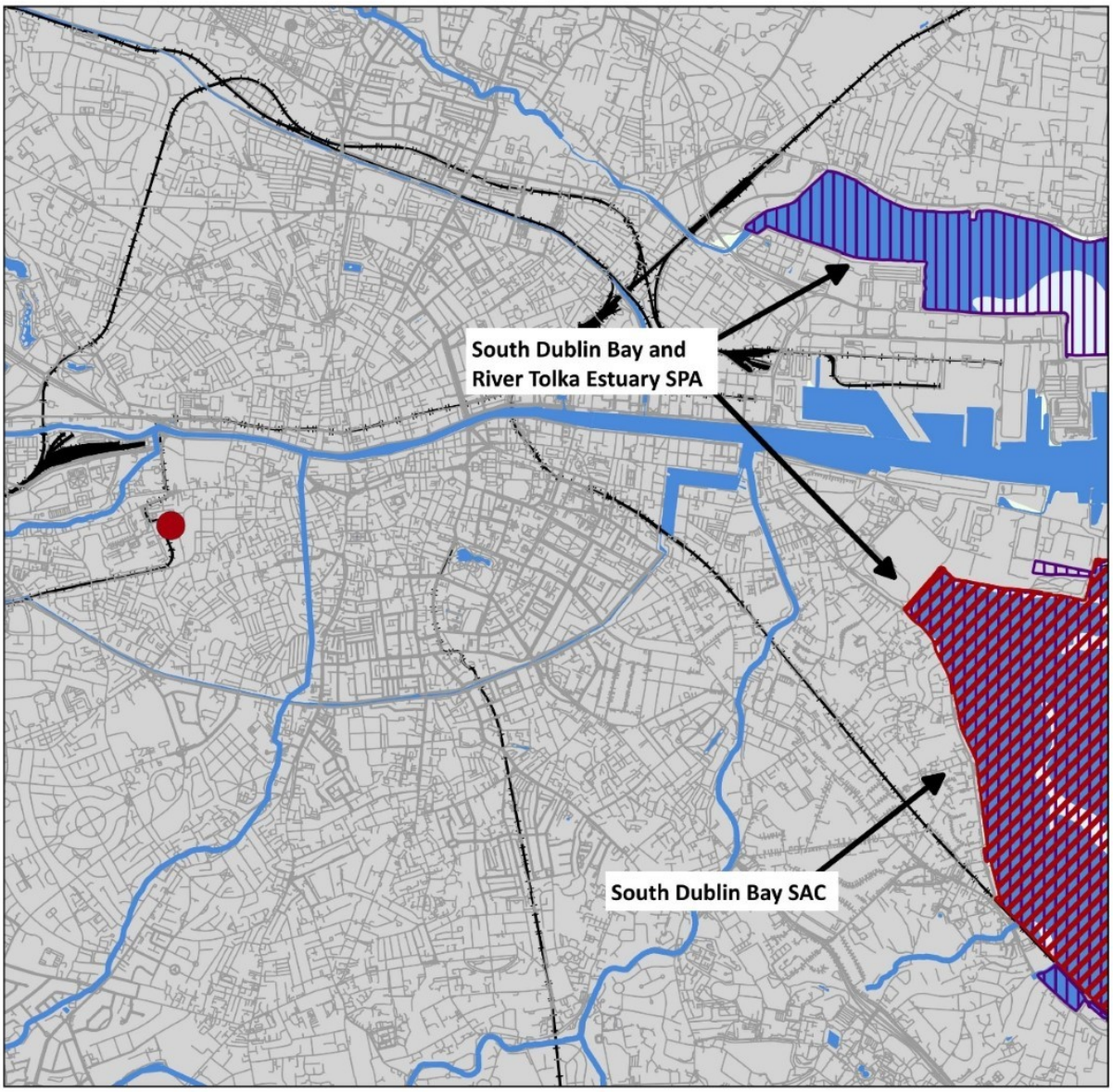


Figure 10: Watercourses & European Sites (Source: NM Ecology)

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

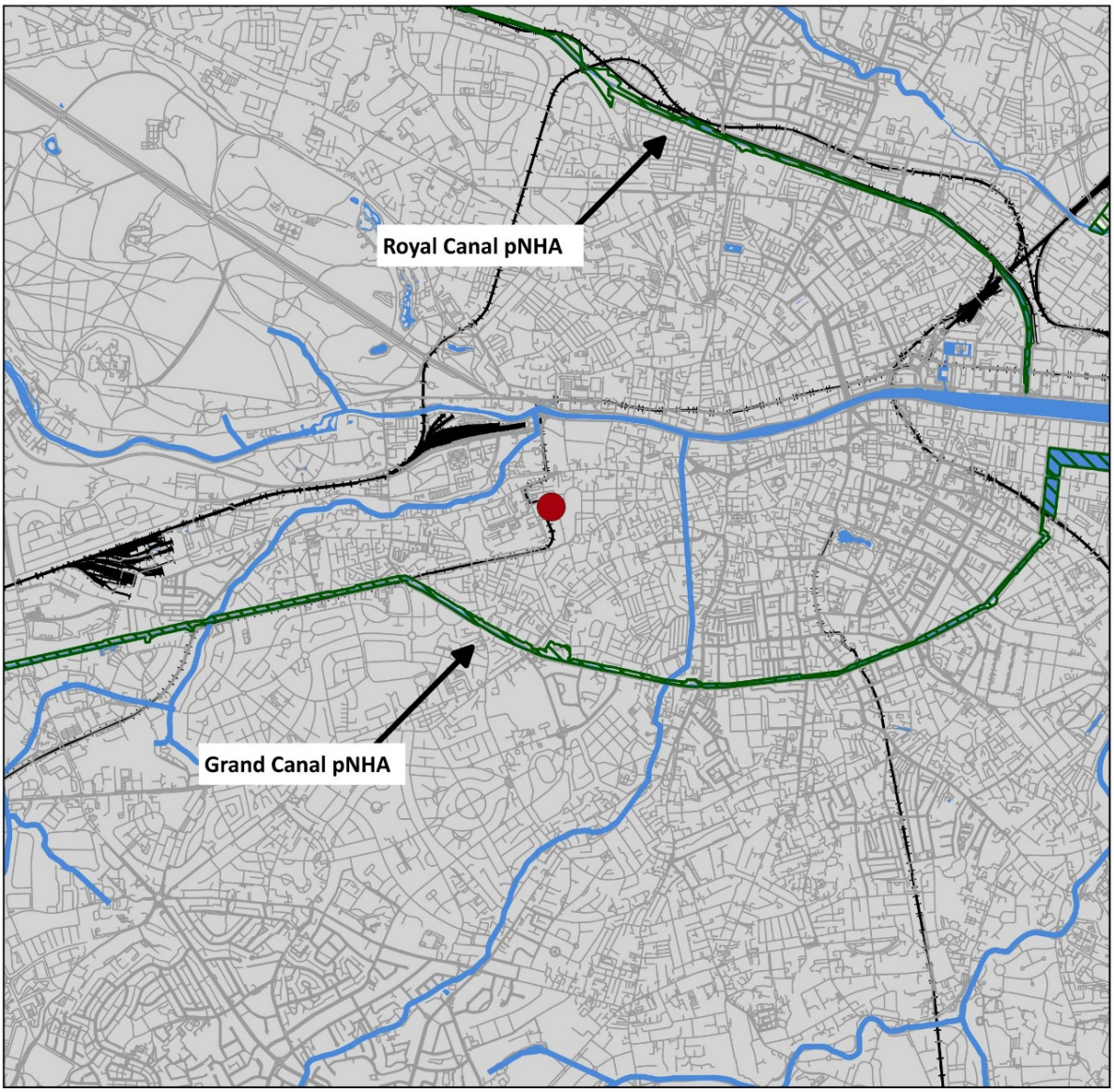
Site Name	Distance	Reasons for designation
Grand Canal pNHA (site code 2104)	0.7 km south	Extensive freshwater feature of value to a range of biodiversity, and with value as an ecological corridor
Royal Canal pNHA (site code 2103)	2.0 km north-east	Extensive freshwater feature of value to a range of biodiversity, and with value as an ecological corridor

Figure 1	Designated sites
Location	Basin View, Dublin 8
Applicant	NDFA / DCC
Date	20 Mar 2024

NM Ecology Ltd - Ecological Consultants
Website: www.nmecology.com
Email: info@nmecology.com
Tel: 087-6839771

Site location
- Proposed development site
- Roads
- Railways
- Watercourses

Designated sites
- Special Areas of Conservation
- Special Protection Areas
- Natural Heritage Areas (proposed)



NM ECOLOGY

0 0.5 1 1.5 2 km

Figure 11 pNHA proximate to the subject site (Source: NM Ecology)

2.3.10 Cultural Heritage

2.3.10.1 Archaeology

The proposed development does not include any recorded archaeological monuments. The site is within an archaeological zone according to the zoning map of the Dublin City Development Plan. The proposed development does not include any recorded sites and monuments records (SMR).

An Archaeological Impact Assessment (AIA) has been prepared by John Purcell Archaeological Consultancy. The cartographic evidence for the site show that it contained a 19th century reservoir that supplied water for the city. Proximate to the site was the nearby distinctly shaped harbour of the Grand Canal, and this harbour was the original terminus of the Grand Canal, until the main line canal was extended further east around Pearse Street to be closer to the ports and docks. This section of the grand canal remained and provided water and served as a vital transport network. The supply of water to the City Basin ceased in 1869 as the new high-pressure water supply from the Vartry scheme came into use. The former city basin was infilled in the 1960s and 70s along with the harbour. The flat blocks are constructed over this infilled basin. The site has been developed as the Basin Street Apartments in 1967.

According to the AIA submitted as part of this application, though the site has been fully developed archaeological monitoring of the geological test trenches has shown that remains associated with this feature exist below the current ground level at the site. It is likely that further remains associated with this feature will extend across the development site. The site has been developed as the Basin View Flats during the middle of the 20th century.

