EIA Screening

Social Housing Bundle 4, Development at Collins Avenue, Whitehall

Dublin City Council

July 2024

MacCabe Durney Barnes

20 Fitzwilliam Place, Dublin 2,
D02YV58, Ireland

Phone. +353 1 6762594

planning@mdb.ie

www.mdb.ie

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TABLE OF CONTENTS

1. INTRODUCTION 1
1.1 Background 1
1.2 Legislation and Guidance 1
1.3 Methodology 1
1.4 Data Sources 2
2. THE SITE AND SURROUNDINGS 3
2.1 Site Context 3
2.2 Site Description 3
2.3 Environmental Sensitivities of the Site 5
3. PROPOSED DEVELOPMENT 21
3.1 Summary of Proposed Development 21
4. PRELIMINARY EXAMINATION 24
4.1 Guidance on Environmental Impact Assessment Screening 24
4.2 Sub-threshold Development 24
4.3 Preliminary Examination considerations 25
4.4 Nature of the development: 25
4.5 Location 30
4.6 Preliminary Examination Conclusion 31
5. SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION 32
5.1 Schedule 7 criteria for determining whether development should be subject to an environmental impact assessment 32
5.2 Schedule 7A information 47
5.3 Any further relevant information 48
5.4 Any mitigation measures 48
5.5 Available Results under other EU Enviornmental Legislation 48
5.6 Likely significant effects on certain sensitive ecological sites 52
6. SCREENING CONCLUSION 54

LIST OF TABLE & FIGURES

Table 1: European Sites in the Context of the Subject Site 11
Table 2: Proposed Natural Heritage Areas 14
Table 3: Important ecological Features within the Site (Source: NM Ecology) 19
Table 4: Relevant Permitted Planning History 27
Table 5: Other Proposed Developments 29
Table 6 Characteristics of the proposed development 33

Table 7 Location of the proposed development....39
Table 8 Screening Considerations....44
Table 9 Characteristics of Potential Impacts....46
Table 10: EU Legislation....49

Figure 1: Site Context....3
Figure 2: Site Context (Source: Google Maps)....4
Figure 3: Land Use Surrounding the Site (Source: Myplan)....5
Figure 4: River Waterbodies in the context of the subject site (Source: EPA Maps)....7
Figure 5 Extract of DCC Composite Flood Map (Source: DCC)....8
Figure 6: Aquifers in the vicinity of the Site (Source: EPA Mapping Tool)....9
Figure 7: Ground Water Vulnerability (Source: EPA Maps)....10
Figure 8: Radon Levels in the Context of the Subject Site (Source: EPA Maps)....11
Figure 9: Watercourses & European Sites (Source: NM Ecology)....13
Figure 10: pNHA proximate to the subject site (Source: NM Ecology)....15
Figure 11: Recorded Monuments in the context of the subject site (Source: NMS)....16
Figure 12 National Inventory of Architectural Heritage locations in the context of the subject site (Source: NIAH)....17
Figure 13: Zoning at the Subject Site (Source: Dublin City Development Plan 2022 – 2028)....18
Figure 14: Proposed Development (Source: Coady Architects)....22
Figure 15: Extract from OPR EIA Screening Guidance Note....24
Figure 16: Extract from OPR EIA Screening Guidance Note....25
Figure 17: Extract from OPR EIA Screening Guidance Note....32

1. INTRODUCTION

1.1 Background

This EIA Screening report was prepared by MacCabe Durney Barnes on behalf of Dublin City Council and the National Development Finance Agency (NDFA), to accompany a Part 8 proposal for the development of 106 no. residential units on a site of circa 1.72 hectares located at the former Collins Avenue Bring Centre, Collins Avenue, Whitehall, Co. Dublin.

This document has been prepared in order to assist Dublin City Council in the determination of the proposed development at the subject site. The purpose of this EIA Screening Report is to assess the possible impacts on the environment of the proposed residential apartment development on lands at the former Collins Avenue Bring Centre, Whitehall.

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 & 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 Management Plan – prepared by Traynor Environmental Ltd

2. THE SITE AND SURROUNDINGS

2.1 Site Context

The part 8 site consists of the former Dublin City Council bring centre and depot site, which has been relocated to the new purpose built Council North City Operations Depot. The site is located in Whitehall, around 4km north of the City Centre. The site, c. 1.72 ha is a brownfield field broadly located to the north of Collins Avenue and south of the Shanowen Business Centre in Whitehall. Dublin City University (DCU) is located on the southern side of Collins Avenue. Adjacent to DCU to the east of St Aidan's CBS, which also includes sports facilities such as the Glasnevin Basketball Club, the St Kevin's All Weather Pitch and the St Aidan GAA Pitch.

The Swords Road (N1) is located around 820m east of the site and links Dublin Airport to the City Centre. The Ballymun Road is located around 700m west of the site.

The site is accessed by Collins Avenue and Colline Avenue Extension. Since the relocation of the bring centre, the site is inaccessible to members of the public.

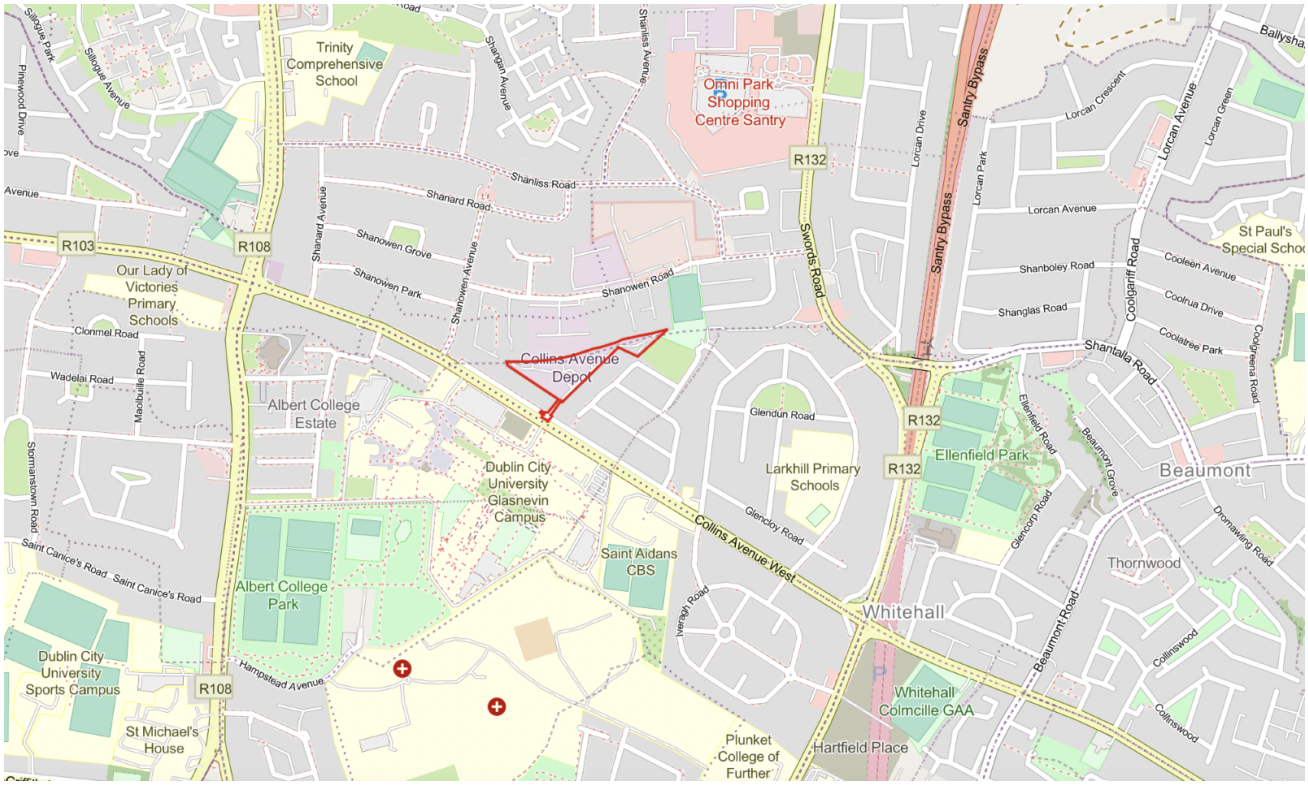

Figure 1: Site Context

2.2 Site Description

The site is bound to the north by the Shanowen Business Estate and the Shanowen Hall and Square. The Shanowen Business Estate is generally characterised by two-storey high buildings and includes a mix of warehouses and office space. Shanowen Hall and Shanowen Square together form a student accommodation complex. It is closed off to the public by two gates on Shanowen Road, where the main accesses are located. A Spar convenience shop is located at ground floor of the western block. There are some trees separating the Shanowen complex from the part 8 site. Milner's Square is located to the north west of the site. It is a 5-storey over basement residential complex which also includes a creche at the north east corner.

St Kevin's Football Club is located to the north east corner of the site and includes one five-a-side pitch and a full size soccer pitch. Its changing room / clubhouse is located to the south, near the boundary with the open space serving the Crestfield Estate. The Crestfield estate bounds the part 8 site to the east. It is a characterised by two-storey high semi-detached houses. There are trees separating the site from the house on Crestfield Close.

The site is bound to the south by no. 630 to 662 Collins Avenue. These are two-storey high semi-detached houses with side garages. Generally, the houses are located over 20m from the boundary with the Part 8 site.

The part 8 site is the former bring centre and Dublin City Depot. It is fully tarmacked and includes a number of sheds and warehouses. It is closed off by a gate on Collins Avenue. There is a thick tree boundary between the site and no. 630 to 662 Collins Avenue. Most trees along the boundary are rated C2 of low quality, with the exception of 10 no. U category trees (cannot be retained). The Wad River (culverted stream) transverses across the site along the northern boundary.

