

EIA Screening Report

In respect of

Proposed Build to Rent Strategic Housing Development

on lands at

**St. Michael's Hospital Car Park,
Crofton Road, Dun Laoghaire**

Prepared for

Fitzwilliam DL Ltd.

Prepared by

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1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Fitzwilliam DL Ltd., 2nd Floor, Elm House, Leopardstown Office Park, Sandyford, Dublin 18, we hereby submit this EIA Screening Report to accompany a planning application submitted under the provisions of Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 in relation to a proposed Build to Rent Strategic Housing Development on lands at St. Michael's Hospital car park, Crofton Road, Dun Laoghaire, County Dublin.
- 1.2 The purpose of this report is to provide An Bord Pleanála with the information required under Schedule 7A of the Planning and Development Regulations 2001, as amended, to enable the Board to determine in light of the criteria set out under Schedule 7 of these regulations whether the proposed development is likely to have significant effects on the environment, and that the application can be determined without the submission of an Environmental Impact Assessment Report (EIAR).
- 1.3 The subject lands, extending to c. 0.42 ha, comprise brownfield, developed lands which currently exist as a surface car park occupying lands to the north of St Michael's hospital located in Dun Laoghaire Town Centre, accessed from Crofton Road, Dun Laoghaire.
- 1.4 The proposed development will consist of 102 no. build-to-rent residential apartments across 2 no. blocks. Building 01 to the north extends to c. 5,047 sqm, within a part 5, part 6 and part 13 no. storey building which comprises of 42 no. 1-bed apartments and 15 no. 2-bed apartments. Building 01 includes external roof terraces at 6th and 8th floor levels, with an additional enclosed roof amenity space at 13th storey level, with external terrace. It is intended that the roof amenity space will be offered for public use through Dun Laoghaire-Rathdown County Council and other events at certain times of year to allow viewings from this attractive and elevated position.
- 1.5 Roof terraces are provided at Building 02 to the rear extends to c. 3,718 sqm, within a part 8, part 9 no. storey building with setback 9th storey comprising 38 no. 1-bed units and 7 no. 2-bed, including 10 no. social housing units. An external roof terrace is included at 9th storey level.
- 1.6 Residential amenity in the form of a reception and postal delivery facility, shared office space, games area, kitchen/lounge area, gym, as well as a publicly accessible commercial café unit are located at ground floor level. This is complemented by an enclosed amenity space at roof level, with external terrace. A total of 504 sqm of internal amenity space is provided throughout the development.
- 1.7 A total of 42 units benefit from private balconies in Building 01. An additional external terrace is provided at 9th storey level of Building 02, with private balconies/terraces at each unit and communal amenity at ground floor level comprising a bicycle repair area. Communal landscaped open space is provided between the two blocks, with landscaped public open space (681 sqm) located to the north of Building 01, adjacent to Crofton Road. A total of 752 sqm of external communal amenity space is provided throughout the development.
- 1.8 The development includes a proposed vehicular right of way providing access to St. Michael's Hospital along the western perimeter of the site accessed from

Crofton Road. A secondary right of way is provided via a landscaped pedestrian route along the eastern perimeter of the site in agreement with the adjoining landowner St Michael's Hospital. Notwithstanding the site's proximity to excellent public transport links, a total of 3 no. car share parking spaces, including 1 no. disabled space, are proposed conveniently located between the buildings, with 176 no. secured bicycle parking spaces provided at ground floor level of Building 02.

- 1.9 The subject site benefits from being a strategic location with excellent accessibility, located within 120 metres of Dun Laoghaire DART station, bus terminus and town centre. The cycle lane between Blackrock and Sandycove recently implemented by Dun Laoghaire-Rathdown County Council is routed also located in the vicinity of the site. The site benefits from high-quality pedestrian links and provides a pedestrian link to St Michael's hospital to the south.