A number of archaeological monuments are located in the environs of the proposed development. Please refer to the Archaeological Impact Assessment prepared under separate cover for further details of the monuments located in the vicinity of the site. This includes a site is c. 100m to the northeast of the site dating from the 13th Century (Reg. Ref. No. DU018-140). Obelisk Fountain (Reg. Ref. No. DU018-468) is located to the north east of the site on James' Street and was potentially built on the site of the medieval St James' Well. The workhouse (Reg. Ref. No. DU018-020305). and the hospital (Reg. Ref. No. DU018-020304) are located c. 150m to the west of the subject site. The Dublin Workhouse was founded in 1703, and St. James Hospital is now located on the site. The Dublin Workhouse was converted into a hospital in 1839, reconverted into a workhouse at a later dated and was removed in 1957. In addition, c. 175m to the northwest of the subject site, there is a two-storey house (Reg. Ref. No. DU018-441) with a steep angular roof to the rear.

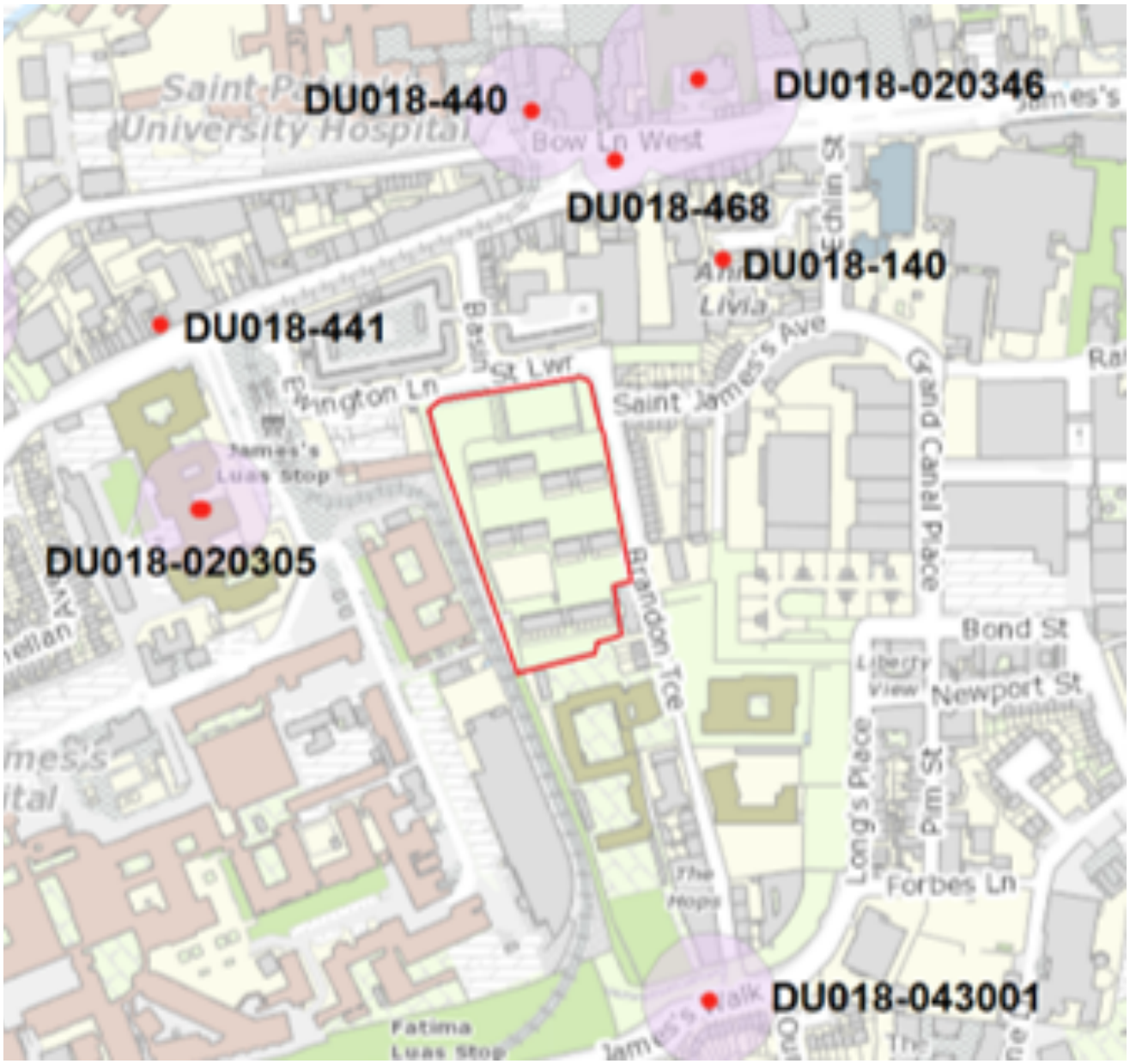


Figure 12: Recorded Monuments in the context of the subject site (Source: NMS)

2.3.10.2 Architectural Heritage

The site is listed under the Dublin City Council Industrial Heritage Records, known as "St James' Basin (City Basin). The record describes it as City Basin, completed 1722 by Dublin Corporation to supply water for the city. Water supplied to basin from Grand Canal following its construction in the 1770s. Basin closed in 1869 and later infilled. No traces of the basin were observed during inspection of the site; however, it is possible that the basin's walls and other remains survive below the ground. References: M. Corcoran 'Our Good Health: A History of Dublin's Waste and Drainage' p.11-12. A survey was completed on 29th July 2009. The function at the time of the survey was apartments/ school. The appraisal states that the provision of a water supply for the developing city was a major challenge facing Dublin Corporation in the early eighteenth-century. The City Basin was constructed in 1721-2 to replace the thirteenth-century basin which had become incapable of supplying sufficient water. The thirteenth-century City Watercourse was diverted to the basin and was suitably raised on embankments and

masonry. Though filled in now, the basin represents an important epoch in Dublin's development as a major urban area and the infrastructure associated with this development

The subject site does not include any structures listed on the Record of Protected Structures. There are 10 no. structures on the RPS to the north of the site along James Street. There is also a structure on the RPS to the east of the subject site at Grand Canal Place (RPS. 3275). To the west of the site, there are 5 no. structures within the St. James' Street Hospital complex, which are all listed under RPS. 3737.

Table 3: RPS Structures Proximate to the subject site

RPS Ref No	Address	Description	Distance from Site
4012	23 James's Street, Dublin 8	House	90m
4013	25 James's Street, Dublin 8	House	90m
4014	26 James's Street, Dublin 8	House	90m
4015	The Malt House, 27 James's Street, Dublin 8	Licensed premises and house	90m
4016	28 James's Street, Dublin 8	Licensed premises and house	90m
4017	29 James's Street, Dublin 8	House	95m
4018	31 James's Street, Dublin 8	Building	100m
4057	Focus Ireland Sundial House, 140 James's Street, Dublin 8	Youth Centre	110m
4058	163 James's Street, Dublin 8	House and shop	115m
4054	James's Street, Dublin 8	Fountain	130m
3275	Ryan's World of Furniture, Grand Canal Place, Dublin 8	Warehouse	130m
3737	Saint James's Hospital, James's Street, Dublin 8	St. James's Hospital: (a) three-storey building annexe on western boundary, to rear of McDowell Avenue; (b) Chief Executive Office: stone and brick institutional building; (c) Hospital 1: 19th century stone and brick hospital building; (d) Hospital 2: stone hospital building; (e) Hospital 4: stone hospital building and mid-20th century service blocks and central entrance feature	130m

In terms, of the National Inventory of Architectural Heritage, a number of structures listed under the RPS are also recorded on the NIAH. The below table includes details of the NIAH structures proximate to the subject site that have not already been discussed in this section of the report. Notably, adjacent to the site along Basin Street Lower/ Ewington Lane, Mary Aikenhead House Flats are located, which are listed under Reg no. 50080302 and 50080343 of the NIAH. The social housing scheme was designed by Herbert George Simms, housing architect to Dublin Corporation from 1932 until 1948. Its form responds well to its urban corner site while balconies provide articulation to the front elevations and break down the scale of the large block. It is considered as an excellent example of early modernist architecture that employs materials which were historically used in the area.

Table 4: NIAH Structures Proximate to the subject site

NIAH Reg No	Address	Description	Distance from Site
50080301	22-22A James's Street, Basin Street, Dublin 8	Shop/retail outlet	100m
50080302	Mary Aikenhead House, James's Street, Basin Street Lower, Dublin 8	Apartment/flat	Adjacent to site on Basin Street Lower
50080343	Mary Aikenhead House, Basin Street Lower, Dublin 8	Apartment/flat	Adjacent to site on Basin Street Lower
50080303	Kenny's Lounge, 174 James's Street, Dublin 8	Public house	140m
50080173	Saint James's Hospital, Department of Clinical Nutrition, James's Street, South Circular Road, Dublin 8	Surgery/clinic	130m
50080237	The Basin Centre, 2 Basin Lane Upper, Dublin 8	Community centre	80m
50080236	The Old Convent Apartments, 4 Basin Lane Upper, Dublin 8	Apartment/flat	85m
50080174	Saint James's Hospital, James's Street, South Circular Road, Dublin 8	Hospital/infirmary	130m
50080176	Saint James's Hospital, James's Street, South Circular Road, Dublin 8	Office	150m
50080175	Saint James's Hospital, James's Street, South Circular Road, Dublin 8	Hospital/infirmary	150m

The below figure illustrates the NIAH located in the surrounding area of the site.

Figure 13 NIAH identified structures proximate to the subject site (Source: NIAH)

2.3.11 Population and Human Health

A study of the population demographics within a 1km radius of the subject site was performed. The population of the Study Area rose from 53,931 to 59,269, equivalent to a 10% increase between the 2016 and 2022 census. Over the same period, Dublin City Centre also experienced a population growth from 554,554 to 592,713, equivalent to a 7% increase between 2016 and 2022.