Figure 2: Site Context (Source: Google Maps)

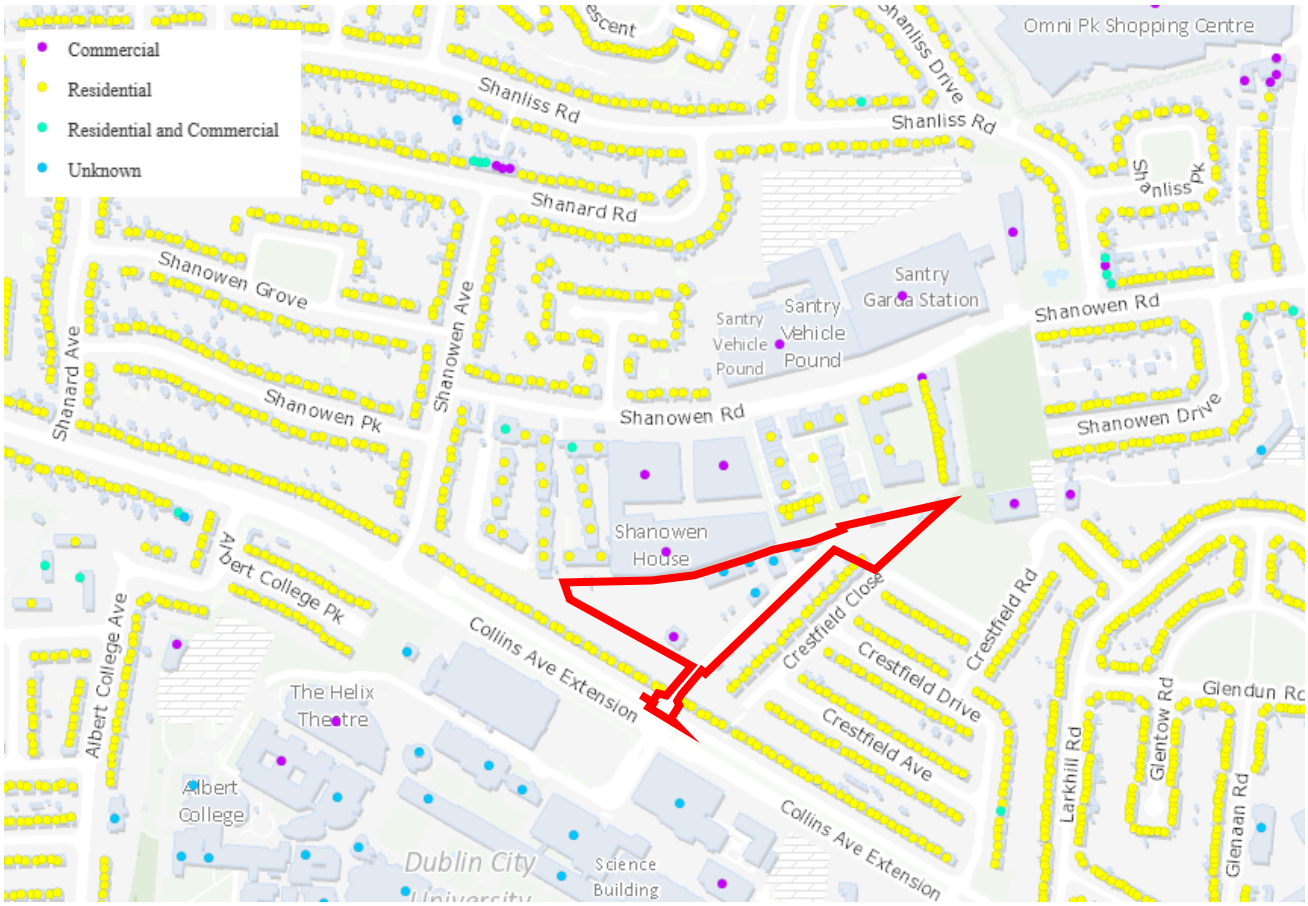

Figure 3: Land Use Surrounding the Site (Source: Myplan)

As shown in the land use map surrounding the site, the area is predominately characterised by residential development with unknown and commercial uses also identified.

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 February 2024 IGSL completed a comprehensive programme of site investigations for the site. These investigations showed that ground conditions varied considerably across the site. Generally, made ground consisted of concrete or tarmacadam surfaces over engineered gravel hardcore or grey to brownish grey clayey

angular gravel with cobbles and concrete fragments for a depth of 1-1.3m. This made ground layer contained some buried plastic rubbish. This fill layer extended up to 1.5m in the northern area of the site due to infill of the old watercourse over time. In some locations the near surface subsoils organic remnants were found containing firm and grey brown to grey silt/clay to depths extending from 0.9-1.3m below ground level. Generally soft and soft to firm grey brown soils up to 2.8m below ground level were logged. The glacial deposits consist of a gradual change from firm to stiff brown grey mottled clay to that of the underlying very stiff dark grey sandy gravelly clay with cobbles and boulders appearing from 0.7-2.5m below ground level.to the northeast of the site this layer appears at 1.9m below ground level. This very stiff clay was found to persist to rockhead at circa 19m below ground level. Recovered cores were logged as fresh to slightly weathered weak to strong medium to thinly bedded light to dark grey black fine-grained limestone.

2.3.3 Hydrology

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

A culverted watercourse passes through the Site near the northern boundary. It is understood to be the remains of the River Wad, which formerly arose in Poppintree and reached the coast at Clontarf. The river appears to have been culverted in its entirety, and re-routed to connect to the River Tolka. On this basis it is now considered to be an artificial storm drain rather a natural watercourse. This watercourse is not identified by the EPA on the EPA Maps Portal. The site drains to a culvert that formerly contained the River Wad. It is understood that the culvert connects to the River Tolka, which flows south-east and meets the coast near Dublin Harbour. This would provide a pathway between the Site and the *South Dublin Bay and River Tolka Estuary* SPA via approx. 5 km of intervening waters.

The Ballymun stream (EPA Code 09B98) is located c. 1.5 km to the north west of the subject site. It is a culverted stream that discharges into the River Santry c. 700 metres to the north. The River Santry (EPA Code 09S01) is c. 1.7km to the north of the subject site and this flows into the North Bull Island SAC and SPA. The River Tolka (EPA Code 09T01) is located c. 1.7km to the South of the subject site. The River Tolka discharges into the South Dublin Bay and River Tolka Estuary SPA.

Under the Water Framework Directive status assessment 2016-2021, the River Tolka, the River Santry and the Ballymun Stream have the status "poor" and are deemed to be "At Risk".

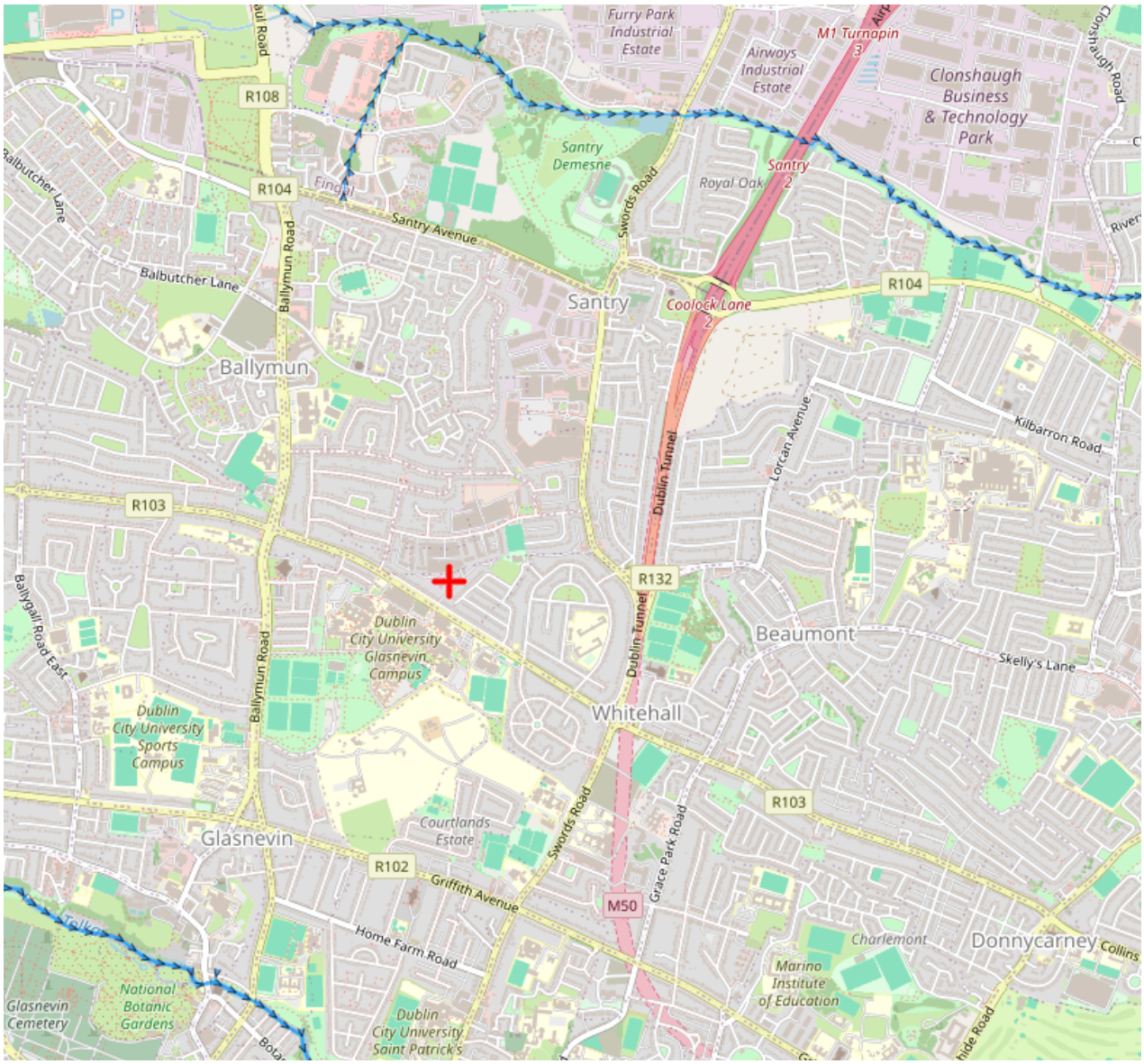

Figure 4: River Waterbodies in the context of the subject site (Source: EPA Maps)