2.0 EIA SCREENING METHODOLOGY

Legislation & Guidance

- 2.1 This EIA Screening exercise has been carried out in accordance with *inter alia* the following legislation and guidance documents:

- Planning and Development Act 2000 (as amended);
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018;
- Planning and Development Regulations 2001 (as amended);
- Planning and Development (Housing) and Residential Tenancies Act 2016;
- Directive 2011/92/EU as amended by Directive 2014/52/EU;
- Environmental Impact Assessment of Projects – Guidance on Screening (EU Commission, 2017)
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licensing Systems – Key Issues Consultation Paper (2017: DoHPCLG)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports (draft) (EPA 2017);
- Environmental Impact Assessment – Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018; DoECLG);
- Preparation of guidance documents for the implementation of EIA directive (Directive 2011/92/EU as amended by 2014/52/EU) – Annex I to the Final Report (COWI, Milieu; April 2017);
- Guidance for Consent Authorities regarding Sub-threshold Development (2003; DoEHLG).

- 2.2 This EIA Screening has had regard to this guidance and the applicable legislation. It is noted that Directive 2014/52/EU has been transposed into Irish Legislation through the Planning & Development Act, 2000, as amended, and the Planning and Development Regulations 2001, as amended. The methodology employed in this screening exercise is in accordance with the EIA Guidelines published in August 2018 by the DoHPLG and the contents of Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended. The requirement of Article 4(4) of the EIA Directive (information to be provided by the developer as set out in Annex IIA of the Directive) is the

same information indicated under Schedule 7A of the Planning Regulations 2001. The methodology employed in this screening exercise is in accordance with the EIA Guidelines published in August 2018 by the DoHPLG and the contents of Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended most recently by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (“*the 2018 Regulations*”).

Preliminary Screening for EIA

- 2.3 The Planning and Development Regulations 2001 (as amended) provide for preliminary screening for EIA. The Departmental Guidelines (August 2018) state as follows in relation to such a preliminary screening:

3.4. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment. This is initiated by the competent authority following the receipt of a planning application or appeal.

3.5. A preliminary examination is undertaken, based on professional expertise and experience, and having regard to the ‘Source – Pathway – Target’ model, where appropriate. The examination should have regard to the criteria set out in Schedule 7 to the 2001 Regulations.

- 2.4 We also refer to Section 299B of the Planning and Development Regulations 2001 (as amended) which state:

299B (1) (a) Paragraph (b) applies where—

- (i) a planning application for a sub-threshold development is made and a request for a determination under section 7(1)(a)(i)(I) of the Act of 2016 was not made, and*
- (ii) such application is not accompanied by an EIAR.*

(b) (i) The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(ii) Where the Board 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 satisfy itself that the applicant has provided to the Board*

- (a) the information specified in Schedule 7A,*
- (b) any further relevant information on the characteristics of the proposed development and its Commented [IT746]: Inserted by article 94 of S.I. No. 296/2018 - European Union (Planning and*

- Development)(Environmental Impact Assessment) Regulations 2018 330 likely significant effects on the environment, and*
- (c) *a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.*

2.5 The proposed development has been subject to a hydrological risk assessment appended to the accompanying Appropriate Assessment Screening which has utilised the 'Source-Pathway-Target' model in accordance with the EIA Guidelines 2018. This is discussed further below.

2.6 In the event that the screening determination carried out by the Board reaches the conclusion that the proposed development is not likely to have significant effects on the environment, the Board's attention is specifically drawn to the requirement that the Board's screening determination must comply with the requirements of Article 299C(2) of the Planning and Development Regulations 2001, as amended, which provides:

"(2) (a) Paragraph (b) applies where the screening determination is that the proposed development would not be likely to have significant effects on the environment and the applicant has provided, under article 299B(1)(c), a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.¹

(b) The Board shall specify such features, if any, and such measures, if any, in the screening determination."

2.7 Mitigation measures for the proposed development during the construction and operational phase are set out in various reports including but not limited to, the Construction Management Plan (CMP), Construction and Demolition Waste Management Plan (C&DWMP) and the Operational Waste Management Plan (OWMP) by Muir Associates, the Construction Environmental Management Plan (CEMP) and the Ecological Statement prepared by Enviroguide submitted with this application. For ease of reference, it is suggested that these mitigation measures can be described or referred to in the Board's decision as the mitigation measures set out in this EIA Screening Report, as the reports referred to are all enclosed with this application and referenced in this report.