The 2022 census shows that 2,471 of the study area population were aged between 0 and 4, of a total population of 59,269, or 4% of the total population. A further 2,237 persons aged between 5 to 9 year old or 4% of the total population. The 10 to 14 years old cohort comprises 2,150 persons or 4% of the total population. In the 15-19 age cohort, this group comprises 2,512 persons or 4% of the total population. While the 20-64 years age cohort,

incudes 43,854 persons or 74% of the total population. In terms of the 65+ years, this group comprises 6,045 persons or 10% of the total population.

The site is in an established urban neighbourhood in a city centre location. Owing to the site's location, a range of educational, community/sporting, creches, retail, healthcare, amenities, parks, and local facilities are within its vicinity. It is ideally located to meet the principles of the 15-minute City as envisaged in the Dublin City CDP 2022 2028.

2.3.12 Zoning at the subject site

Under the Dublin City Development Plan 2022-2028, the site is zoned Z1 "Sustainable Residential Neighbourhoods" and Z9 "Amenity/Open Space Lands/Green Network." Dublin City Council varied the County Development Plan to relocate the Z9 amenity/ open space/ green network lands to the centre of the site as illustrated below, which would result in the rezoning of Z1 and Z9 lands at the site. The variation was adopted by the City Council on 4th September 2023. Further information can be found in Report no. 171/2023 entitled Proposed Variation (no.1) of the Dublin City Development Plan 2022-2028: Site at Basin View, Dublin 8. The proposed development of 171 no. residential units, childcare facility, community, cultural and arts space, public open space and communal open space is compatible with zoning of the site and the permittable uses stipulated in the City Development Plan. The proposed development is complying with the zoning objectives of the subject site. The site is also within a Strategic Development Regeneration Area (SDRA) 15 Liberties and Newmarket Square.

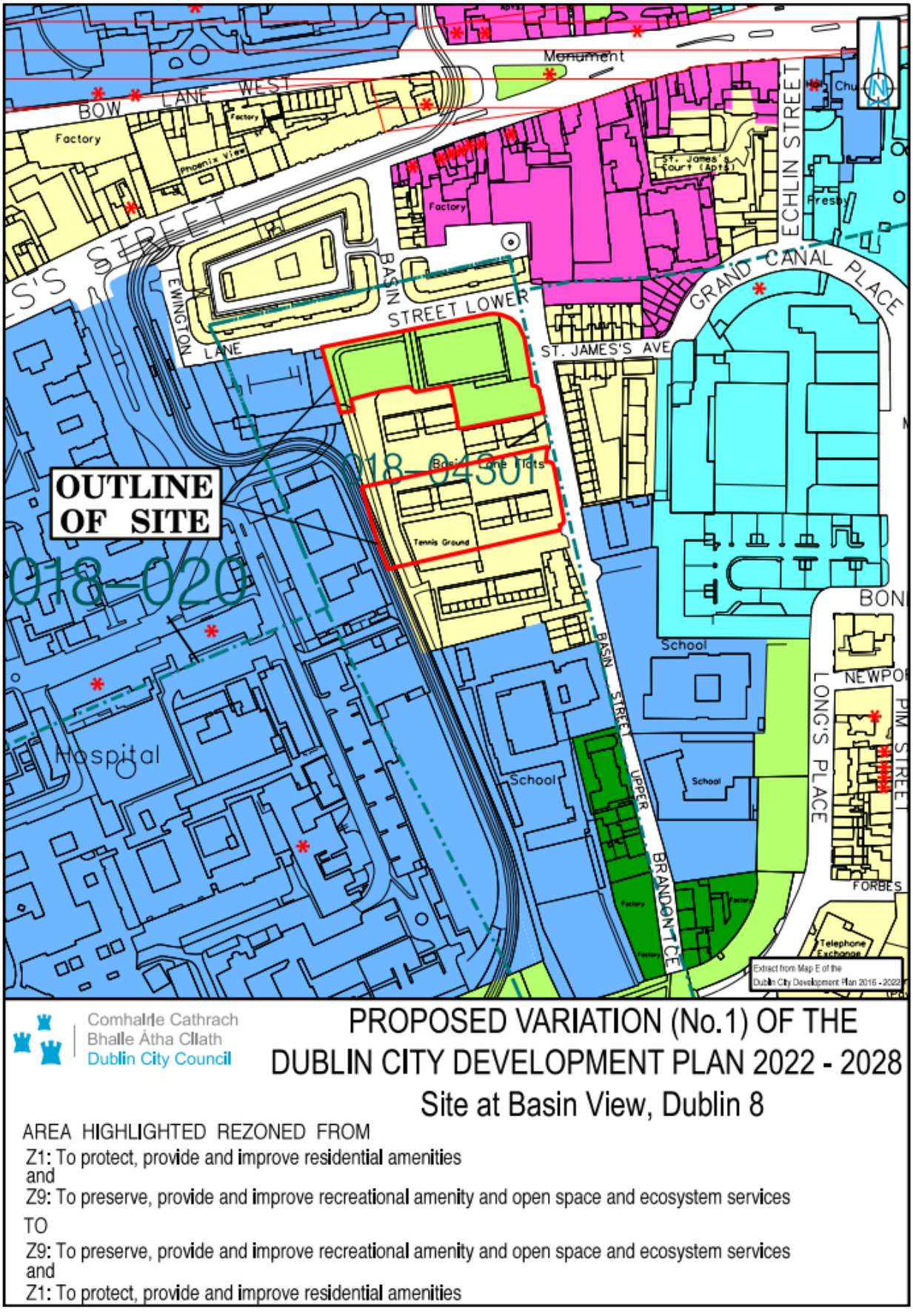


Figure 14: Zoning at the Subject Site as per Variation Adopted by DCC (Source: DCC)

2.3.13 Ecological nature of the site

The preliminary Ecological Appraisal report prepared by NM Ecology includes details of the habitats recorded within the site. This section highlights relevant findings from the preliminary Ecological Appraisal to inform the baseline ecological nature of the site.

2.3.13.1 Habitats

The habitats recorded at the site are detailed using the habitat classification system of A Guide to Habitats in Ireland (Fossitt 2000) in the accompanying preliminary Ecological Appraisal prepared by NM Ecology states the following:

"A large proportion of the Site consists of buildings and artificial surfaces (BL3). There are 5 existing 5-storey apartment buildings, which have masonry walls and concrete roofs. There are internal roads and parking spaces to the north of each building. There is an asphalt soccer pitch in the north of the Site, a basketball court with an artificial surface in the west of the Site, and a number of playgrounds with artificial surfaces. None of these areas support any vegetation, and they are of no ecological importance.

There are treelines (WL2) in the north, west and south of the Site, almost all of which are composed of non-native species. A line of large-leaved lime Tilia platyphyllos and small-leaved lime Tilia cordata is located in the north-east of the Site along the eastern side of the soccer pitch adjoining Basin View Road. There are lines of sycamores Acer pseudoplatanus along the western side of the soccer pitch, and along parts of the south-western boundary, and there is a mixed line of sycamore and ash Fraxinus excelsior on the southern boundary. The majority of trees are of non-native species, and the habitat has no woodland ground flora, so it is of Negligible importance.

There are small patches of scrub (WS1) at various locations throughout the Site, including the north-western boundary and to the north and south of the soccer pitch. These areas include butterfly-bush Buddleja davidii, bramble Rubus fruticosus ag. and immature sycamore. This habitat is localised and consists of common species, so it is of Negligible importance.

Most other green space within the Site consists of amenity grassland (GA2), including underneath the trees. These areas are mowed regularly during summer months. They are dominated by perennial rye-grass Lolium perenne, Yorkshire-fog Holcus lanatus, creeping buttercup Ranunculus repens and white clover Trifolium repens. This habitat is common in urban areas, and of Negligible importance.

There are some localised patches of dry meadow (GS2) in unmowed areas. Species that are dominant or abundant include hogweed Heracleum sphondylium, yarrow Achillea millefolium, mallow Malva sp., false oat-grass Arrhenatherum elatius, great willowherb Epilobium hirsutum and nettle Urtica dioica. These species are common and widespread in urban areas, and the habitat is of Negligible importance. In summary, all habitats within the Site are of Negligible ecological importance."

2.3.13.2 Bats

A bat survey was conducted by NM Ecology as part of the Preliminary Ecological Appraisal which stated the following:

Potential Roost Features

The 5 existing buildings are 5 storeys in height, and constructed of masonry walls, with pitched roofs of concrete tiles and projecting concrete awnings. No obvious crevices or cavities were observed in the structures, but there may be shallow crevices under roof tiles, so they were considered to have low suitability for roosting bats.

The trees are semi-mature, and do not have any cavities or crevices suitable for roosting bats.

Re-Entry Survey (23rd August 2023)

The recommended survey effort in the Bat Conservation Trust guidelines (Collins et al. 2016) for buildings of low suitability for roosting bats is one emergence or re-entry survey. To achieve this, a re-entry survey was undertaken at dawn on 23 August 2023. A team of three surveyors was used to provide views of all sides of the buildings. Weather conditions were ideal for a bat survey, with an air temperature of 16 °C and no wind or rain.

Only a single bat was recorded during the survey: one common pipistrelle passed through the Site flying from St James' Hospital towards St James' Avenue. It did not interact with any of the buildings, and did not forage within the Site, it was simply commuting through the Site.

The low level of bat activity is likely to be explained by the prevalence of artificial lighting within and surrounding the Site. Bats typically avoid areas with high levels of artificial lighting, as it exposes them to predators. All car parks within the Site have floodlighting, and there are streetlights along the northern and eastern boundaries of the Site.

Evaluation

No bats were observed roosting within any of the buildings, nor any bats foraging within the green areas. Therefore, the Site is of Negligible importance for bats.

2.3.13.3 Summary of Identification of Important Ecological Features

Table 4 provides a summary of all ecological features of identified within the site, including their importance and legal / conservation status.