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

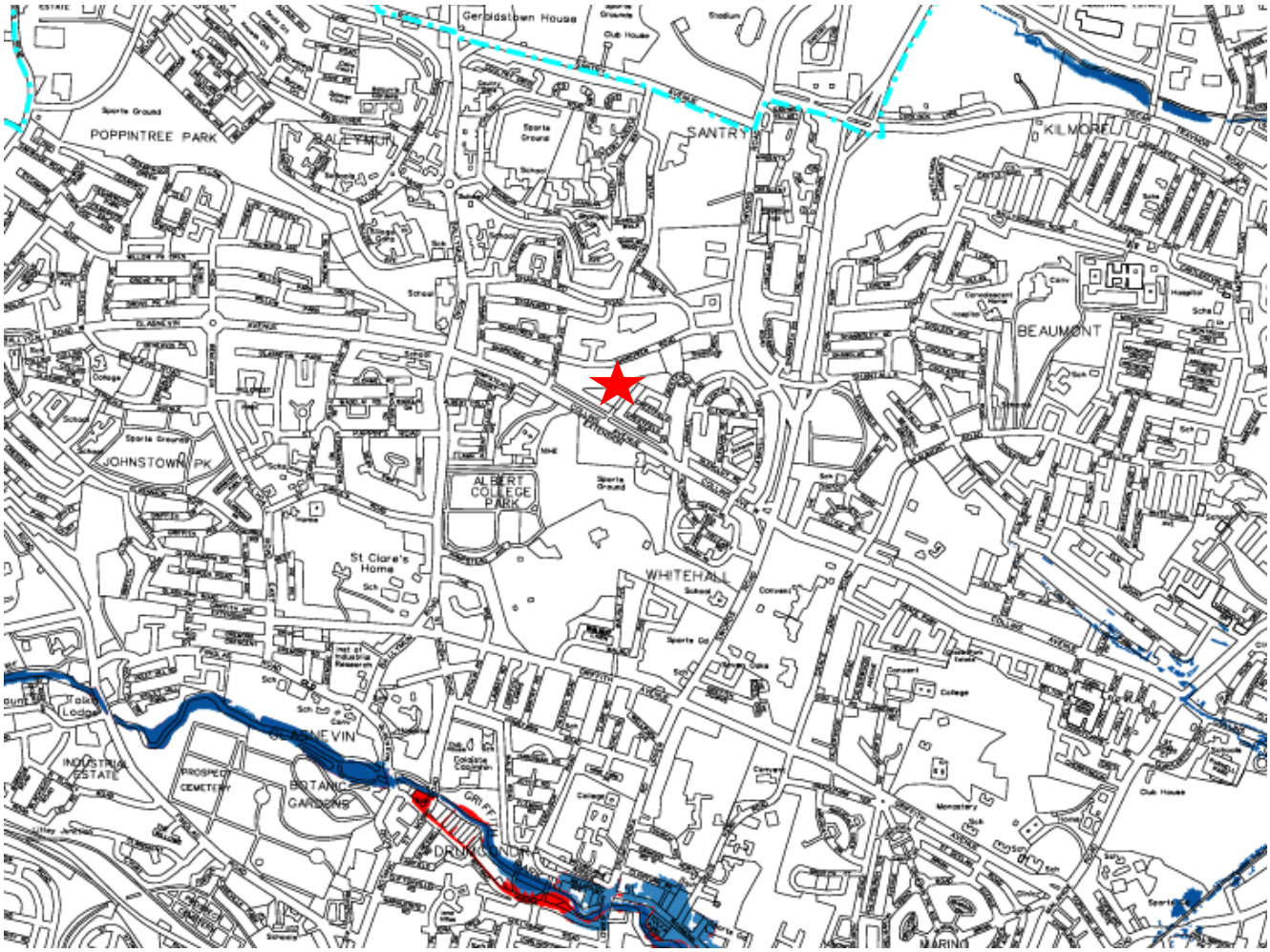

Figure 5 Extract of DCC Composite Flood Map (Source: DCC)

2.3.4 Aquifer and Groundwater

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

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

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is of "Low Vulnerability".

Figure 7: 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 8: Radon Levels in the Context of the Subject Site (Source: EPA Maps)

2.3.7 Air quality

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

2.3.8 Designated sites

There are no designated sites within the subject site or directly adjoining the subject site. The features of interest on each European site are displayed in *Table 1* 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 (4024)	3.5 km south 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)
North Dublin Bay SAC (site code 206)	5.5 km south east	Annex I habitats: inter-tidal mudflats / sandflats (including patches of Salicornia and other annuals), salt marshes, annual vegetation of drift lines, embryonic shifting dunes, white dunes, grey dunes, dune slacks. Annex I habitats: petalwort *Petalophyllum ralfsii*

European Site	Distance	Qualifying Interests
North Bull Island SPA (4006)	5.5 km south east	Special conservation interests: wintering populations of light-bellied brent goose, shelduck, teal, pintail, shoveler, oystercatcher, golden plover, knot, sanderling, dunlin, black-tailed godwit, bar-tailed godwit, curlew, redshank, turnstone, black-headed gull
South Dublin Bay SAC (site code 210)	6.2 km south 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.

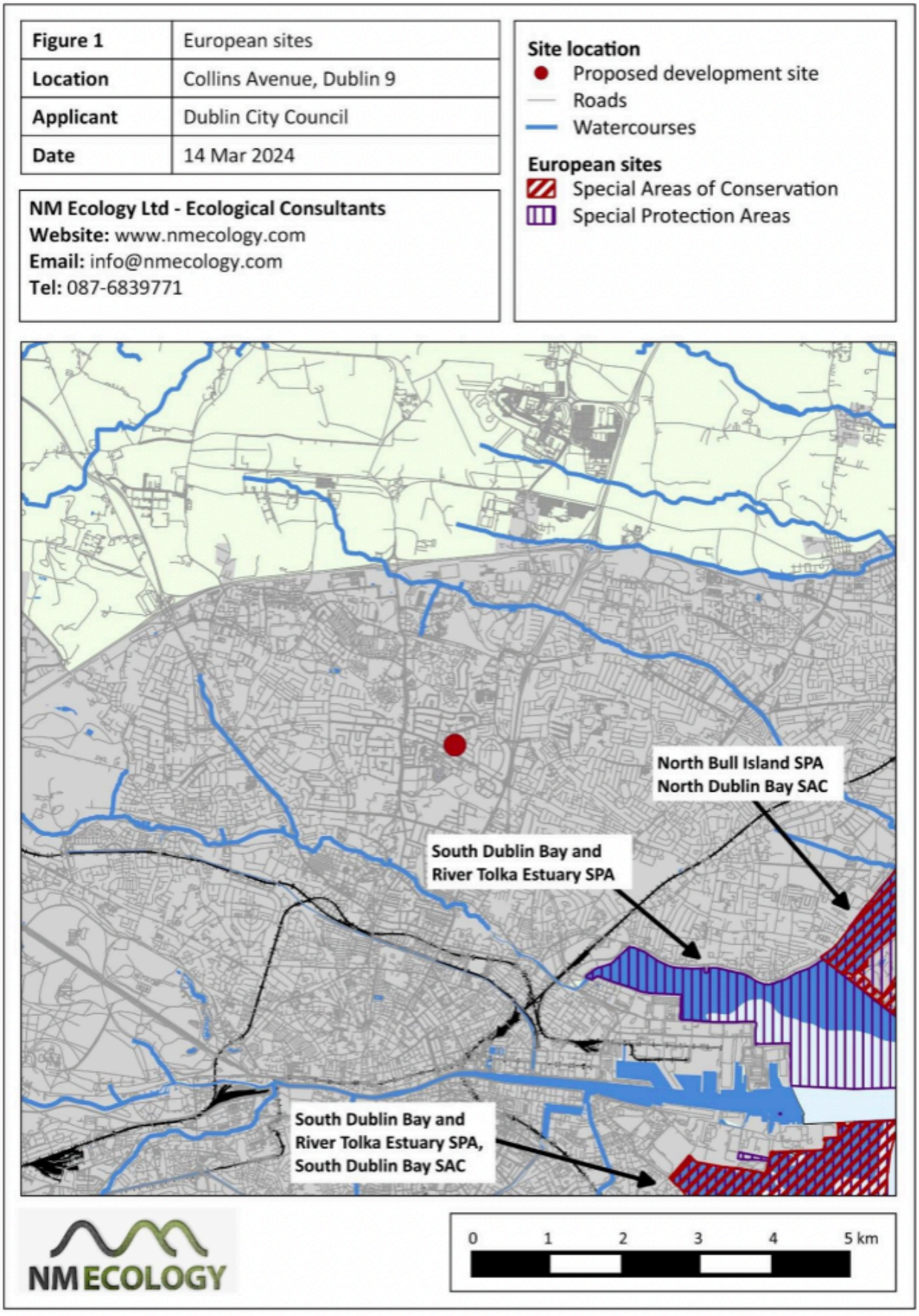

Figure 9: Watercourses & European Sites (Source: NM Ecology)

2.3.9 Proposed Natural Heritage Areas (pNHA)

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

Table 2: Proposed Natural Heritage Areas

Site Name	Distance	Reasons for designation
Santry Demesne pNHA (site code 178)	1.3 km north	Former demesne woodland and a protected species (Hairy St John's-wort Hypericum hirsutum)
Royal Canal pNHA (2103)	2.8 km south	Extensive freshwater feature of value to a range of biodiversity, and with value as an ecological corridor
South Dublin Bay and River Tolka Estuary SPA (4024)	3.5 km south-east	Habitats: tidal / coastal wetlands Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, blackheaded gull (over-wintering populations), arctic tern, roseate tern (passage migrants), and common tern (breeding populations)

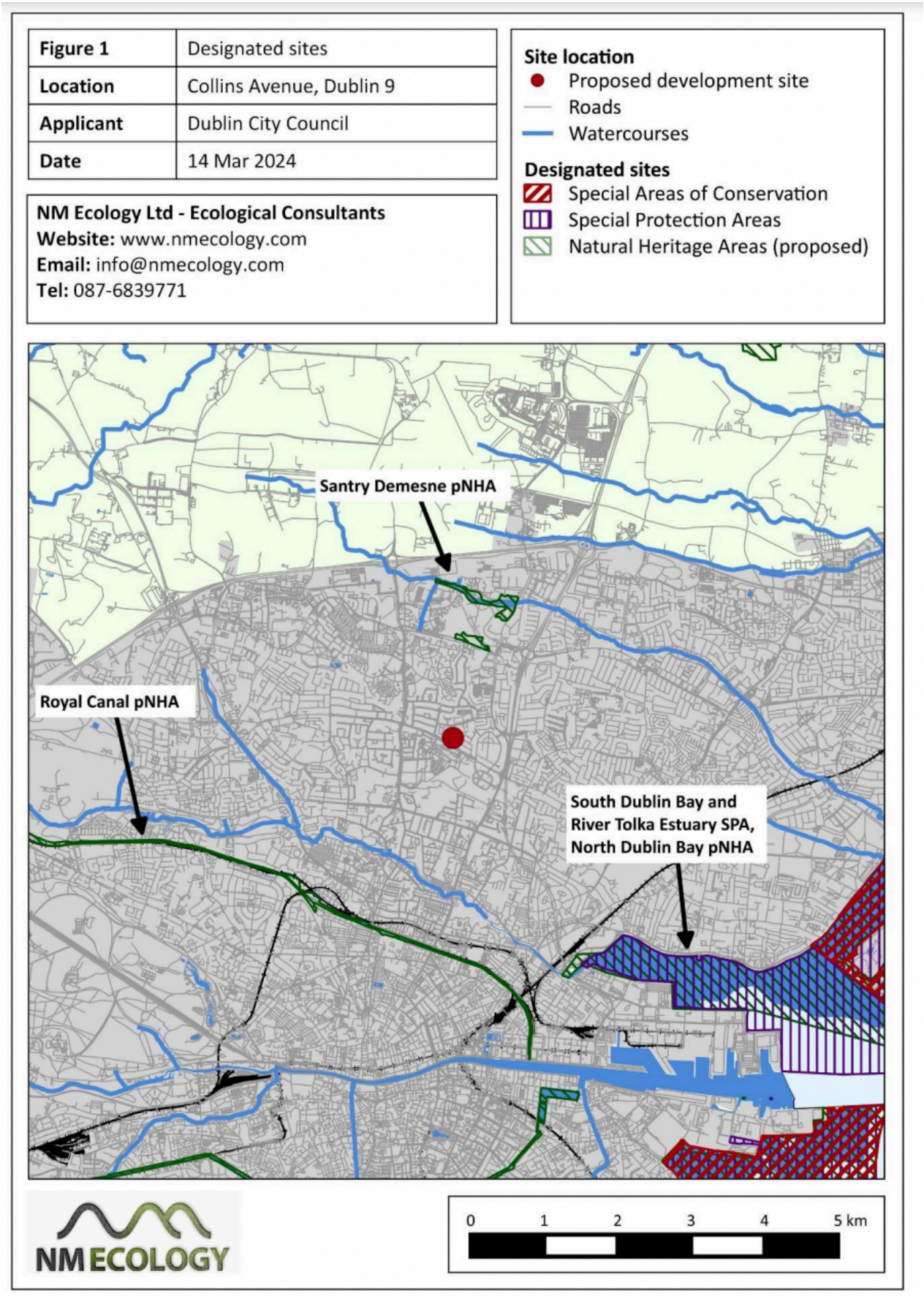

Figure 10: pNHA proximate to the subject site (Source: NM Ecology)