2.8 This EIA Screening Report and the proposed development has been informed by the accompanying documents submitted with the application (and the relevant listed mitigation measures as included therein), including the following:

- Construction Management Plan prepared by Muir Associates;
- Construction and Demolition Waste Management Plan prepared by Muir Associates;
- Operational Waste Management Plan prepared by Muir Associates;
- Engineering Planning Report and Flood Risk Assessment & Drawings prepared by Muir Associates;
- Construction and Environmental Management Plan prepared by Enviroguide;
- Site Investigation Report by Glover Site Investigations Ltd;
- AA Screening Report prepared by Enviroguide including:

¹ Commonly referred to as mitigation measures.

- Hydrological & Hydrogeological Qualitative Risk Assessment prepared by AWN Consulting;
- Ecological Statement prepared by Enviroguide;
- Daylight & Sunlight Report prepared by Hollis;
- Stage 1 Quality Audit prepared by Bruton Engineers;
- Landscape Design Rationale prepared by Dermot Foley Landscape Architects;
- Landscape and Visual Impact Assessment prepared by ARC Consulting;
- Wind Microclimate Modelling Report prepared by B-Fluid.

EIA Study Team and Guarantee of Competency and Independence

2.9 This *Environment Impact Assessment Screening Report* was completed by John Spain Associates (JSA) with the assistance of a project team led by JSA. The project team are:

Topic	Consultancy
Population and Human Health	JSA Muir Associates Bruton Engineers Hollis
Biodiversity	Enviroguide Dermot Foley Landscape Architects AWN Consulting
Lands and soils	Muir Associates Glover Site Investigations
Water	Muir Associates AWN Consulting
Air (Noise) and Climate, Microclimate	Muir Associates B-Fluid
Landscape	ARC Consulting Dermot Foley Landscape Architects The Tree File Consulting Arborists
Material Assets	Muir Associates JSA
Archaeology, Architecture and Cultural Heritage	IAC Archaeology
Vulnerability of the Project	Muir Associates
Interactions	JSA

2.10 This EIAR Screening Statement has been prepared by Ian Livingstone, Senior Planner with John Spain Associates, who is a Chartered Town Planner and Member of the Royal Town Planning Institute (MRTPI). He holds a MA (Hons) degree in Town & Regional Planning and a MSc. Degree in Spatial Regeneration.

2.11 The EIAR Screening Statement was also reviewed by Rory Kunz, Executive Director, of John Spain Associates who has a Master's degree in Environmental Resource Management and a Diploma in EIA Management as well as a Masters in Town and Country Planning. The EIAR Screening Statement was also approved by John Spain, Managing Director John Spain (BBS, MRUP, MSCS, MRTPI, MIPI) who has 30 years' experience of planning and development consultancy in Ireland and the UK.

- 2.12 All are experienced in the preparation of screening reports and EIARs in the context of large scale SHD projects.

EIA Thresholds

- 2.13 Schedule 5 of the Planning and Development Regulations 2001 (as amended) sets out the thresholds for which if a project exceeds, must be subject to an Environmental Impact Assessment.

- 2.14 Part 2 of Schedule 5 lists the following that may be relevant to the proposal:

10. Infrastructure projects –

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

*(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;***

(In this paragraph, 'business district' means a district within a city or town in which the predominant land use is retail or commercial use).'

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

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.'

- 2.15 This development comprises the demolition of an existing 2 no. storey dwelling (c. 78 sq. m) and the construction of 102 no. Build to Rent apartments and commercial café across 2 no. buildings ranging from 5 no. storeys to 13 no. storeys in height and is therefore significantly below the threshold of an EIAR requirement relative to unit numbers.
- 2.16 The application site area is circa 0.42 hectares, which is significantly below the mandatory threshold for an urban context of 2ha a business district (Major Town Centre zoning).
- 2.17 The application is accompanied by the series of reports in Paragraph 2.6 above. These reports consider the likely environmental impacts of the proposed build to rent development.
- 2.18 Section No. 14 (demolition) and no. 15, above, relates to projects likely to have significant effects on the environment having regard to Schedule 7. The following sections and basis of this screening is to screen for the requirement of EIAR on a sub-threshold project as the proposal does not exceed any other threshold in Schedule 5.