Table 5: Important ecological Features within the Site (Source: NM Ecology)

Ecological feature	Importance	Legal status	Important feature?
Designated sites	National	WA	No
Buildings and artificial surfaces (BL3)	Negligible	-	No
Treeline (WL2)	Negligible	-	No
Scrub (WS1)	Negligible	-	No
Amenity grassland (GA2)	Negligible	-	No
Rare / protected flora	N.A.	-	No
Invasive plant species	N.A.	-	No
Terrestrial mammals	Negligible	WA	No
Bats	Negligible	HR, WA	No
Birds associated with SPAs	Negligible	WA	No
Nesting birds	Local	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)*

2.3.14 Trees

An Arboricultural Impact Assessment & Arboricultural Method Statement prepared by Charles McCorkell Arboricultural Consultancy accompany this Part 8 application. The Tree Survey Plan at Appendix B illustrates the location of trees, the extent of the spread of their crowns and their root protection areas. In addition, dimensions, comments and information of each trees are given in the Tree Schedule at Appendix A of the Arboricultural Impact Assessment. The accompanying Tree Survey Plan prepared by Charles McCorkell Arboricultural Consultancy indicates 36 trees recorded at the site, which includes 9 no. B Category, 21 no. C Category and 6 no. U Category entries recorded. The proposed development will require the removal of 7 trees of moderate quality and value (B Category), 6 trees and 1 group of shrubs of low quality and value (C Category), and 4 trees of poor quality (U Category). In addition, 2 poor quality (U Category) trees are required to be removed for arboricultural reasons.

2.3.15 Birds

Habitats within the Site are unsuitable for brent geese or any other species associated with SPAs in Dublin Bay; these species are only recorded in amenity grassland that is regularly mowed. They favour large open areas that provide a good field of view of potential predators, and are usually only recorded on sites measuring at least the size of a football pitch (0.7 ha). There are some small patches of amenity grassland within the Site, but they are much smaller than 0.7 ha, and are surrounded by tall buildings. Therefore, the Site is unsuitable for brent geese or any other species associated with the SPAs in Dublin Bay.

The following species were recorded during the site inspection by NM Ecology: feral pigeon, herring gull, black-headed gull, jackdaw, magpie and wren. The site may be used by other common urban species (gulls, corvids) and garden birds (finches, tits), but is unlikely to be used by any species of conservation importance. Therefore, the Site is of Negligible importance for bird species.

Gulls often nest on the roofs of buildings in urban areas and are known to use the roofs of buildings around the Guinness Brewery to the east of the Site. During the site inspection carried out by NM Ecology it was not possible to inspect the roofs of any buildings within the Site for nesting birds, so on a precautionary basis it will be assumed that some species nest on the roof. It is also likely that other bird species nest in the trees within the Site. On a precautionary basis it will be assumed that the Site is of Local importance for nesting birds.

2.3.16 Other Site Environmental Sensitives

The proposed development includes the demolition of four no. structures on site and the site clearance works. An Asbestos Demolition Survey Report has been completed by OHSS Safety Consultants. The report has identified asbestos on the site. Where asbestos containing materials were identified in the survey, recommendations are provided in the asbestos register and risk assessment.

According to the accompanying Asbestos Demolition Survey Report, there are six regulated types of asbestos. The common names associated with some of the asbestos types are shown in brackets Crocidolite (Blue Asbestos), Amosite (Brown Asbestos), Actinolite, Anthophyllite, Tremolite, Chrysotile (White Asbestos). International studies have identified that they have different potential to cause harm. Crocidolite is the most dangerous and Chysotile the least. The survey has detected chrysotile at the site.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

Notice is hereby given of the construction of 171 apartments at a site of c.1.64 ha at Basin Street Flats, Basin View, Dublin 8. The site is bounded by Basin Grove and St. James Primary School to the south; Luas light rail line and St. James' Hospital campus to the west, Basin Street Lower/Ewington Lane and Mary Aikenhead House Flats to the north and Basin View Street / Brandon Terrace to the east; which will consist of the following:

- The demolition of four existing Basin Street Flats residential blocks; Building 1 (nos. 20-43), Building 2 (nos. 44-67), Building 3 (nos. 68-91) and Building 4 (nos. 92-115), ancillary structures, boundary walls and railings and site clearance works and renovation of one existing Basin Street Flats block (Building 5 nos. 116-151);
- Construction of 171 no. apartment units in three apartment blocks (Block A, Block B and Block C) comprising 171 residential units (83 no. 1-bed, 71 no. 2-bed, 13 no. 3-bed and 4 no. 4 beds);
    - Block A ranges from 4- 8 storeys with 48 units (17 no. 1-bed, 28 no. 2-bed, 3 no. 3-bed)
    - Block B ranges from 4 -8 storeys with 81 units (28 no. 1-bed, 39 no. 2-bed, 10 no. 3-bed, 4 no. 4 bed)
    - Block C is 5 storeys (renovation block) with extension to western gable with 42 units (38 no. 1-bed, 4 no. 2-bed)
- 382 bicycle parking spaces;
- 55 car parking spaces, which includes provision of 51 residential and 4 non-residential car parking spaces (2 creche and 2 community, arts and cultural car parking spaces);
- Provision of a childcare facility of 294 sq.m. at ground floor of Block A;
- Provision of 1114 sq.m. community, cultural and arts space comprising 516 sq.m. internal space at ground floor of Block B and 598 sq.m. external space, which includes a 468 sq.m. amphitheatre and 130 sq.m. space located externally at Block B;
- Relocation of public open space to a new central area of 3767 sq.m. (in place of Oisin Kelly Park) and 2748 sq.m. of communal open space;
- Two vehicular access/ egress points are proposed from Brandon Terrace/ Basin View Street and from Basin Street Lower/ Ewington Lane;
- Existing bollards and line marking fronting Wee Tots Creche Pre-School and Fountain Youth Project at building 2A Basin Lane along Basin View/ Brandon Terrace to be removed and replaced with paving, extension of kerb and flexible bollards;
- Boundary treatments, landscaping and public realm works, public lighting, site drainage works, new internal road layout, traffic calming raised table and pedestrian crossing points, footpaths, ESB substation and meter rooms, stores, bin and cycle storage, plant rooms; and
- All ancillary site services and development works above and below ground.

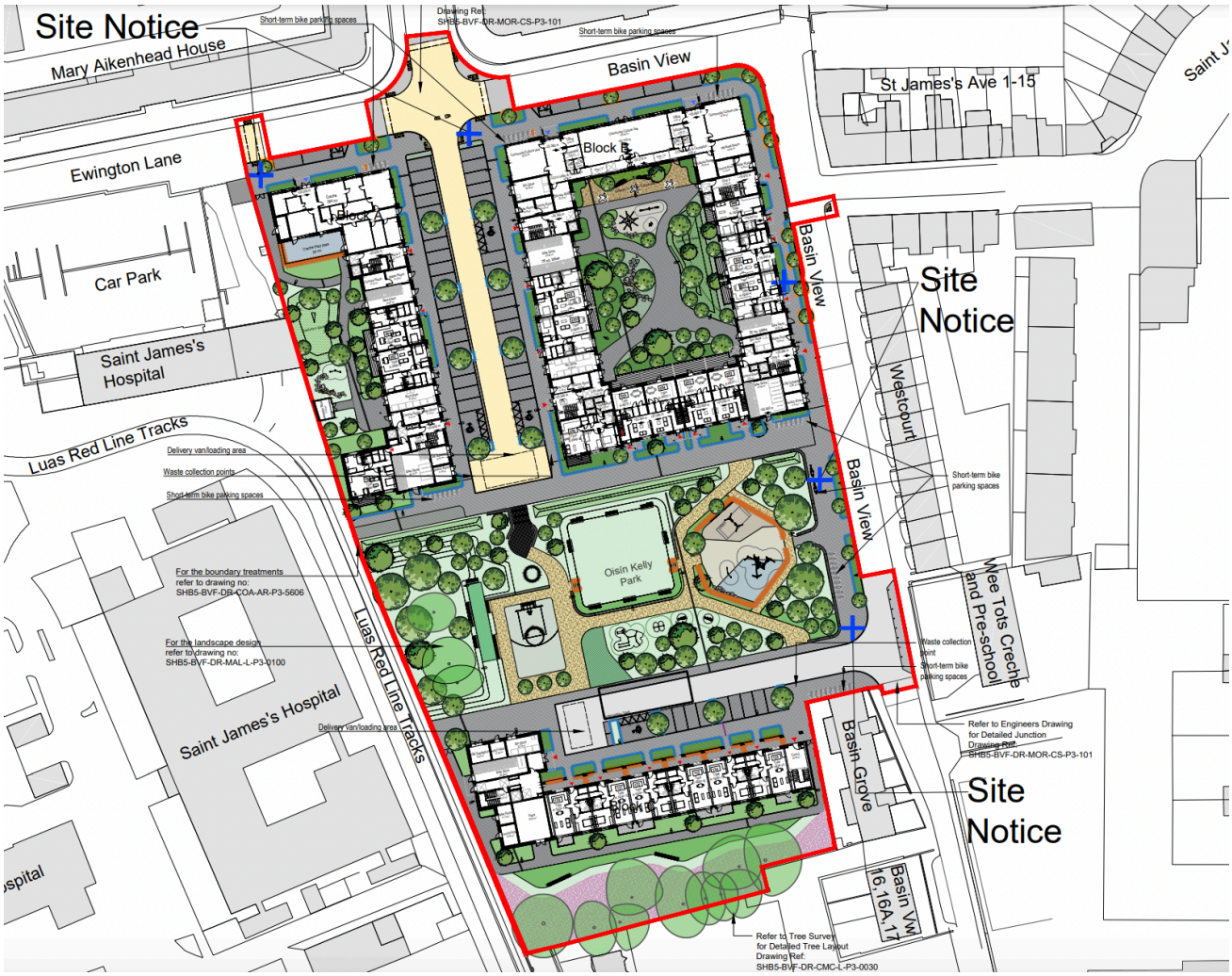


Figure 15: Proposed Development (Source: Coady Architects)

3.2 Surface Water Infrastructure

3.2.1 Existing Services

An existing network of drainage runs around the perimeter of the site on two sides. These underground sewers carry surface water towards discharge in rivers in the Dublin central 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 1010X630mm brick combined sewer running parallel to the eastern boundary on Basin View and running down towards Ewington Lane before heading out to St. James Street.