2.3.10 Cultural Heritage

2.3.10.1 Archaeology

The proposed development does not include any recorded archaeological monuments. The site is not within an archaeological zone. The proposed development does not include any recorded sites and monuments records (SMR). No sites are located within the immediate environs of the site. The nearest site is c. 0.8 km to the northwest and is a 16th/17th century house (Reg. Ref. No. DU014-067001) located to the west of the Ballymun Road on the site of the current Naionra Scoil an tSeachtar Laoch school. The below figure shows the proximity of the subject site to that recorded site. There are no visual remains of the structure on the site.

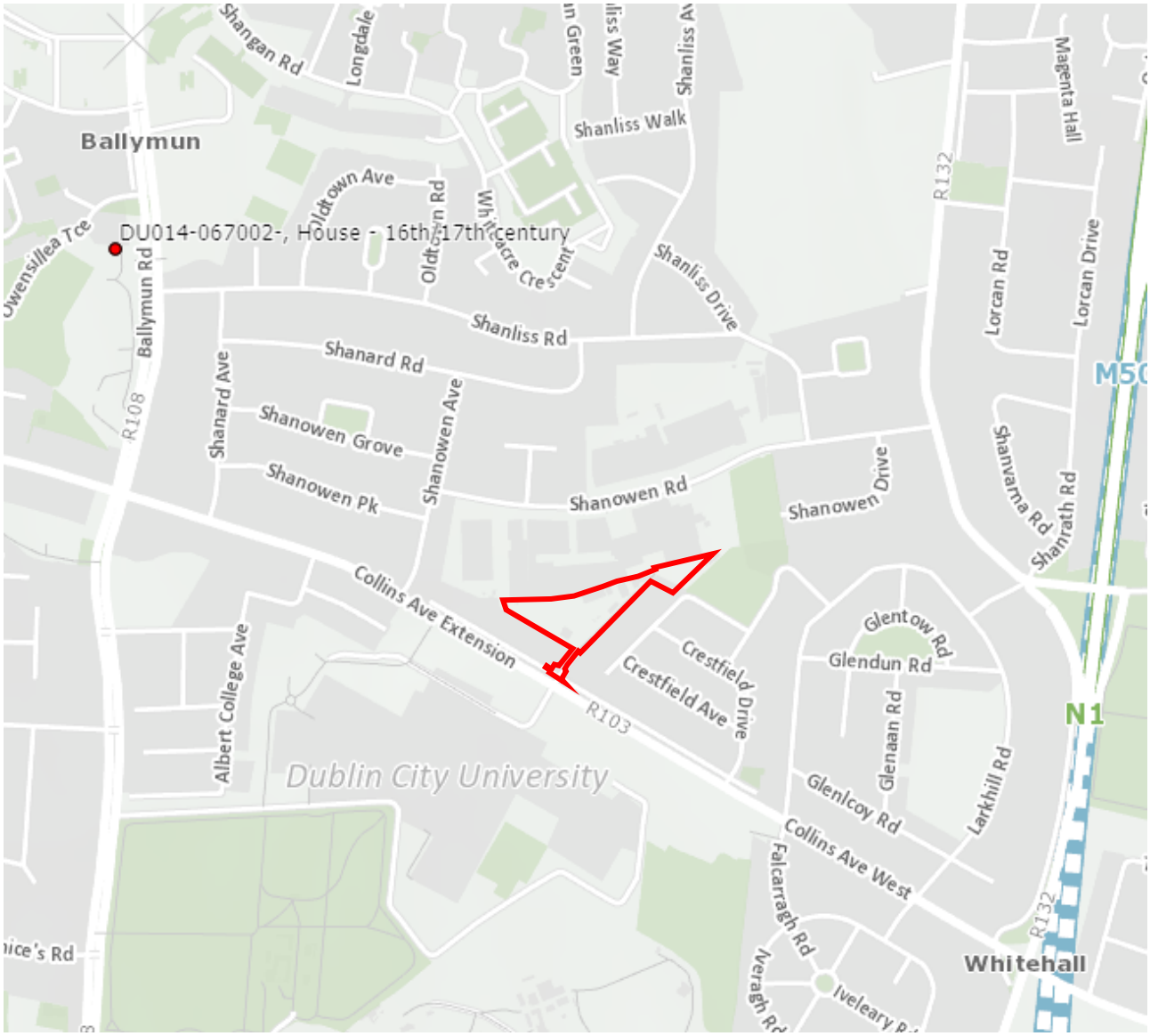

Figure 11: Recorded Monuments in the context of the subject site *(Source: NMS)*

2.3.10.2 Architectural Heritage

The site and the surrounding area does not include any structures listed on the Record of Protected Structures. In terms, of the National Inventory of Architectural Heritage there are a number of structures listed in the area which are described below. The below figure illustrates the NIAH located in the surrounding area of the site.

The closest NIAH structure is a post-box (Ref. No. 50130120) located adjacent to the red line boundary of the site. The post box is located at the entrance of the site on Colline Avenue. According to the NIAH, it has a regional rating and is of artistic, social and technical interest.

To the west of the subject site is a post box (Ref. No. 50130118). This is located on Shanowen Avenue. It has a regional rating from the NIAH and is of artistic, social and technical interest. To the northeast of the subject site on Shanliss Road is a post box (Ref. No. 50130119). It has a regional rating from the NIAH and is of artistic, social, and technical interest.

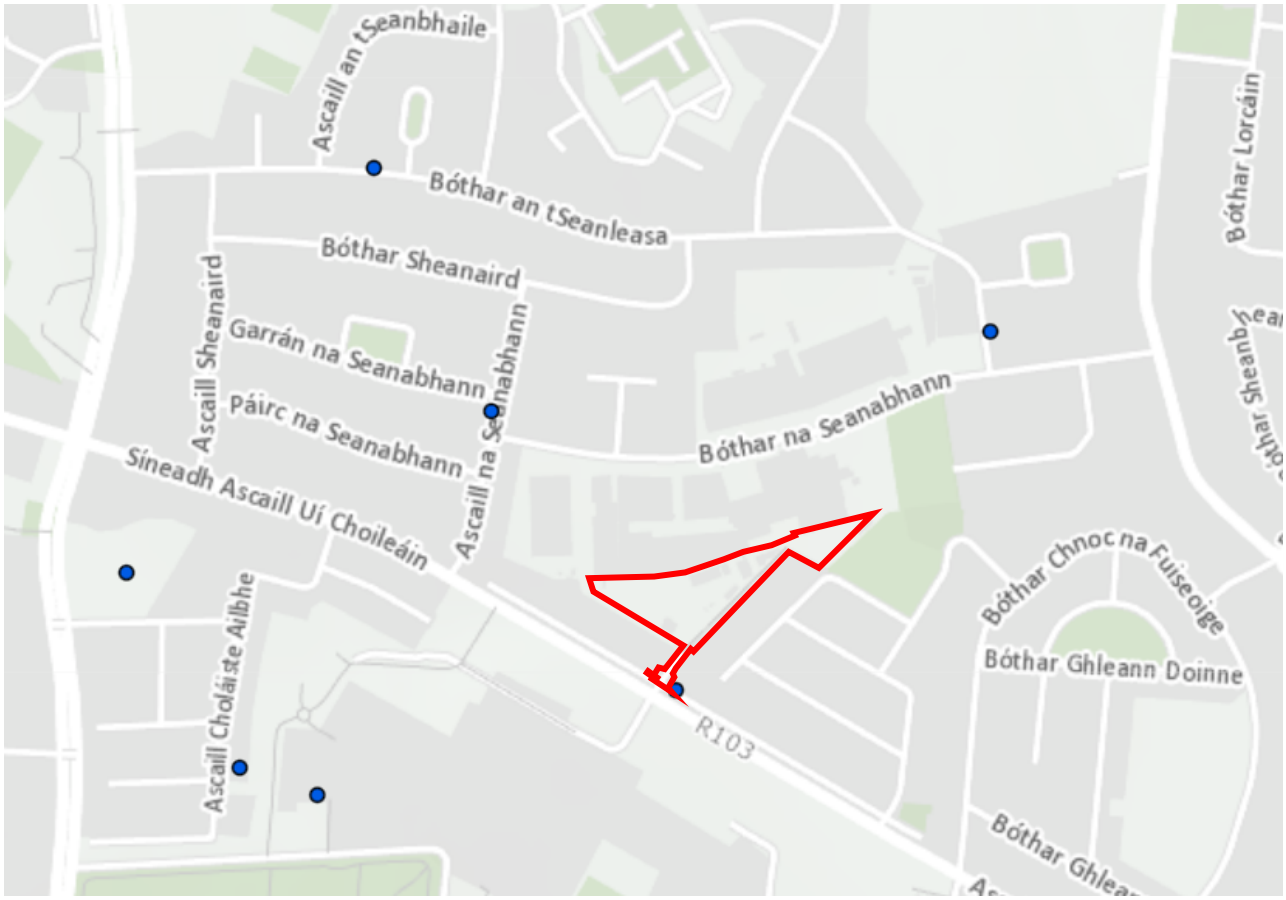

Figure 12 National Inventory of Architectural Heritage locations in the context of the subject site (Source: NIAH)

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 29,229 to 29,943, equivalent to a 2% 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 1,524 of the study area population were aged between 0 and 4, or a total population of 5%. A further 1,488 persons aged between 5 to 9 year old or 5% of the total population. The 10 to 14 years old cohort comprises 1,575 persons or 5% of the total population. In the 15-19 age cohort, this group comprises 1,629 persons or 5% of the total population. While the 20-64 years age cohort, incudes 18,281 persons or 61% of the total population. In terms of the 65+ years, this group comprises 5,446 persons or 18% of the total population.