Terms of Significance

- 2.19 The EPA *Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports 2017* require that the direct, indirect, cumulative and residual impacts of the proposed development for both the construction and operational stages are described. The identified quality, significance and duration of effects for each aspect are categorised, as set out below. Quality refers to the nature of the impact, significance of effects refers to the degree that these will impact on the site and surrounding area and duration refers to how long the effects are likely to last for. A direct impact is an impact a project will give rise to. An indirect impact is '*not a direct result of the project, often produced away from (the site) or as a result of a complex pathway*'. Cumulative impacts are impacts that arise in conjunction with other developments. Residual impacts are '*the final or intended effects which occur after the proposed mitigation measures have been implemented*'. Where relevant, impacts arising from the proposed development will be assessed on this basis.
- 2.20 The quality of a potential effect on the receiving environment are described as follows:

Table 1 - Quality of Potential Effects

Quality of Effects	Definition
Negative	A change which reduces the quality of the environment
Neutral	No effects or effects that are imperceptible, within the normal bounds of variation or within the margin of forecasting error.
Positive	A change that improves the quality of the environment

Source: Draft EPA Guidelines 2017

- 2.21 The significance of an effect on the receiving environment are described as follows:

Table 2 - Significance of Effects

Significance of Effects on the Receiving Environment	Description of Potential Effects
Imperceptible	An effect capable of measurement but without significant consequences.
Not Significant	An effect which causes noticeable changes in the character of the environment but without significant consequences.
Slight	An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.
Moderate	An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.
Significant	An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment.
Very Significant	An effect which, by its character, magnitude, duration or intensity significantly alters a sensitive aspect of the environment.
Profound	An effect which obliterates sensitive characteristics.

Source: Draft EPA Guidelines 2017

- 2.22 The duration of an effect on the receiving environment are described as follows:

Table 3 - Duration of Effects

Duration of Impact	Definition
Momentary	Effects lasting from seconds to minutes
Brief	Effects lasting less than a day
Temporary	Effects lasting one year or less
Short-term	Effects lasting one to seven years
Medium-term	Effects lasting seven to fifteen years
Long-term	Effects lasting fifteen to sixty years
Permanent	Effects lasting over sixty years
Reversible	Effects that can be undone, for example through remediation or restoration

Source: Draft EPA Guidelines 2017

Sub-Threshold Projects Requiring an Environmental Impact Assessment Report

- 2.23 An Environmental Impact Assessment Report (EIAR) is required to accompany an application for permission for strategic housing development of a class set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended) which equals or exceeds, as the case may be, a limit, quantity or threshold set for that class of development. As seen above, the relevant thresholds have not been exceeded in the present case.
- 2.24 An EIAR will also be required in respect of sub-threshold strategic housing development where the Board considers that the proposed development would be likely to have significant effects on the environment².
- 2.25 Sub-threshold development means '*development of a type set out in Part 2 of Schedule 5 [in the Planning and Development Regulations, 2001 (as amended)] which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development*'.
- 2.26 Schedule 7A of the Planning and Development Regulations 2001 (as amended) requires the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment, as set out below:
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*
 - (b) *a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.*
 2. *A description of the aspects of the environment likely to be significantly affected by the proposed development.*
 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—*

² See S172 (1)(b) of the Planning and Development Act, 2000, as amended.