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 SHB5-BVF-DR-MOR-CS-P1-130, 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 the detention basins and attenuation tank 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.

3.3 Foul Water Supply Infrastructure

3.3.1 Existing Services

An existing network of drainage runs around the perimeter of the site on two sides. These underground sewers carry foul water towards existing treatment areas in the Dublin central 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 1010X630mm brick combined sewer running parallel to the eastern boundary on Basin View and running down towards Ewington Lane before heading out to St. James Street.

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 SHB5-BVF-DR-MOR-CS-P1-130. 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 & Proposed Services

There is a 150mm uPVC watermain running parallel to the eastern boundary on Basin View and running on towards Ewington Lane before heading out to James Street. There is a 450mm cast iron watermain running parallel to the western boundary off St. James hospital and the LUAS line running onto Ewington Lane before heading out to James Street. The proposed watermain layout is indicated on drawing SHB5-BVF-DR-MOR-CS-P1-140 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.

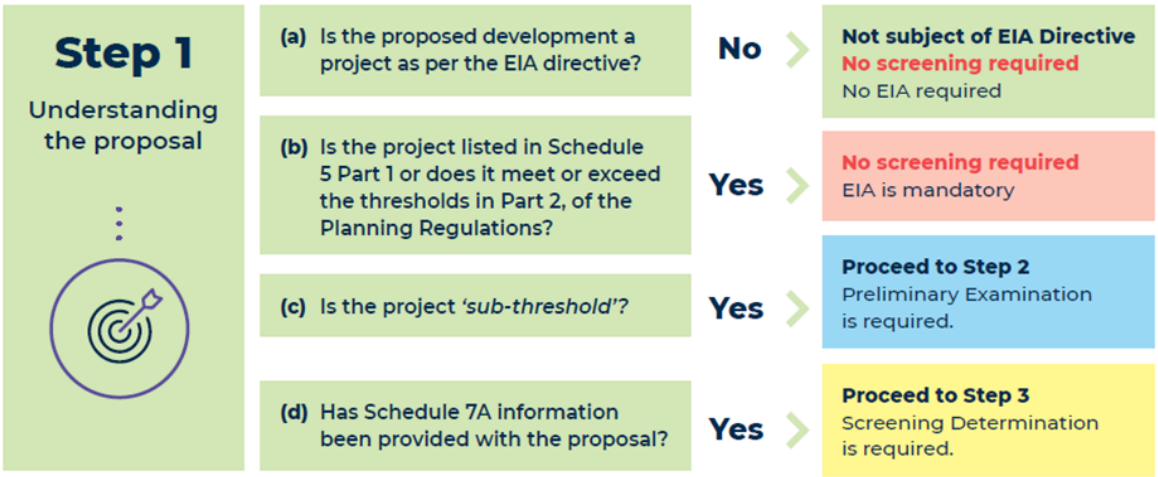


Figure 16: Extract from OPR EIA Screening Guidance Note

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 Stage1 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.

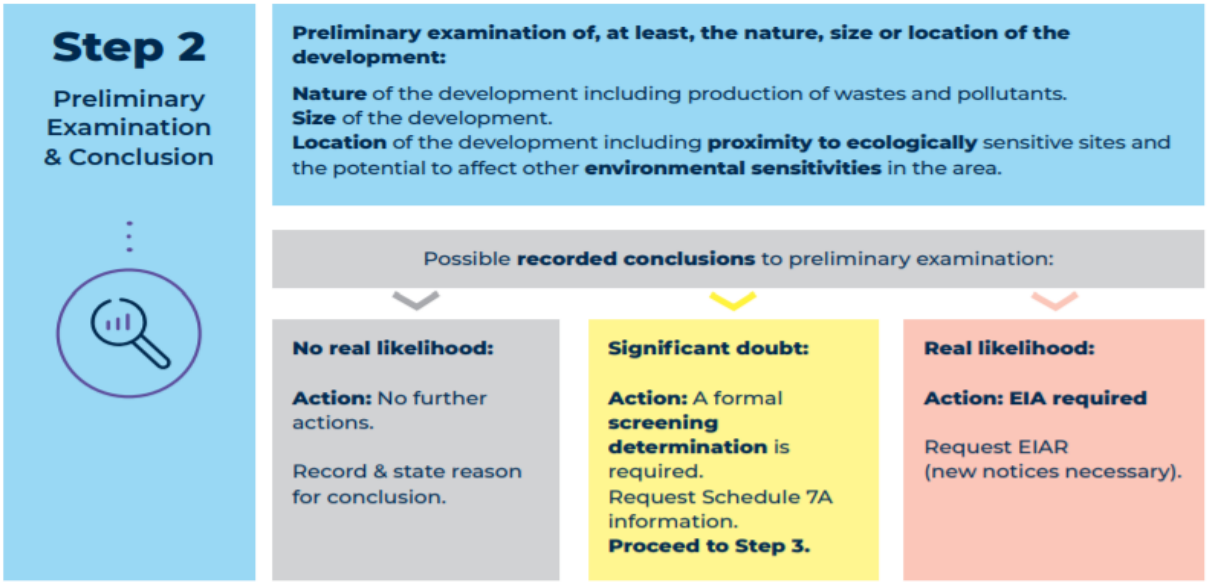


Figure 17: Extract from OPR EIA Screening Guidance Note

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 171 no. residential units, childcare facility, 1114 sqm of community cultural and arts space, 3,094 sqm of public open space and 2,748 sqm of communal open space. The site is zoned Z1 Sustainable Residential neighbourhood and Z9 Amenity/Open Space Lands/Green Network. The proposed development is consistent with the zoning objectives on site. The Core Strategy and Settlement Hierarchy of the Dublin City Development Plan outlined in Table 2-8 of the Development Plan presents the spatial structure and proposed residential yield in the various areas of the city. The site is located in the Liberties and Newmarket Square Strategic Development Regeneration Area (SDRA) 15 where the character and general density applied would be mixed use with a planned residential yield of 2,500 units and an estimated population of 5,000 persons. The CDP sets out specific guiding principles for each SDRA. SDRA 15 includes specific guiding

principles for urban form and general building heights for the subject site. The proposed construction of 171 no. residential units provides an active neighbourhood on the subject site using finite land within the built-up area of the city centre. The site currently consists of 5 no. residential apartment blocks comprising 115 social housing units with 10 no. unlettable bedsits, 17 no. amalgamated one beds and 88 no. 3 bed duplexes. Within the site there is also communal open space with 2 no. playgrounds and a basketball court, and is situated within a predominantly mixed-use neighbourhood surrounding the site.

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 a childcare facility and community, arts and cultural uses proposed. The proposal consists of the demolition of four of the residential buildings on site and site clearance works. This will give rise to waste during the works.

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. An Asbestos Demolition Survey Report has been completed by OHSS Safety Consultants. The report has identified asbestos containing material at the site. According to the accompanying Asbestos Demolition Survey Report, there are six regulated types of asbestos. The common names associated with some of the asbestos types are shown in brackets Crocidolite (Blue Asbestos), Amosite (Brown Asbestos), Actinolite, Anthophyllite, Tremolite, Chrysotile (White Asbestos). International studies have identified that they have different potential to cause harm. Crocidolite is the most dangerous and Chysotile the least. The survey has detected chrysotile asbestos at the site. It is recommended that the removal of the asbestos is undertaken prior to demolition works at the site. A Construction and Demolition 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, the site is not located on or immediately surrounding a source for major accidents or hazards. The nearest Seveso Site is c. 2.4 km to the west. It is Irish Rail Maintenance Works in Inchicore. This 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. Apart from demolition waste, no other significant waste streams will be generated. 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 development site is c.1.64 ha and will result in 171 no. residential units, childcare facility, 1114 sqm of community cultural and arts space, 3,767 sqm of public open space and 2,748 sqm of communal open space. The site is located within a city centre location and accords with the density provisions stipulated at a local and national level for a site in a city centre location.

Th proposed development consists of three apartment blocks, a new build of Block A and Block B, range from 4 – 8 storeys and Block C will entail the retrofit and renovation of the existing southern block and will be 5 storeys. The site is located within the established neighbourhood of the Liberties. Development surrounding the site range in height from 1 to 6 storeys. The proposed development has sought to retain the existing residential amenity of the surrounding area while also delivering a compact and dense development.

Moreover, the lands are zoned Z1 "*Sustainable Residential Neighbourhoods*" and Z9 *"Amenity / Open Space Lands / Green Network"* in the Dublin City Development Plan 2022-2028. will provide much needed residential accommodation as well as community, arts and cultural space, public open space and communal open space. The proposed development will achieve the regeneration of the site as earmarked within the SDRA guiding principles of the area. 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.