According to the CSO, the population of Ireland is getting older. The estimated population of Ireland in 2022 includes more than one million people aged 60 or older. This is projected to grow to 26% of the population by 2051. In the Whitehall area, the percentages of older persons are recorded as 13% and the statistics indicate that this population trend is set to continue. It is acknowledged that with the population ageing, the services and amenities need of the area are also changing.

The site is in an established residential community well served by with educational, community/sporting, creches, retail, healthcare, amenities, parks, and local facilities in 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. The lands also contain a specific objective for a 'road, street and bridge schemes'. Following consultation with DCC, the objective will facilitate a pedestrian and cyclist link between the site and Shanowen Road. The proposed development on the subject lands is for 106 no. residential units, community, arts and cultural space, and public open space, is compatible with the permittable uses stipulated in the City Development Plan. The proposed development is complying with the zoning objectives of the subject site.

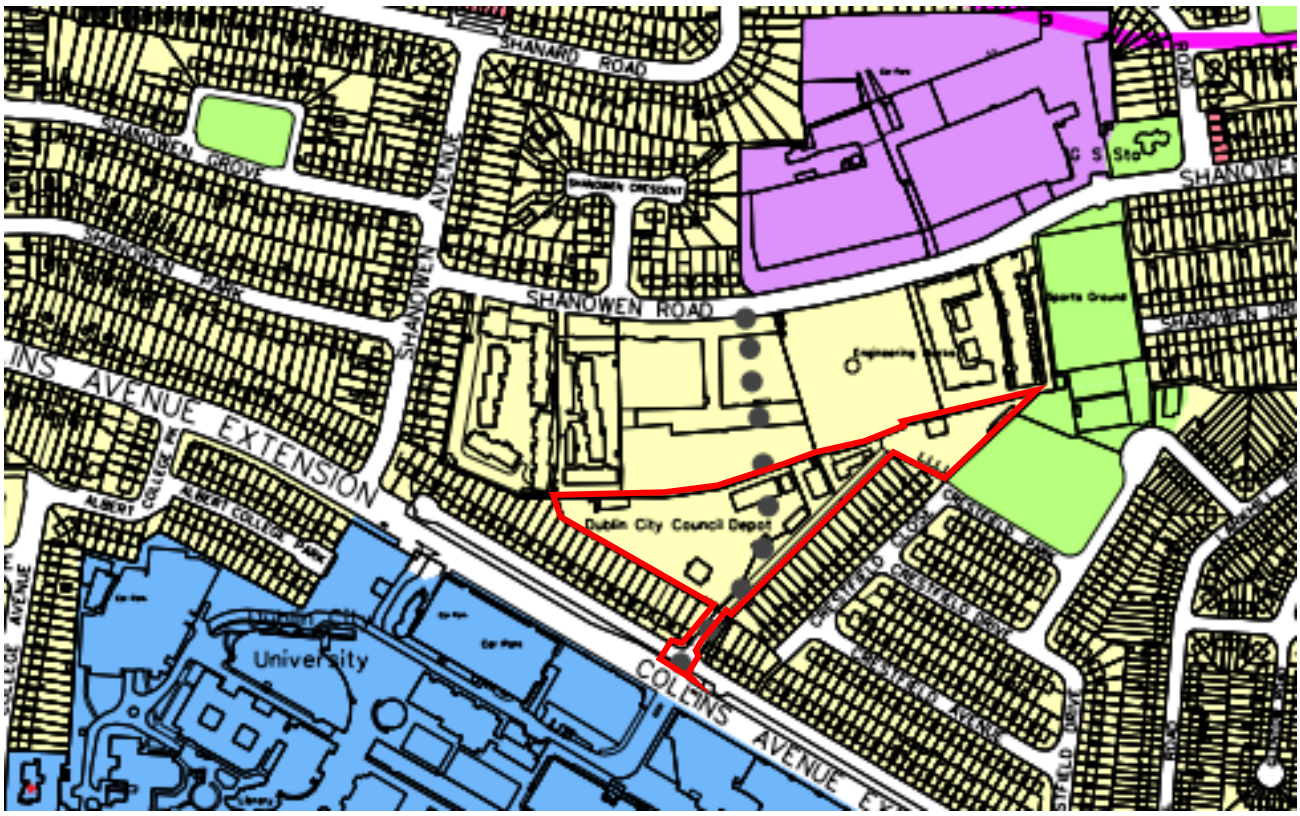

Figure 13: Zoning at the Subject Site *(Source: Dublin City Development Plan 2022 – 2028)*

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. A summary of the findings is presented in this section.

The majority of the Site consists of buildings and artificial surfaces (BL3). A two-storey administration building is located in the south of the Site, and there are a range of storage buildings, workshops, shipping containers and other modern structures in the north of the Site. Almost all other external areas have been paved with concrete or asphalt, and are used for the storage of vehicles, waste materials and grit. These areas are of no ecological value.

Treelines (WL2) have been planted in the south of the Site to screen the facility from adjoining dwellings. The south-western treeline consists of dense leyland cypress *Cuprocyparis leylandii* of approx. 7 – 8 m height (pollarded) and 15 m cross-sectional width. A similar patch of dense leyland cypress covers part of the south-eastern boundary at the entrance to the DCC Roads depot. Some areas have dense growth of ivy *Hedera hibernica*, and others have a sparse understorey of elder *Sambucus nigra*, butterfly-bush *Buddleja davidii*, bramble *Rubus fruticosus* ag. and bittersweet *Solanum dulcamara*.

The remainder of the south-eastern treeline consists of tall poplars *Populus* sp. There is a dense understorey of *Viburnum* sp., *Cotoneaster* sp., *Hebe* sp. and *Hypericum* sp. shrubs. Additional ground vegetation includes hedge bindweed *Calystegia sepium*, butterfly-bush, false oat-grass *Arrhenatherum elatius*, ragwort *Jacobaea vulgaris*, cleavers *Galium aparine* and bramble. All treeline habitats are of Negligible ecological importance, as they consist primarily of non-native trees and shrubs.

2.3.13.2 Summary of Identification of Important Ecological Features

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

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

Ecological feature	Importance	Legal status	Important feature?
Designated sites	International	HR	No
Buildings and artificial surfaces (BL3)	Negligible	-	No
Treelines (WL2)	Negligible	-	No
Rare / protected flora	N.A.	-	No
Invasive plant species	N.A.	-	No
Terrestrial mammals	Negligible	WA	No
Bats	Negligible	HR, WA	No
Nesting birds	Negligible	WA	Yes
Fish and aquatic fauna	N.A.	WA	No
Reptiles and amphibians	Negligible	-	No
Invertebrates	Negligible	-	No

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

2.3.14 Trees

An Arboricultural Impact Assessment & Arboricultural Method Statement prepared by Charles McCorkell Arboricultural Consultancy accompanies 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 life stage analysis of the 79 tree survey entries recorded, identified that 19 no. were semi mature, 29 no. were early mature and 31 no. were mature. While the breakdown of BS5837:2012 categories of the 79 no. trees recorded found 65 no. trees classified as C Category and 14 no. U Category. There are no trees required to be removed to facilitate the development. However, it is recommended by Charles McCorkell Arboricultural Consultancy that 10 trees of poor quality (U Category) be removed for arboricultural reasons. These trees are specified within the Tree Work Schedule at Appendix A and are highlighted in the Tree Removals Plan at Appendix B of the Arboricultural Impact Assessment.

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. The following species were recorded during the site inspection: feral pigeon, jackdaw, magpie, rook and herring gull. Other common suburban birds (e.g. tits and finches) may use the Site at other times, but species of conservation importance are unlikely to be present. Therefore, the Site is of Negligible importance for bird species.

It is possible that some birds nest within the treelines in the south-west and south-east of the Site. Birds and their nests are protected under the Wildlife Act 1976 (as amended). As noted above, 10 no. U Category trees will be removed at the site. The preliminary Ecological Appraisal states that some trees / shrubs suitable for nesting birds will be felled and the canopies of these trees could potentially be used by nesting birds.

2.3.16 Other Site Environmental Sensitives

The proposed development includes the demolition of 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 and amosite asbestos at the site.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

Notice is hereby given of the construction of 106 apartments on a site c.1.72 ha at the former bring centre and Dublin City Depot site accessed via Collins Avenue Extension and Collins Avenue, Whitehall, Dublin 9. The site is bound to the north by the Shanowen Business Estate and the Shanowen Hall and Shanowen Square, to the east by Crestfield Estate and Crestfield Park and Collins Avenue Extension Estate fronting Collins Avenue immediately adjoins the site to the west and south. Development at the site will consist of the following:

- The demolition of the existing office building, sheds, warehouses and garages and site clearance works.
- Three apartment blocks comprising a total of 106 residential units and 375 sqm of community, arts and cultural space.
    - Block A ranges from 3 to 6 storeys and consists of 50 no. residential units (22 no. 1 bed, 20 no. 2 bed and 8 no. 3 bed units) and 275 sqm of community, arts and cultural facilities at ground floor level.
    - Block B ranges from 4 to 6 storeys and consists of 38 no. residential units (17 no. 1 bed, 9 no. 2 bed and 12 no. 3 bed units) and 100 sqm of community, arts and cultural facilities at ground floor level.
    - Block C ranges from 4 to 5 storeys and consists of 18 no. residential units (10 no. 1 bed and 8 no. 2 bed units).
- 183 no. long-stay and 63 no. short-stay bicycle parking space, 57 no. car parking spaces and 5 no. motorcycle parking spaces.
- 1,925 sqm of public open space and 3,140 sqm of communal open space.
- One signalised vehicular access is proposed via Collins Avenue and Collins Avenue Extension.
- Provision of pedestrian and cyclist access at northern boundary to allow for future link via Shanowen Business Estate and the Shanowen Hall and Shanowen Square
- Boundary treatments and planting, public lighting, site drainage works, internal road surfacing and footpath, ESB meter rooms, stores, bin and cycle storage, plant rooms, landscaping; and
- All ancillary site services and development works above and below ground.

Figure 14: 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 one side. These underground drains carry surface water runoff towards existing catchment areas in the north Dublin area. Due to the relative levels of the existing drainage within the road and the proposed site levels, it is possible to achieve a gravity connection to the surface water drainage pipework installed. There is a 1050mm concrete sewer running parallel to the northern boundary, this is a culvert of the Wad Stream.

3.2.2 Proposed Services

The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawings SHB4-CAD-DR-MOR-CS-P3-130, 150 and 151. Surface water runoff from new internal road surfaces, footpaths, other areas of hardstanding and the roofs of buildings will be collected within a gravity drainage network and directed towards an attenuation storage system. The attenuation storage is sized to cater for a 1 in 100-year storm event. The outfall from each attenuation storage system will be restricted to the applicable 'greenfield' runoff rate using a Hydrobrake flow control device. A number of sustainable drainage systems (SuDS) are proposed in order to minimise the volume and rate of runoff from the site. Further details on these SuDS measures are provided in Section 2.5 of the Engineering Report.