- (a) *the expected residues and emissions and the production of waste, where relevant, and*
- (b) *the use of natural resources, in particular soil, land, water and biodiversity.*
4. *The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.*
- 2.27 Schedule 7A (4) refers to Schedule 7 which provides a list of criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment.
- 2.28 The criteria under Schedule 7 is grouped under three broad headings:
- Characteristics of proposed development;
 - Location of proposed development; and
 - Types and characteristics of potential impacts.
- 2.29 Section 3 below provides the information required by Schedule 7A for the purposes of screening sub-threshold development for environmental impact assessment and takes into account, where relevant, the criteria outlined in Schedule 7.
- 2.30 The information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment is set out under Schedule 7A of the *Planning and Development Regulations 2001*, as amended (in particular by the *European Union (Planning and Development) (Environment Impact Assessment) Regulations 2018*). Paragraph 4 of Schedule 7A requires that: *'The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.'*

3.0 SUMMARY OF SITE & PROPOSED DEVELOPMENT

3.1 The following sections provide the information as required by Schedule 7A (to be provided by the Developer) for the purpose of screening sub-threshold development for environmental impact assessment. The detail and assessment is based on all of the plans, particulars and reports submitted with the application.

Site Description & Context

3.2 The subject site is located on Crofton Road, Dun Laoghaire and forms lands to the north of St. Michael's Hospital. The site exists at present as a surface car park with small areas of landscape strips and minor planting. A vacant 2 no. storey dwelling is located in the north eastern part of the site. The site is bound to the east by Harbour View apartments and to the west by the residential area of Charlemont Avenue and Charlemont Terrace.

3.3 Site boundaries are formed by existing walls, with the boundary to the south open at present. The site rises slightly moving south, away from Crofton Road. The site extends to approximately 0.42 hectares and includes lands under ownership of Dun Laoghaire-Rathdown County Council at the northern perimeter, included to encompass road and footpath works associated with the proposals. The site's location in the context of its urban surroundings is shown by Figure 1, below.