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. There are a number of large-scale developments permitted within 1km of the site and they can be summarised as follows:

Table 6 Relevant Planning History

DCC/ABP Planning Reference No.	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (km)
3209/19	01/10/ 2019	Granted 07/01/19 Development has commenced at site.	Mixed use development comprising 550 build to rent apartments along with retail, medical, cafes, restaurants, childcare facility and co-working spaces. Buildings height range from three storeys to thirteen storeys over basement	Grand Canal Harbour, Grand Canal Place, Dublin 8	0.1
300184	14/11/2017	Granted by ABP 27/02/18 Development constructed	399 student accommodation bed spaces with associated ancillary services and a retail/cafe unit with frontage onto Cork Street and Brickfield Lane	The Donnelly Centre, Cork Street, Dublin 2.	0.5
308162	14/09/ 2020	Granted by ABP 22/12/20 Development commenced	Demolition of existing building and construction of 397 no. bedspace Build to Rent Shared Living residential development and associated site works	A site comprised of The Old Glass Factory and no's. 113-117 Cork Street and no's. 118-122 Cork Street, Dublin 8	0.5

DCC/ABP Planning Reference No.	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (km)
3843/19	22/11/ 2019	Granted 28/01/20 Permission expires 12/03/25	The development will consist of the provision of a new temporary, two storey prefabricated block comprising 6 no. mainstream classrooms and ancillary accommodation	Canal Way Educate Together, Basin View, Dublin, 8	0.1
3344/24	08/04/2024	Granted 30/04/24	The proposed development consists of a change of use of areas at ground floor of 'The Brickworks' student accommodation development from educational use to student accommodation, to provide 38 no. additional student accommodation bedspaces in 6 no. clusters (1 no. 3 bed cluster, 1 no. 5 bed cluster, 1 no. 6 bed cluster, and 3 no. 8 bed clusters).	The Brickworks, Brickfield Lane, Dublin 8. The site is located to the west of Brickfield Lane and, north of Brown Street South	0.6
312295	21/12/21	Decision pending	Demolition of buildings, construction of 116 no. build to rent apartments and associated site works.	43-50 Dolphin's Barn Street, Dublin 8.	0.8
3417/17	14/07/17	Granted 29/20/17 Development has been constructed	Permitted development includes an extension to the west of the Gravity Bar located at the roof top of the Guiness Storehouse, provision of a 4 storey building referred as the Hub building to provide staff facilities and storage space, internal modifications to the Storehouse building and provision of a packaged boiler plant north of the hub building	The Guinness Storehouse and The Malt Store, Market Street South, Dublin 8	0.2
4588/22	29/07/22	Granted 02/08/23	The proposed development includes a mixed -use scheme on a 4.58 ha site. The development includes 2 no. hotels, commercial office buildings, 336 residential units (including some build to rent), market hall,	Lands at Guinness Brewery to the South of James Street, Dublin 8	0.3

DCC/ABP Planning Reference No.	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (km)
			foodhall, retail/ café/ restaurant/ public house/ bar use, community uses and extensive public realm and landscape squares		
3444/20	24/09/20	Granted 23/03/22	The proposed development involves site clearance and levelling works, including the demolition of all existing buildings on site and the construction of a 148 no. bed hotel that ranges in height between 1 and 7 storeys above three lower ground levels	180, 182, 183 and 184 James's Street, Dublin 8	0.2
3127/21	20/10/ 21	Granted 06/01/22	Permission for modifications to previously approved 6-storey apartment development which includes a ground floor commercial unit (Planning. Reg. Ref. 2155/20)	25-27, Bow Lane West, Dublin 8 D08 NW89	0.2
308871	11/11/2020	Granted 12/04/21	Demolition of existing buildings on site, construction of 189 no. Build to Rent apartments and associated site works	Former Steelworks Site at 32A, 32B, 33, 34 and 35 James Street and a site off Basin View, Dublin 8	0.1
314056	08/07/2022	Granted 19/12/23	Liffey Valley to City Centre Core Bus Corridor Scheme	Fonthill Road to High Street all in the County of Dublin	Abutting the site along Basin Street Lower/ Basin View / Ewington Lane
3201/20	14/08/20	Granted 18/11/20	4 storey, 1072 sq. m., 14.02 metre high infill to vacant yard and extension to the north of the existing mortuary building to serve as a bio-bank process storage unit accommodated over 2 floors with the additional 2	Blocks B, C, & E, The Steelworks, Foley Street, Dublin 1	Abbuting the western boundary of the site.

DCC/ABP Planning Reference No.	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (km)
			floors allocated to associated laboratory and administration functions.		

Social Housing Public Private Programme Bundle 4 & 5

The Social Housing Public Private Programme (PPP) current bundle no. 4&5 includes ten 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, another concurrent Part 8 application at Forbes Lane Depot is also being delivered under the NDFA SHB4&5 programme, which is noted below in order to provide a robust assessment of the potential cumulative effects.

Table 7: Pending Part 8 Proposals in Proximity to the Subject Site

Applicant	Address	Summary of Proposed Development	Distance from Site (km)
Dublin City Council	Forbes Lane Depot, Forbes Lane, Marrowbone Lane, Liberties, Dublin 8.	Construction of 108 apartments at a site of c. 0.58 ha. . The proposal also includes a community, cultural and arts space, public realm space and communal open space.	0.4

The geographical distribution of the remaining development sites surrounding the application site reflects the rapidly changing nature of this accessible area of the City Centre. 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 4.6 km away (South Dublin Bay and River Tolka Estuary SPA (004024). The closest EPA Water Framework Directive watercourse is the Camac Stream which is approximately 350 m to the north west of the subject site. No potential pathways from the subject site to the river were identified. The Camac enters into the River Liffey and subsequently the South Dublin Bay and River Tolka Estuary SPA.

As noted in the AA Screening *"There are no watercourses in the vicinity of the Site. Rainfall on buildings and artificial surfaces is collected in an artificial drainage network and discharged to a local authority storm drain. Rainfall on green areas soaks to ground in-situ.*

The closest watercourse on the EPA database of rivers and streams is the River Camac, which is approx. 350 m north-west of the Site. It has no connection to the Site. The River Poddle is also located approx. 900 m east of the Site, but it passes under the city centre in a lengthy culvert, so it also has no connection to the Site. In summary, the Site has no connection to any watercourses."

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.

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. The site lies within a zone of archaeological potential according to the Development Plan zoning map. This Part 8 application is accompanied by an Archaeological Impact Assessment prepared by John Purcell Archaeological Consultancy. As noted in the AIA, although the site has been fully developed there is potential for sub-surface remains of this feature to exist at the site. Geological testing has identified earlier structures, particularly in the western portion, suggesting the presence of subsurface remains related to the city basin. Given the potential significance of these remains, there is a high likelihood of extensive archaeological material related to the city basin existing on the site. Additionally, early fabric may exist outside the basin area. Therefore, any development work could directly impact these remains

Notably, adjacent to the site along Basin Street Lower/ Ewington Lane, Mary Aikenhead House Flats are located, which are listed under Reg no. 50080302 and 50080343 of the NIAH. In the surrounding environs of the site, there are a number of protected structures recorded. However, it is not anticipated that the proposed development

The site currently consists of five no. residential buildings, concrete ground, playgrounds, and an artificial playing pitch. Early-mature trees that are located along the southern and western boundaries and within Oisin Kelly Park to the north. The main tree species is ash, lime, Norway maple and sycamore. The accompanying Tree Survey Plan prepared by Charles McCorkell Arboricultural Consultancy indicates 36 trees recorded at the site, which includes 9 no. B Category, 21 no. C Category and 6 no. U Category entries recorded. The proposed development will require the removal of 7 trees of moderate quality and value (B Category), 6 trees and 1 group of shrubs of low quality and value (C Category), and 4 trees of poor quality (U Category). In addition, 2 poor quality (U Category) trees are required to be removed for arboricultural reasons. A preliminary Ecological Appraisal was prepared by NM Ecology. As noted in the preliminary ecological appraisal report, the site is of low baseline ecological importance, with the only important ecological feature identified as nesting birds. Potential impacts on these features are considered in Section 4.1 of the Preliminary Ecological Appraisal Report.

The Preliminary Ecological Appraisal further notes that:

"Birds may nest on the roof of the existing apartment buildings and / or in existing trees throughout the Site. 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. It is recommended that demolition and tree-felling 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 or not any nesting birds 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 archaeology 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.

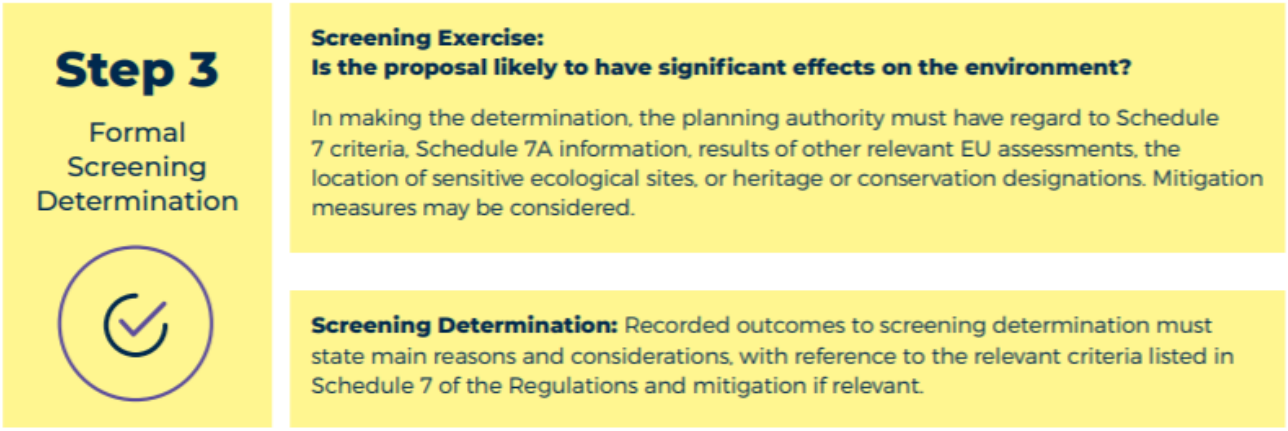


Figure 18: Extract from OPR EIA Screening Guidance Note

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 8 Characteristics of the proposed development

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
1.Characteristics of proposed development The characteristics of proposed development, in particular to: -	
a) the size of the proposed development,	The proposed works at the site include the demolition of four of the five existing residential buildings and site clearance works and the construction of 171 no. residential units, childcare facility, community cultural and arts space, public open space and communal 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 CDEMP and RWMP no significant negative effects are likely. The proposed development provides an appropriate and compatible form of development within an urban context on lands which are zoned for Sustainable Residential Neighbourhoods and Amenity/ Open Space/ Green Network lands and is located within an SDRA. The site adjoins other established urban uses including residential, healthcare, educational 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.
(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,	Section 4.4 (iv) of this report identified relevant permitted and proposed planning permission and applications for the assessment of cumulative effects. In addition, the assessment included one concurrent Part 8 proposal by Dublin City Council at the Forbes Lane Depot site, Marrowbone Lane and Forbes Lane, Dublin 8 under the NDFA SHB4&5 PPP which will be submitted by Dublin City Council for approval within a similar timeframe to the subject site, therefore it is considered prudent for these developments to be included in the assessment of effects. Together, with the proposed development and other permitted developments and proposed developments in the vicinity of the site, are not likely to give rise to significant effects. In arriving at this conclusion, other permitted development as well as proposed Part 8 applications by DCC in the vicinity of the site have been taken into account.
(c) the nature of any associated demolition works,	The proposal entails demolition of four of the existing five apartment buildings and the site clearance works to facilitate the construction of 171 no. residential units, childcare facility,