3.3 Foul Water Infrastructure

3.3.1 Existing Services

An existing network of drainage runs around the perimeter of the site on two sides. These underground drains carry foul water towards existing treatment areas in the north Dublin area. Due to the relative levels of the existing drainage within the road and the proposed site levels, it is possible to achieve a gravity connection to the foul water drainage pipework installed. There is a 150mm clay sewer running from Crestfield Park parallel to number 43 boundary on the northeastern end of the site. There is a 225mm concrete sewer running on Collins Avenue which crosses the entrance road into the site on the southern end of the site.

3.3.2 Proposed Services

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

3.4 Water Supply Infrastructure

3.4.1 Existing and Proposed Services

A 100mm diameter watermain is located on the site coming in from Collins Avenue entrance road, travelling along the southeastern boundary to the centre of the site before crossing to the northern boundary. This watermain then travels a distance towards the northwestern corner of the site before terminating. The proposed watermain layout is indicated on drawing SHB4-CAD-DR-MOR-CS-P3-140 which accompanies this planning application.

4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

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

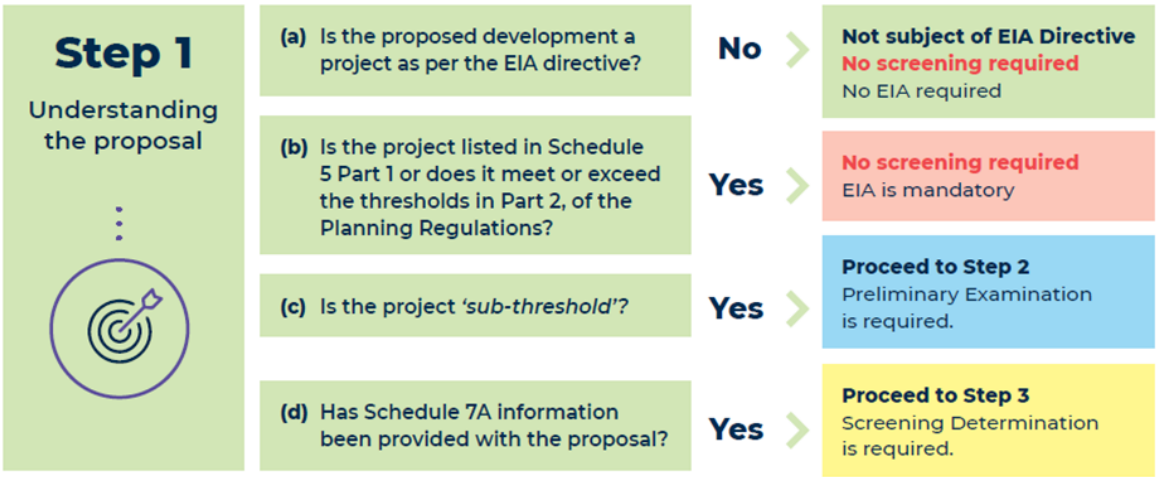

Figure 15: Extract from OPR EIA Screening Guidance Note

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.

The proposed development does constitute an 'urban development' as it is located within a built-up area on land which has been zoned for development by Dublin City Council. However, the number of units proposed is less than the 500 dwellings unit threshold and accordingly a mandatory EIA is not required. Also, as the total area of the Site is c. 1.72 hectares, it is less than the 10-hectare threshold and accordingly a mandatory EIA is not required.

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.

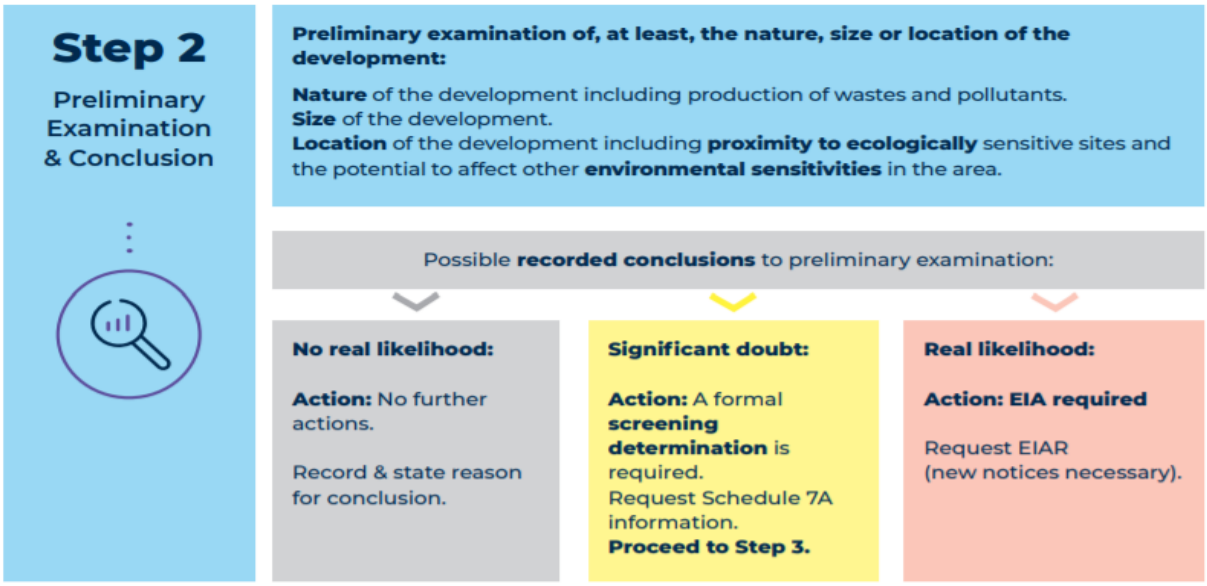

Figure 16: Extract from OPR EIA Screening Guidance Note

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 106 residential units and 375 sqm of community, arts and cultural space, 1,925 sqm of public open space and 3,140 sqm of communal open space. The site is zoned Z1 Sustainable Residential neighbourhood and includes a specific objective to deliver a link between the site and Shanowen Road. 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 would be considered as infill/ smaller scale brownfield and opportunity sites and fall within the 'City Centre within M50' category under Urban Consolidation and would therefore contribute to urban consolidation with a planned residential yield of 12,900 units and a population of 23,220 persons. The proposed construction of 106 no. residential units, provides an active site using finite land within the built-up footprint of the Whitehall area. The site is a former bring centre that is situated within a predominantly residential area with educational facilities, social and community uses 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 community and local service provision within the immediate neighbourhood and public transport accessibility. Therefore, it is considered that the proposed development is not exceptional in the context of the existing urban environment.

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

The nature of the proposed use is primarily residential with community, arts and cultural uses proposed. The proposed development consists of the demolition of all structures 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 and amosite 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 Environmental Management Plan accompanies this application which sets out measures/ approaches relating to construction waste arising and any emissions or pollutants arising during construction.

When occupied, it can be anticipated that the development will have negligible potential to cause any pollution or nuisance. Further to this, site is not located on or immediately surrounding a source for major accidents or hazards. The nearest Seveso site to the site is located c. 5.3 Km to the northwest at the Huntstown Power Station located at Johnstown Ireland which has been categorised as a lower tier Seveso site. C. 5.7km to the northwest of the subject site is the Chemco Ireland Ltd, which is an upper tier Seveso site. Other waste generated during construction and operation can be anticipated to be typical for a medium scale residential development. 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 infill application site is 1.72 ha and will result in 106 residential units and 375 sqm of community, arts and cultural space, 1,925 sqm of public open space and 3,140 sqm of communal open space. The development will result in a density of 65 units per hectare. This is not exceptional in an urban context and accords with the density provisions stipulated at a local and national level for a site in an urban location.

The proposed apartment blocks range in height from three to six storeys. Block A steps down from six storeys to three storeys to the south. Block B steps down from six to four storeys. Block C ranges from four to five storeys. The site is located in an established urban neighbourhood of Whitehall. Development surrounding the site range in height between 2 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 within the existing urban neighbourhood of Whitehall.

Moreover, the lands are zoned Z1 Sustainable Residential neighbourhood in the Dublin City Development Plan 2022-2028. The proposed brownfield infill development will provide much needed residential accommodation as well as community space for residents and the wider community to utilise. The proposed development is consistent with local, regional and national policy, particularly in delivering compact growth within the existing built-up envelope of urban areas and responds to the need for higher residential densities in urban areas and in proximity to existing and planned high-capacity public transport.

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

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

Table 4: Relevant Permitted Planning History

DCC / ABP Planning Reg. Ref	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (KM)
ABP.Ref.305405-19	11/09/2019	Granted 18th December 2019 Currently under construction	Demolition of existing Larkfield building, construction of 213 no. on campus student accommodation units (1240 no. bed spaces) and associated site works	Dublin City University, DCU Glasnevin Campus, Collins Avenue Extension, Dublin 9	0.2
LRD6019/22	21/12/2022	Granted 11th July 2023	Construction of 853 units comprising 343 social housing units (40%), 340	Oscar Traynor Road Site, Dublin 5 / Dublin 9, bounded	1.0

DCC / ABP Planning Reg. Ref	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (KM)
			cost rental units (40%) and 170 affordable purchase units (20%), a 2-storey crèche (with capacity for 154 children)	by Coolock Lane (R104) to the north, Castletimon estate to the east, Lorcan estate to the south and by the N1 to the west, south-east of M50 Junction 2 Interchange	
ABP.Ref.309693-21	15/03/21	Granted 7th March 2021	Proposed works on the roof of Block B Milner's Square comprises Installation of 18 antennas and 6 transmission dishes on ballast mounted support poles.	Block B (under construction), Milner's Square, Shanowen Road, Santry, Dublin 9	0.1
ABP Ref. 314610	09/09/22	Granted 12th March 2024	Busconnects Ballymun / Finglas to City Centre Bus Corridor Scheme Collins Avenue / Ballymun Road - Left-slip lanes removed on east side. Segregated left-turn lanes on Ballymun Road. Protected cycle tracks. Bus Lanes to the stop line.	Ballymun Road, R103 Collins Avenue Extension junction, Dublin 9	0.6
ABP. Ref. 313289	12/04/2022	Granted 16th November 2022	472 no. apartments, creche and associated site works	'Hartfield Place', Swords Road, Whitehall, Dublin 9	0.9
PA. Reg. Ref. 3927/22	10/05/24	Granted 5th September 2022	The construction of 83 dwellings and community units (47sqm).	Collins Avenue, Whitehall, Dublin 9	0.8

4.4.1 Other Relevant Developments

In addition to the applications permitted and listed in Table 4 above, a number of applications under consideration by Dublin City Council or Am Board Pleanála have been identified. These are summarised below:

Table 5: Other Proposed Developments

DCC / ABP Planning Ref	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (KM)
ABP Ref. 314724	30/09/22	Requires Further Consideration	Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]	Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin	0.6
ABP Ref. 317121	12/05/23	Granted permission 19/06/24	Busconnects Swords to City Centre Bus Corridor Scheme	The Whitehall Section of the Proposed Scheme will commence on the N1 Swords Road at the junction with the R103 Collins Avenue West.	0.8
ABP.Ref.313125-22	25/02/2022	Undecided. Decision was due 14/07/22	Demolition of existing buildings, construction of 593 no. student bedspaces and associated site works	Shanowen Business Centre and Kaybee House, Shanowen Road, Santry, Dublin 9	Immediately adjacent to site at northern boundary

The geographical distribution of the remaining development sites surrounding the application site reflects the rapidly changing nature of this accessible area. In summary, there are a total of 6 notable planning applications in the vicinity of the Site permitted. 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 means that development is continually occurring. However, given the relatively restricted scale of the proposed development and segregation from other sites, 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. As noted in the AA Screening:

"The South Dublin Bay and River Tolka Estuary SPA and North Bull Island SPA are located 3.5 km and 5.5 km from the Site, respectively. Both SPAs cover extensive areas of intertidal mudflat and sandflat in Dublin Bay, and they are designated to protect a range of species that are present in winter months. The Site does not contain any amenity grassland and there are no wet areas suitable for waders, so it is unsuitable for any of the species associated with the SPAs in Dublin Bay."