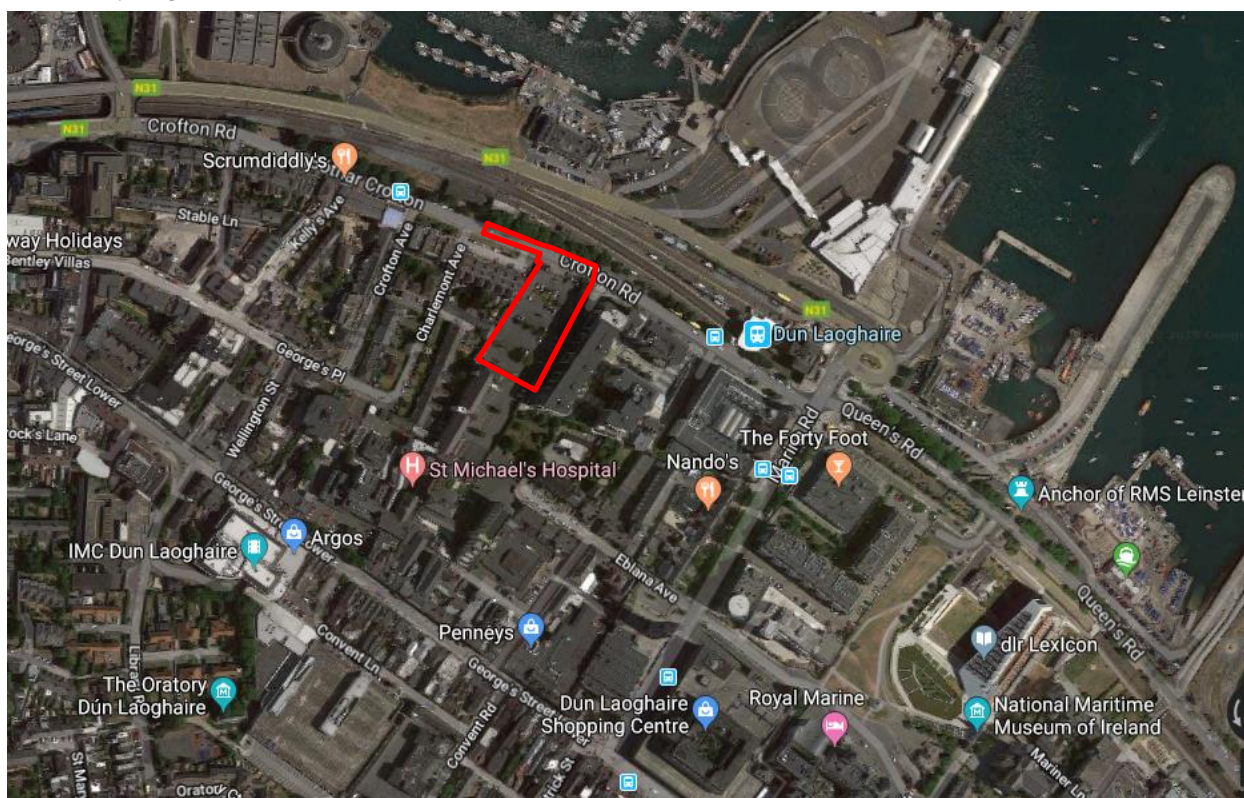


Figure 1: Aerial view of the subject site approximately outlined in red (Google Maps)

3.4 The site is located centrally within the context of Dun Laoghaire town centre and falls within the Seafront Quarter as noted by the Dun Laoghaire Urban Framework Plan, prepared by the local authority. Dun Laoghaire DART station is located opposite the subject site on Crofton Road, providing regular, frequent services between Bray and Greystones in the south to Howth and Malahide to

the north. The station is also served by commuter and inter-city trains and is the terminus for a number of bus routes. The N31 is located to the north of the railway line, providing links to the N11, Dublin city centre and beyond. A cycle lane has recently been implemented on the N31 Seapoint Road a short distance to the north.

- 3.5 The town's main bus terminus is along located adjacent to the rail station on Crofton Road in front of the proposed development. This benefits from a number of Dublin Bus services which provide links to Dublin city centre and Phoenix Park to the north west (no. 46a) as well as Dalkey (no. 111), Brides Glen (no. 7) and Loughlinstown Park (no. 7a). Additional bus stops are located on Marine Road, approximately 175 metres from the site, providing links to Dublin Airport (no. 703), Kilmacanogue (no. 45a), Kilternan (no. 63) and Killiney (no. 59). In this respect the site benefits from excellent connectivity to the wider metropolitan area of Dublin.
- 3.6 The site also benefits from nearby recreational facilities including seafront parks, walkways and piers (east and west) at Dun Laoghaire, as well as a number of yacht clubs and the marina, all located within a 500 metre radius of the location.
- 3.7 A wide range of town centre facilities are also found within an approximate 10 minute walking distance of the site. These include a large number of cafés, bars and restaurants, as well as convenience and comparison retail concentrated around George's Street, located within 200 metres to the south and Marine Road to the east. Additional recreation in the form of a cinema, Lexicon library, Vesey Park and Vesci Gardens are located nearby, with Monkstown Park Junior School and Dominican Primary School within 1km to the south west. Churches, public services, pharmacies and medical facilities are also accessible to the site.

Description of Proposed Development

- 3.8 The proposed build to rent strategic housing development will consist of 102 no. build-to-rent residential apartments across 2 no. blocks on lands extending to approximately 0.42 ha. Building 01 to the north extends to c. 5,047 sqm, within a part 5, part 6, part 8 and part 13 no. storey building which comprises of 42 no. 1-bed apartments and 15 no. 2-bed apartments. Residential amenity in the form of a gym, lounge, work, study and recreational spaces, as well as a publicly accessible commercial café unit are located at ground floor level. External roof terraces are included at 6th and 9th storey levels. A feature flagpole extends from 8th storey level at Building 01.
- 3.9 Building 02 to the rear extends to c. 3,718 sqm, within a part 9, part 8 no. storey building comprising 38 no. 1-bed units and 7 no. 2-bed, including 10 no. social housing units. An external roof terrace is included at 9th storey level.
- 3.10 The development includes 1 no. vehicular access from Crofton Road, providing shared access to St Michael's Hospital to the south along the western side of the site adjacent to the perimeter. A secondary right of way is provided at the eastern perimeter of the site where a landscaped pedestrian route is included, providing access to the central courtyard and the hospital to the south. These are illustrated on the accompanying proposed site layout plan by Reddy Architecture & Urbanism, with landscaped routes detailed within the

accompanying drawings and documentation prepared by Dermot Foley Landscape Architects.