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	community cultural and arts space, public open space and communal open space. The Construction and Demolition Environmental Management Plan prepared details the methodologies employed for the control, management, monitoring and disposal of waste from the site to mitigate any potential impacts. In addition, asbestos containing material has been identified on site. It is recommended that this material is removed from site prior to any demolition works commencing. A Demolition Justification Report prepared by Semple McKillop with input from the Design Team accompanies this application. As part of the preliminary ecological appraisal, a bat survey was undertaken, and these findings are detailed in the accompanying report prepared by NM Ecology. The appraisal concluded that the site is considered to be of negligible importance for roosting and forging bats.
(d) the use of natural resources, in particular land, soil, water and biodiversity,	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. The part 8 site currently consists of the 5 no. residential blocks and the Oisin Kelly Park, which are in poor condition. The proposed development will therefore result in the efficient use of infill land and will utilise the urban development land for residential and community uses that is aligned to the development objectives of the Development Plan. There will be no use of natural resources at the site given the nature of works proposed. A Ground Investigation Report has been undertaken and accompanies this Part 8 application. 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. 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 The operation of the scheme would not use such a quantity of water to cause concern in relation to significant effects on the environment. The proposed foul water drainage layout for the

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	development is indicated on Malone O'Regan drawings SHB5-BVF-DR-MOR-CS-P1-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawings SHB5-BVF-DR-MOR-CS-P1-130, 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 the detention basins and attenuation tank 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. A desktop Flood Risk Assessment has been prepared by Malone O'Regan and accompanies this application. The report concludes: *"The analysis and flood zone delineation undertaken as part of this DFRA indicates that the proposed site is not expected to be impacted during the occurrence of a 0.1% AEP (1 in 1000 year) fluvial flood event.* *The PFRA flood mapping indicates that the proposed development site does not fall within the predicted extreme 0.1% (1 in 1000 year) current scenario fluvial flood zone. The site is not located near the River Camac and River Liffey. The site is not in a fluvial or tidal flood zone for either area.* *The node point closest to the northern boundary of the site is referenced as node point 09CAMM00084. The 1% AEP (1 in 100 year) and 0.1% AEP (1 in 1000 year) flood levels at this point are predicted as 7.68 and 8.49m respectively. Using the information obtained from the predicted flood level, in order to permit a sustainable development of this site and to mitigate against potential residual flood risk to the development it is recommended that the finished floor level for all units should be above a minimum level of 8.49m + 500mm freeboard = 8.99m.* *It is proposed that Block A at the northwest of the site will have a finished floor level from 20.50m to 20.65m. Block B at the*

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	northeast of the site will have a finished floor level from 19.910 to 20.360m. The existing finished floor level of Block C is 20.370m and the proposed extension to Block C will have a finished floor level of 20.350m. This allows for more than the minimum 500mm freeboard from the River Camac. *The site passes the Dublin City Justification Test for Development Plans as it is located fully in Flood Zone C.* *An analysis of OPW records indicates that the site is not at risk of tidal flooding.* *The flood mapping shows small pockets of moderate pluvial flood risk present on the development site; this corresponds to minor undulations in the ground level within the undeveloped site. In developing the site, the ground levels will be re-profiled, removing these undulations. The proposed site is currently occupied as flats and car parking; the site is largely hardstanding and is provided with no attenuation facility or flow control mechanism. The proposed drainage system will collect surface water runoff from the site and attenuate to equivalent greenfield run-off rates; this will mitigate the potential pluvial flood risk arising from the development site.* *In consideration of the above assessment, analysis and recommendations, overall development of the site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere."* 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. A preliminary Ecological Appraisal accompanies this application. The appraisal concludes that there are no Ecological Features of note identified on the subject site. 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

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	Assessment. The proposed development is considered to provide a net gain in biodiversity, and thus complies with Policy GI 16 of the Dublin City Development Plan. Ecological enhancement measures for the scheme are reviewed in Section 4.2 of the preliminary ecological appraisal and in section 5.4 of this report, and potential net gain in biodiversity is considered.
(e) the production of waste,	The site consists of an existing social housing scheme across 5 no. blocks. The proposed development includes the deep retrofitting and renovation of an existing block and demolition of the 4 no. blocks. C&D waste generated by the works will be transported offsite to licensed waste facilities by suitably permitted waste collectors. 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. An Asbestos Demolition Survey Report has been completed by OHSS Safety Consultants. The report has identified asbestos containing material at the site. According to the accompanying Asbestos Demolition Survey Report, there are six regulated types of asbestos. The common names associated with some of the asbestos types are shown in brackets Crocidolite (Blue Asbestos), Amosite (Brown Asbestos), Actinolite, Anthophyllite, Tremolite, Chrysotile (White Asbestos). International studies have identified that they have different potential to cause harm. Crocidolite is the most dangerous and Chysotile the least. The survey has detected chrysotile asbestos at the site. It is recommended that the removal of the asbestos is undertaken prior to demolition works at the site. All construction works will be carried out in accordance with the CDEMP and RWMP prepared by Panther Environmental Solutions and Conviro respectively. 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.
(f) pollution and nuisances,	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 will likely be potential for localised dust and noise produced during the demolition and construction

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	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. The CDEMP report prepared by Panther Environmental Solutions addresses dust control and a number of mitigation measures have been proposed for the development. 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, including access at Basin View and Basin Street Lower/ Ewington Lane. Due to the nature of these activities, there is potential for the generation of elevated levels of noise. According to the accompanying Acoustics Design Statement prepared by Wave Dynamics, the construction noise impact is predicted to exceed the BS 5228 requirements without any mitigation measures for all stages of the project. General and site-specific mitigation measures have been provided in the Acoustics Design Statement to bring the construction noise levels down within the limits of BS 5228. Following the noise mitigation recommendations in the report, the construction phase is expected to meet the requirements of BS 5228 based on the information provided to us. In addition to the mitigation measures, guidance has been provided in this report for construction noise monitoring during the construction period to manage noise levels to manage construction noise. All construction activities will take place between 7:00am and 6:00pm Mondays to Fridays, between 8:00am to 2pm on Saturday and not at all on Sundays and public holidays. Any works which, by necessity, are required to be carried out outside of these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. An operational noise impact assessment from the noise generated in the amenity space, the traffic generated on the development and car parking, and the creche play area. However, it is predicted that the development will not cause a negative noise impact on the nearby noise sensitive locations. During the operational phase the principal forms of air emissions relate to discharges from motor vehicles on Basin View and heating appliances in the building.

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	An Operational Waste Management Plan will be put in place with measures to avoid and / or mitigate pollution from operational waste. The potential sources of traffic pollution can be mitigated, and these measures are detailed in the CDEMP prepared for the development. With the implementation of these mitigating measures, there are no likely residual significant effects on the environment.
(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and	Standard construction practices will be employed throughout the construction phase. The nearest Seveso site identified is Irish Rail's Maintenance Works, located at Inchicore, Dublin 8 which has been categorised as an Upper Tier Seveso Site and is located c. 2.4km to the west. 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. No significant effects are anticipated from the identified Seveso sites listed above. The subject site is located within a Flood Zone C. A DFRA prepared by Malone O'Regan accompanies this application. In consideration of the assessment, analysis and recommendations of the DFRA, the overall development of the site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere. 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 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.
h) the risks to human health (for example, due to water contamination or air pollution).	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. Having regard to the CEMP and RWMP, it can be concluded that with mitigating measures, there would be no significant effect upon human health. There are no Seveso/ COMAH sites in the vicinity of this location. The development will generate water demands during the construction and operational phases of the development. Water will be supplied from the public watermain. A

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	Confirmation of Feasibility has been received from Uisce Eireann (Formerly Irish Water). A Copy of the Uisce Eireann Confirmation of Feasibility Letter is provided in Appendix A of the accompanying Engineering Report prepared by Malone O'Regan. 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 SHB5-BVF-DR-MOR-CS-P1-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawings SHB5-BVF-DR-MOR-CS-P1-130, 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 the detention basins and attenuation tank will be restricted to the applicable 'greenfield' runoff rate using a Hydrobrake flow control device. 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. The project is unlikely to give rise to risks to human health arising from contamination or pollution.