In addition, as per the EPA database of rivers and streams, there is no open watercourse on the site. A historical stream, known as the Wad River is culverted and located on the site. The river appears to have been culverted in its entirety, and re-routed to connect to the River Tolka. On this basis it is now considered to be an artificial storm drain rather a natural watercourse. This watercourse is not identified by the EPA on the EPA Maps Portal. The site drains to a culvert that formerly contained the River Wad. It is understood that the culvert connects to the River Tolka, which flows south-east and meets the coast near Dublin Harbour. This would provide a pathway between the Site and the *South Dublin Bay and River Tolka Estuary* SPA via approx. 5 km of intervening waters. However, the watercourse is contained entirely in a culvert, the connection to coastal waters is circuitous, and the intervening waters would dilute any pollutants to negligible concentrations, so this is not considered to be a feasible surface water pathway. The risk of impacts on the *South Dublin Bay and River Tolka Estuary* SPA and any other European sites can be ruled out.

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. There are no structures on the record of protected structures (RPS). It does not lie within a zone of archaeological interest. There is a post box identified on the National Inventory of Architectural Heritage under Ref. No. 50130120. This structure is located on Collins Avenue and adjacent to the application

site area works at the site entrance junction. It is located just outside of the red line boundary. The proposed works on site are confined to the red line and there will be no impact to the NIAH recorded post box as result of the proposed development.

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

The Preliminary Ecological Appraisal further notes that;

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

The proposed development site contains no other features of any ecological significance. According to the AA screening report accompanying this application, it can be concluded that the proposed development; individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

4.6 Preliminary Examination Conclusion

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

5. SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION

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

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

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

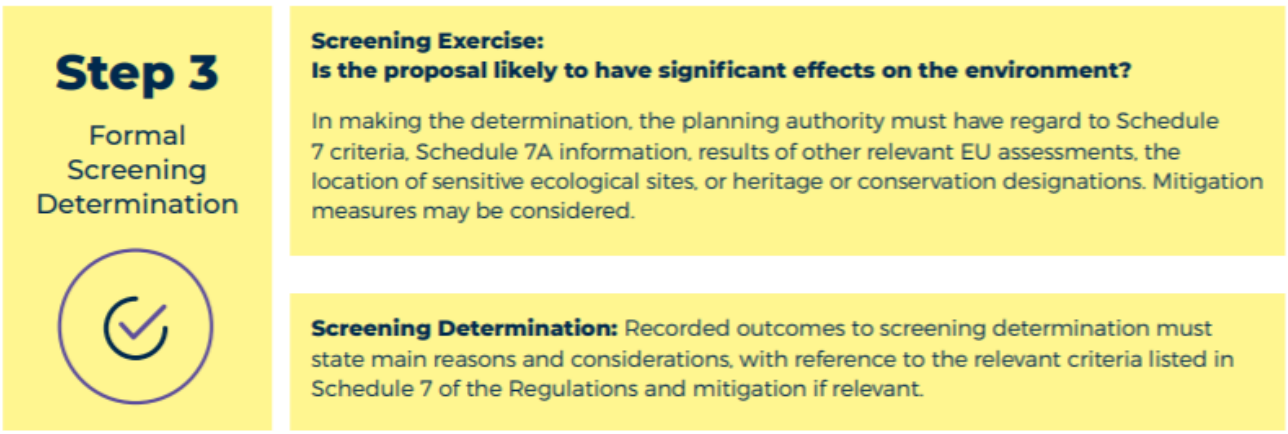

Figure 17: Extract from OPR EIA Screening Guidance Note

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

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

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

Table 6 Characteristics of the proposed development

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
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 1.72 ha site include the demolition of the existing office building, sheds, warehouses and garages and site clearance works, and the construction of three apartment blocks comprising a total of 106 residential units with community, arts and cultural space, communal open space and public open space. A Resource Waste Management Plan (RWMP) will be in place for the construction phase of the development. With mitigation measures detailed in the CEMP and RWMP no significant negative effects are likely. The proposed development provides an appropriate and compatible form of infill development within an urban context on lands which are zoned for Z1 Sustainable Residential Neighbourhood. The site adjoins other established urban uses including residential, educational and community uses and is well connected in terms of public transport and pedestrian and cycle links. Having regard to the size and design of the proposed development, which is infill in nature, the potential for significant effects on the environment are not anticipated.
(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 planning permissions and applications for the assessment of cumulative effects. Together, with other permitted developments in the vicinity of the site are not likely to give rise to significant effects and is likely to positively impact on the area. In arriving at this conclusion, other permitted development has been taken into account.
(c) the nature of any associated demolition works,	The proposal entails demolition of the existing office building, sheds, warehouses and garages and site clearance works to facilitate the construction of 106 no. residential units, community, arts and cultural space and public open space. The Construction and 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

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	material is removed from site prior to any demolition works commencing. 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. At present, the site is sitting unused after the bring centre was closed and moved to Ballymun. It will therefore result in the efficient use of infill land and will utilise the urban development land that is aligned to the development objectives of the Development Plan. There will be no use of natural resources at the site given the nature of works proposed. A Ground Investigation 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 development is indicated on Malone O'Regan drawing SHB4-CAD-DR-MOR-CS-P3-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawing SHB4-CAD-DR-MOR-CS-P3-130, 150 and 151. Surface water runoff from new internal road surfaces, footpaths, other areas of hardstanding and the roofs of buildings will be collected within a gravity drainage network and directed towards an attenuation storage system. The attenuation storage is sized to cater for a 1 in 100-year storm event. The outfall from each attenuation storage system will be restricted to the applicable 'greenfield' runoff rate using a Hydrobrake flow control device. A number of

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	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 any major open watercourse.* *Consideration was given to predicted flood levels within the Santry River, approximately 2km to the north of the site. The node point closest to the northern boundary of the site is referenced as node point 09SANR00713l!. The 1% AEP (1 in 100 year) and 0.1% AEP (1 in 1000 year) flood levels at this point are predicted as 49.44m and 49.54m respectively. The existing topography rises from the site to approx 1.5km north towards the Santry River with existing levels of 59.00m OD. Then there is a fall from this landbank down to the riverbank at 47.00m OD. Thus, it is proposed to place the finished floor level for Block A at the southwest end from 48.45m OD to 48.30m OD. Block B in the centre of the site will have a finished floor level of 48.30m OD and Block C at the northeast end will have a finished floor level of 47.30m OD. This allows for a minimum 300mm freeboard from the riverbank level on the side of the 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 Report accompanies this application. The report states that the only ecological important feature identified on site is nesting bords. It is further noted that

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	impacts on nesting birds can be avoided using best practice mitigation and this is discussed further in this report., All other ecological features discussed in section 3 of the preliminary ecological appraisal are considered to be of negligible ecological importance, and therefore, do not require further assessment. Policy GI 16 of the Dublin City Development Plan requires that "*opportunities should be taken as part of new development to provide a net gain in biodiversity and provide links to the wider Green Infrastructure network".* 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,	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. Normal builders' waste (rubble, excess building materials) will be generated during the construction phase. All construction works will be carried out in accordance with the CEMP and RWMP prepared by Panther Environmental Solutions Ltd 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 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 CEMP report prepared by Panther Environmental Solutions Ltd addresses dust control and a number of mitigation measures have been proposed for the development. A variety of plant items will be in use during the construction phase. There will be vehicular movements to and from the site that will make use of existing roads. Due to the nature of these

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
	activities, there is potential for the generation of elevated levels of noise. The main source of vibration during the construction phase is associated with demolitions, excavation and ground-breaking activities. There is also potential for noise pollution during the operational phase in the form of parking cars at the development. However, the ambient noise levels will mask this noise during the daytime. During the operational phase the principal forms of air emissions relate to discharges from motor vehicles on the Collins Avenue and Collins Avenue Extension and heating appliances in the building. 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 CEMP 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 sites identified include Chemco Ireland Ltd located at Unit 2, Stadium Business Park, Ballycoolin Road, Cappagh, Dublin 11, which has been categorised as an Upper Tier Seveso Site. The nearest Seveso site to the site is located c. 5.3 Km to the northwest at the Huntstown Power Station located at Johnstown Ireland which has been categorised as a lower tier Seveso site. There are no technologies or substances to be used in the development which may cause concern for having likely significant effects on the environment. There is no significant risk of accidents or disasters. There are no significant effects anticipated from the Seveso site. The subject site is located within a Flood Zone C and is not in proximity to a Flood Zone A or B. According to the OPW flood mapping there has been no flooding events at the subject site. The potential impact of climate change has been considered for in the design of the surface water drainage network and storage system. The 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.