Table 9 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,	The site consists of 5 no. residential apartment blocks comprising 115 social housing units with 10 no. unlettable bedsits, 17 no. amalgamated one beds and 88 no. 3 bed duplexes with a total of 474 lettable bed spaces. Within the site

2. Location of proposed development.	
	there is also communal open space with 2 no. playgrounds and a basketball court. Surface car parking is provided for the apartment blocks. The 5 no. blocks are 5 storeys and have pitched concrete roofs with partly recessed balconies and masonary walls. The buildings and units are in poor condition and Oisin Kelly Park is underutilised by residents and the surrounding community and subject of anti-social behaviour and under The proposed use on site is compatible with the land use zoning of the subject lands which is Z1 sustainable residential neighbourhood and Z9 open space. The proposed residential development is confined to Z1 zoned lands, while the proposed public open space, in replace of Oisin Kelly Park is proposed within the Z9 lands. The proposed land uses comply with the site zoning. 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.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,	The 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. 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. An Appropriate Assessment Screening, Resource Waste Management Plan and Construction & Demolition 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. In relation to biodiversity on the site, the preliminary Ecological Appraisal concluded that the only important ecological features

2. Location of proposed development.	
	are nesting birds. All other ecological features discussed in the preliminary Ecological Appraisal are considered to be of negligible ecological importance. Impacts on nesting birds can be avoided using best practice mitigation. The proposed removal of trees will have a visual impact on the character and appearance of the immediate surrounding landscape. Several trees to be removed are of moderate quality and prominently located towards the south west boundary of the site. Their loss has been taken into consideration and new areas of public and communal open space, that include tree planting, have been provided. The Aboricultural Impact Assessment includes an assessment of potential tree impacts and tree protection measures have been specified in accordance with best practice and are sufficient to safeguard retained trees during the proposed works. The Preliminary Ecological Appraisal prepared by NM Ecology concludes: *"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. This Preliminary Ecological Appraisal may be included in the Part 8 application to demonstrate that ecological features have been considered. Screening for Appropriate Assessment is provided in a separate document. As noted above, the proposed development is likely to provide a net gain in biodiversity (subject to the landscape proposals), and thus complies with Policy GI 16 of the Dublin City Development Plan."* The closest watercourse to the site is the Camac River, located c.350m north west of the site. It has no connection to the Site. The River Poddle is also located approx. 900 m east of the Site, but it passes under the city centre in a lengthy culvert, so it also has no connection to the Site. The site is underlain with a 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 "Locally Important Aquifer". It is identified that the Bedrock is Moderately Productive only in local zones. 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

2. Location of proposed development.	
	to ensure the safeguarding of natural resources (such as soil, land and water).
c) the absorption capacity of the natural environment, paying particular attention to the following areas:	
(i) wetlands, riparian areas, river mouths;	The closest watercourse to the site is the Camac River, located c. 350m from the site. There is no interaction from the development with this watercourse, 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.
(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: "*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.*

2. Location of proposed development.	
	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."*
(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;	Under the Water Framework Directive status assessment 2016-2021, the Camac Stream and River Poddle are of "Poor" status and deemed "At Risk". The River Liffey (Liffey Estuary Upper) is a Transitional Waterbody and is of "Good" ecological status and its risk is under review as of May 2024. 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.
(vii) densely populated areas;	The site is located within the existing urban neighbourhood of the Liberties. The site's proximity to a wide range of services and facilities in the immediate vicinity of the site can serve the population generated from the proposed development. It is situated in the Electoral Division of Ushers C which had 3,983 persons in 2016 which increased to a population of 4,069 persons in the 2022 census. This is an increase of 86 persons. The total population of Dublin City area in 2022 was 592,713 persons. The proposed development will result in significantly improved residential units and amenity for residents. The proposed development includes the provision of public open space, in replace of Oisin Kelly Park, a creche and community, cultural and arts space. The site is located in an urban context which is served with public transport, commercial and healthcare services and other community facilities. It is supported by existing educational, residential, retail, services, churches, in the broader area and recreational facilities.
(viii) landscapes and sites of historical, cultural or archaeological significance	The site is located within a zone of archaeological potential. However, no archaeological monuments are located on the proposed development site. The cartographic evidence for the site show that it contained a 19th century reservoir that supplied water for the city. The supply of water to the City Basin ceased in 1869 as the new high-pressure water supply from the Vartry scheme came into use. The former city basin was infilled in the 1960s and 70s along with the harbour. The flat blocks are constructed over this infilled

2. Location of proposed development.	
	basin. The site has been developed as the Basin Street Apartments in 1967. An Archaeological Impact Assessment has been conducted on the subject site and concludes the following: *"The assessment of the archaeological evidence at the site indicates significant archaeological potential. Historical maps reveal the existence of an 18th-century reservoir, which served as a water source for the city until the 20th century, before being filled in during the 1960s redevelopment. Geological testing has identified earlier structures, particularly in the western portion, suggesting the presence of subsurface remains related to the city basin.* *Given the potential significance of these remains, there is a high likelihood of extensive archaeological material related to the city basin existing on the site. Additionally, early fabric may exist outside the basin area. Therefore, any development work could directly impact these remains."* The conclusion of the report also includes a number of recommendations including that comprehensive archaeological testing be conducted at the site to better understand the extent and significance of the remains. The archaeologist should submit their Method Statement for review to the Archaeology Section of the DCC before commencing any work. Further recommendations are outlined in section 5.4 of this report. The AIA further notes that implementing these recommendations will ensure that the archaeological potential of the site is thoroughly investigated and preserved, balancing development needs with the protection of significant historical remain Overall, having regard to the proposed scheme and following the implementation of mitigation measures, 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.

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)(I) 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 10 Screening Considerations

Screening Considerations							
Aspect	**Phase**	**Potential Effect**	**Extent**	**Probability**	**Significance of Effect**	**Quality of Effect**	**Duration**
Landscape	Construction (C)	Demolition works and site clearance works to facilitate development at the site. 4 no. existing blocks will be demolished and one existing block will be deep retrofitted and renovated and the relocation of the public open space provision at the site (Oisin Kelly Park) to facilitate the development of 171 no. residential units, childcare facility, community, cultural and arts space, public open space and communal open space.	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 associated with construction phase, which includes demolition and site clearance works of 4 no. existing buildings	Local	Likely	Moderate	Negative	Short Term
	O	Changes to existing character of site with new residential development, childcare facility, community, cultural, and arts space, public open space, and communal open space	Local	Likely	Moderate	Positive	Permanent
Biodiversity	C	Removal of trees and potential disturbance of nesting birds	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 to facilitate development Potential contamination due to accidental spillage.	Local Local	Likely Not Likely	Moderate Imperceptible	Neutral Neutral	Permanent Brief
	O	Change from existing residential development at the site to the proposed residential, public open space, creche and community, arts and cultural uses.	Local	Likely	Moderate	Positive	Permanent

Population & Human Health	C	Construction noise, dust and traffic	Local	Likely	Moderate	Neutral	Short-term
	O	Delivery of residential, public open space, creche and community, arts and cultural 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 Discharge of foul and wastewater to existing wastewater network	Local Local	Likely Likely	Imperceptible Imperceptible	Neutral Neutral	Permanent 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	Temporary
	O	Improved air quality associated with energy efficient design measures and modal shift.	Local	Likely	Moderate	Positive	Permanent
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 development	Local	Likely	Imperceptible	Neutral	Permanent
Cultural Heritage: Built Heritage	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
Cultural Heritage: Archaeology	C	Potential damage to unrecorded, archaeological features that may exist relating to the city basin	Local	Likely	Imperceptible	Negative	Permanent
	O	None predicted	-	-	-	-	-

Table 11 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	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. The nature of impacts arising during operation are long-term, permanent and localised in terms of scale and spatial extent. Such effects might manifest in terms of increase in population, greater demand on services and a better quality living environment resulting in an overall improved landscape.
c) the transboundary nature of the impact	Not applicable due to scale 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	It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the environment. No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.

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 CDEMP 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 Demolition 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.

(b) 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 this report to support the conclusions included in it, this comprises:

- Appropriate Assessment Screening Report– prepared by NM Ecology
- Preliminary Ecological Appraisal – prepared by NM Ecology
- Asbestos Demolition Survey Report – prepared by OHSS Safety Consultants
- Construction & Demolition Environmental Management Plan – prepared by Panther Environmental Solutions Ltd
- Arboricultural Impact Assessment – prepared by Charles McCorkell Arboricultural Consultancy
- Engineering Report – prepared by Malone O'Regan
- Operational Waste & Recycling Management Plan – prepared by Traynor Environmental Ltd
- Resource Waste Management Plan – prepared by Conviro
- Archaeological Impact Assessment – prepared by John Purcell Archaeological Consultancy

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.

- Please refer to the CDEMP and RWMP prepared by Panther Environmental Solutions and Conviro respectively for further details on the proposed measured during construction phase.
- Instances of C&D waste containing hazardous substances may be encountered. As such, coordination with facilities such as those listed in Table 8 of the accompanying Resource Waste Management Plan will be necessary.
- The accompanying Asbestos Demolition Survey Report prepared by OHSS Safety Consultants has identified asbestos containing materials on site. It is strongly recommended that the identified asbestos containing material is removed prior to the commencement of any demolition works on site.
- It is recommended that demolition and tree-felling 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 or not any nesting birds 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 new planting will help to mitigate the loss of trees required to facilitate the development and in the medium to long term, can have a positive impact on the character and appearance of the site and the surrounding local landscape.
- 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.
- Archaeological Testing: It is recommended that comprehensive archaeological testing be conducted at the site to better understand the extent and significance of the remains. The archaeologist should submit their Method Statement for review to the Archaeology Section of the DCC before commencing any work.
- Significant Discoveries: In the event of significant archaeological discoveries, consultations with the City Archaeologist and the National Monuments Service should be initiated. This collaboration will help devise a comprehensive plan for recording all relevant fabric found at the site.
- Preservation and Mitigation: Where archaeological material is identified, preservation in situ through avoidance or redesign should be considered. If necessary, archaeological excavation should be carried out under license prior to the commencement of development.
- Foundation Design: The new development will utilize a piled foundation without a basement. The foundations should be designed to ensure minimal impact on the remains of the monument, adhering to national policy for in-situ preservation.
- Ground Investigations: No further ground investigations should be conducted on site without the approval of the project archaeologist.

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 12: EU Legislation

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is compatible with the zoning under the Dublin City Development Plan 2022-2028. The plan has 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. Having taking into consideration the proposed development works and operation, the lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is concluded that this development that would not give rise to any significant effects to designated sites. The AA screening concludes that: *"In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:* ***1. No likelihood of significant effects*** *Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.* ***2. Significant effects cannot be excluded*** *Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.* *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*

Directive	Results
	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."*
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
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	The site is not located on or immediately surrounding a source for major accidents or hazards The nearest Seveso site identified is Maintenance Works located in Inchicore. It is located c. 2.4km to the west of the subject site and has been categorised as an Upper Tier Seveso Site. Having Regard to the distance from the identified Seveso Sites, it is concluded that this development would not give rise to any significant effects.
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. There is a Zone A designation to the northwest of the site on Mount Brown Street and Bow Bridge. The flood risk designations proximate to the subject site are not considered to pose a risk to the subject site. 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 be directly impacted during the occurrence of a 0.1% AEP fluvial event.

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:

"In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:

1. ***No likelihood of significant effects***

   Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.

2. ***Significant effects cannot be excluded***

   Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

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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