Schedule 7 Criteria Commentary	Schedule 7 Criteria Commentary
h) the risks to human health (for example, due to water contamination or air pollution).	There is no pollutant in the soil and subsoil on site. The contractor at the subject site will continue to ensure that in the event that any waste arises from the subject site that it will be removed in a manner which meets the appropriate standards and best practice. Having regard to the CEMP, 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 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 SHB4-CAD-DR-MOR-CS-P3-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. Rainwater runoff from roofs and other impermeable surfaces will be channelled to an attenuation tank in the centre of the Site, and discharged at a controlled rate to a local authority storm drain. The system will include an oil and hydrocarbon interceptor. According to the Engineering Report prepared by Malone O'Regan and submitted separately, surface water arising from the proposed development will comply with the policies and guidelines outlined in the Greater Dublin Strategic Drainage Study (GDSDS). Dust and air quality control measures for the construction phase of development are detailed in 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 7 Location of the proposed development

2. Location of proposed development.	
The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:	
a) the existing and approved land use,	The subject site consists of the former Dublin City Council bring centre, a waste collection centre and depot managed by Dublin City Council which has been relocated to the new purpose built Council North City Operations Depot in Ballymun. The western section of the site was used by DCC Waste management Division for administration, vehicle and waste storage and a public Bring Centre. The eastern section of the site was used by DCC Road Division for administration, storage of gritting machine, stockpiles of grit and other related works. Since the relocation of the bring centre to Ballymun in 2023, the site has remained vacant. Currently the site is an infill brownfield site. The proposed use on site is compatible with the land use zoning of the subject lands Z1 "Sustainable Residential Neighbourhood". Residential use and community, arts and cultural facility use are permitted under Z1 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, Construction & Environmental Management Plan have been prepared and informed the preparation of this EIA Screening. An assessment of

	the project has shown that significant effects are not likely to occur at these areas alone or in combination with other plans or projects. In relation to Biodiversity on the site, the preliminary Ecological Appraisal has concluded that the only important ecological features identified on the site is 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. There are no trees required to be removed to facilitate the development. However, it is recommended by Charles McCorkell Arboricultural Consultancy that 10 trees of poor quality (U Category) be removed for arboricultural reasons. These trees are specified within the Tree Work Schedule at Appendix A and are highlighted in the Tree Removals Plan at Appendix B of the Arboricultural Impact Assessment. The canopies of these trees could potentially be used by nesting birds. Under Section 22 of the Wildlife Act 1976 (as amended), it is an offence to kill or injure a protected bird or to disturb their nests. If any of the trees will need to be felled or otherwise modified, it is recommended that it takes place between September and February (inclusive), i.e. outside the nesting season. If this is not possible, an ecologist will survey the affected areas in advance to assess whether any breeding birds or mammals are present. If any are encountered, vegetation clearance will be delayed until the breeding attempt has been completed, i.e. after chicks have fledged and a nest has been abandoned. The 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 Wad River is culverted along the northern boundary of the site. The culverted stream is not identifiable on the EPA Maps database. The River Santry (EPA Code 09S01) is c. 1.7km to the north of the subject site and this flows into the North Bull Island SAC and SPA. The River Tolka (EPA Code 09T01) is located c. 1.7km to the South of the subject 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 "Poor 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 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 Wad River is culverted along the northern boundary of the site. The culverted stream is not identifiable on the EPA Maps database. The River Santry (EPA Code 09S01) is c. 1.7km to the north of the subject site and this flows into the North Bull Island SAC and SPA. The River Tolka (EPA Code 09T01) is located c. 1.7km to the South of the subject site. There are no interaction from the development with these watercourses, therefore absorption capacity is not affected. The proposed development is not likely to give rise to significant effects on wetlands, riparian areas, and river mouth.
(ii) coastal zones and the marine environment;	The site is not located proximate to a coastal zone or marine environment. No direct or indirect impacts are considered to arise.
(iii) mountain and forest areas;	Not applicable due to location of scheme
(iv) nature reserves and parks;	The proposed project is not located on or adjoining any nature reserves or parks.
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;	According to the AA Screening that accompanies this application, the project is not located within a Natura 2000 site, and is unlikely have any direct impact, or indirect impact on any Natural 2000 site due to the of construction and activity during operation.
(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 Ballymun Stream, River Tolka and the Santry River identified proximate to the site, are categorised as 'Poor Status' and have been assigned a risk level of "At Risk." The project will not have any impact on the areas environmental quality standards having regard to its defined status laid down in legislation of the European Union.
(vii) densely populated areas;	The site is located within the existing urban settlement of Whitehall. The site is located in close proximity to a range of public transport services which provides ease of access to a range of

	services and facilities in the winder Dublin City area. In addition, the site is proximate to a wide variety of local services and facilities in the immediate vicinity which can serve the population generated from the proposed development. It is situated in the Electoral Division of Whitehall B which had 4,128 persons in 2016 which increased to a population of 4,371 persons in the 2022 census. This is an increase of 243 persons. The site is located in Dublin City. The total population of Dublin City municipal area in 2022 was 592,713 persons. The proposed development will result in the delivery of residential accommodation and neighbourhood facilities in the form of a new community, arts and cultural space and public open space. The site is located in an urban context which is served with public transport, commercial services, education facilities and other community facilities. It is supported by existing educational, residential, retail, services, churches, in the broader area and recreational facilities. The proposed development is considered at scale with the existing urban context of the surrounding area.
(viii) landscapes and sites of historical, cultural or archaeological significance	No archaeological monuments are located on the proposed development site. There are no recorded monuments (RMP/ SMR sites). There is a post box located near the entrance to the subject site that is identified by the NIAH. This will not be altered in any way by the proposed development. Having regard to the proposed scheme, it is considered that the proposed project will not have a significant negative impact on landscapes and sites of historical, heritage, cultural or archaeological significance.

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 8 Screening Considerations

Screening Considerations							
Aspect	**Phase**	**Potential Effect**	**Extent**	**Probability**	**Significance of Effect**	**Quality of Effect**	**Duration**
Landscape	Construction (C)	Demolition works proposed on the brownfield site to facilitate the development of 106 no residential units, 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 and site clearance works	Local	Likely	Moderate	Negative	Short Term
	O	Changes to existing character of site with residential development	Local	Likely	Moderate	Positive	Permanent
Biodiversity	C	Potential impacts associated with nesting birds during the removal of 10 no. U Category trees	Local	Likely	Moderate	Negative	Permanent
	O	Planting selection comprises mix of various species and provision of measures to enhance natural habitats and biodiversity. Variety of biodiversity enhancement measures proposed as part of the landscaping	Local	Likely	Moderate	Positive	Permanent
Land & Soil	C	Loss of subsoil from site - Mitigation measures from CEMP and RWMP will ensure soil removal is managed & any potential impacts resolved Potential contamination due to accidental spillage.	Local Local	Likely Not Likely	Moderate Imperceptible	Negative Neutral	Permanent Brief
	O	Residential development with community, arts and cultural use and public open space	Local	Likely	Moderate	Positive	Permanent

Human Health	C	None Predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
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	Permanent
	O	None predicted	-	-	-	-	-
Noise	C	Increase in noise as a result of construction activity, and operation of plant and machinery	Local	Likely	Slight	Negative	Temporary
	O	Increase in noise level as a result of vehicular movements in and out of residential development	Local	Likely	Imperceptible	Neutral	Permanent
Cultural Heritage: Built Heritage	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
Cultural Heritage: Archaeology	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-

Table 9 Characteristics of Potential Impacts

3. Characteristics of potential impacts	
The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account—	
a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)	The project is constrained in its extent. It is unlikely that the impact of the project will extend beyond the local vicinity of the subject site area during construction.
(b) the nature of the impact	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, nature and location of scheme.
(d) the intensity and complexity of the impact,	Construction impacts will be temporary and of typically low intensity. The construction methodology adopted will ensure potential impacts are mitigated.
(e) the probability of the impact,	The design of the proposals, best practice construction measures mitigates against significant effects arising.
(f) the expected onset, duration, frequency and reversibility of the	Temporary environmental impacts are likely to occur. These are not likely to be significant, within the meaning of the Directive.
(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and	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.

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

5.2 Schedule 7A information

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

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

Response

Refer to Section 5.1 of this report.

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

Response

Refer to Section 5.1 of this report.

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

Response

Refer to Section 5.1 of this report.

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

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

Response

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

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

Response

Refer to 5.1 of this report.

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

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response –

The Planning Authority are referred to the information submitted with 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 & 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 Management Plan – prepared by Traynor Environmental Ltd

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 and in the Construction Environmental Management Plan (CEMP). Please refer to the CEMP prepared by Panther Environmental Ltd for further details on the proposed measured during construction phase.

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.

To avoid any significant impacts to nesting birds, the following measure is proposed:

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

As noted in the Preliminary Ecological Appraisal, the majority of the site currently consists of buildings and artificial surfaces, which are of no ecological value. The only vegetation on the Site is the treelines along the south-eastern and south-western boundaries of the Site, which will be retained, 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.

5.5 Available Results under other EU Enviornmental Legislation

Other relevant EU environmental legislation may include:

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

Table 10: EU Legislation

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is compatible with the land zoning under the Dublin City Development Plan 2022-2028. These lands have been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application. As noted in the accompanying AA Screening: "*The Site drains to a culvert that formerly contained the River Wad. It is understood that the culvert connects to the River Tolka, which flows south-east and meets the coast near Dublin Harbour. This would provide a pathway between the Site and the South Dublin Bay and River Tolka Estuary SPA via approx. 5 km of intervening waters.* *However, the watercourse is contained entirely in a culvert, the connection to coastal waters is circuitous, and the intervening waters would dilute any pollutants to negligible concentrations, so this is not considered to be a feasible surface water pathway. The risk of impacts on the South Dublin Bay and River Tolka Estuary SPA and any other European sites can be ruled out."* Taking into consideration the proposed development works and the operation of development; the lack of a direct hydrological pathway or biodiversity corridor link to conservation sites; and the dilution effect of surface runoff, it is concluded that this development would not give rise to any significant effects on designated sites. The AA Screening concludes: 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:*

Directive	Results
	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."*
Water Framework Directive [2000/60/EC]	Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. 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

Directive	Results
	towards an attenuation storage system. The attenuation storage is sized to cater for a 1 in 100-year storm event. 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 open watercourses in the immediate vicinity of the site. The potential for construction activities to give rise to water pollution is unlikely as there are no open 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 sites identified include Chemco Ireland Ltd located at Unit 2, Stadium Business Park, Ballycoolin Road, Cappagh, Dublin 11, which has been categorised as an Upper Tier Seveso Site and Huntstown Power Station located at Johnstown Ireland which has been categorised as a lower 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 and is not in proximity to a Flood Zone A or B. According to the OPW flood mapping there has been no flooding events at the subject site. The potential impact of climate change has been considered for in the design of the surface water drainage network and storage system. The Desktop Flood Risk Assessment undertaken on the site concludes: *"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 any major open watercourse.* *Consideration was given to predicted flood levels within the Santry River, approximately 2km to the north of the site. The node point closest to the northern boundary of the site is referenced as node point 09SANR00713l!. The 1% AEP (1 in 100 year) and 0.1% AEP (1 in 1000 year) flood levels at this point are predicted as 49.44m and 49.54m respectively. The existing topography rises from the site to*

Directive	Results
	approx 1.5km north towards the Santry River with existing levels of 59.00m OD. Then there is a fall from this landbank down to the riverbank at 47.00m OD. Thus, it is proposed to place the finished floor level for Block A at the southwest end from 48.45m OD to 48.30m OD. Block B in the centre of the site will have a finished floor level of 48.30m OD and Block C at the northeast end will have a finished floor level of 47.30m OD. This allows for a minimum 300mm freeboard from the riverbank level on the side of the 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."*

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.

20 Fitzwilliam Place, Dublin 2, D02YV58,
Ireland

Phone. +353 1 6762594

planning@mdb.ie

www.mdb.ie