- 3.11 Building 02 provides 150 no. secure bicycle parking spaces and bicycle repair and storage area at ground floor level, accessed from the central courtyard, alongside a bin store and plant, with ESB substation and plant at ground floor level of Building 01. An additional 26 no. visitor bicycle parking spaces are providing in the central courtyard, with 8 no. spaces at the northern perimeter adjacent to the café.
- 3.12 In addition to the site's excellent access to high capacity public transport links at Dun Laoghaire DART, suburban railway station and bus terminus public transport connections, 3 no. car parking spaces, including 1 no. disabled access space, are provided within the space between the two proposed blocks.
- 3.13 An area of communal landscaped open space is located between the 2 no. blocks and is accessed by publicly accessible walkway at the eastern perimeter of the site. This provides a link through the site to the hospital, enhancing permeability and connectivity as far as possible. Additional soft and hard landscaping provide a combination of public open space adjacent to the northern elevation of Building 01.
- 3.14 The total gross floor area of the development equates to circa 8,765 sqm, with 507 sqm provided as internal residential facilities and amenities and 765 sqm provided as landscaped external amenity space. All ancillary access, drainage and associated infrastructure are included within the red line boundary of the site with the exception of an area of lands under ownership of DLRCC at the site's northern perimeter. The inclusion of this area, encompassing an area of Crofton Road, will allow modifications to existing road markings to facilitate the relocation of the vehicular entrance, the relocation of an existing public lighting standard together with modifications to the existing footpath to provide a dropped kerb at the proposed relocated vehicular entrance and the raising of the existing road kerb at the existing vehicular entrance. A letter of consent from the Planning Authority accompanies this submission.
- 3.15 The part 13 no. storey height of Building 01 will introduce a landmark feature at the western edge of the Seafront Quarter to identify the 'Gateway' to this town centre area along the seafront and respond and balance the existing building heights within Dun Laoghaire town centre at the Maritime Museum of Ireland (former Mariners Church), the Lexicon, and the clock tower on the County Hall building. This component will appropriately define the corner of Crofton Road at this location, replicating the role of the Lexicon Building at the eastern end of the Seafront Quarter on Queen's Road, providing a justified urban design solution in this regard.
- 3.16 The proposed 13 no. storey element of Building 01 includes a setback, enclosed amenity area at top floor level extending to c. 77.4 sqm. This amenity area will provide opportunities for residents to enjoy attractive panoramic views of the surroundings, with an external terrace also provided. It is the intention of the applicant to permit public access to this rooftop facility at certain times during the year, for example through the Dun Laoghaire-Rathdown County Council 'Culture Night', 'Summer of Heritage' or similar. This will add a valuable aspect of public amenity to the proposals and ensure the building is accessible to all on a number of occasions each year. The applicant has contacted DLRCC

to indicate their intentions in this regard during the preparation of this submission.

- 3.17 The proposed development has been carefully designed and finished to respect the amenity of the surrounding urban environment, whilst implementing a high-quality element of architecture which contributes positively to the streetscape. The resulting architectural and urban design response is considered to be an exemplar of context sensitive infill development on a highly accessible site.
- 3.18 The development is considered to respect the historic nature of the surrounding properties on Charlemont Terrace adjacent to the west through a light grey brick and expressed lintels at northern elevation which avoids projecting balconies to negate any potential adverse impact upon the protected structures at this location. High quality treatments including extensive glazing, white reconstituted stone, with lightly coloured brick (light grey to the northern elevation), brown metal windows and expressed lintels respond appropriately to the adjacent properties whilst providing a modern development which is suitable in the context of the existing apartment block at Harbour View to the east.
- 3.19 The lower elements of Building 01 step down to 6 and 5 no. storeys moving west, in order to integrate with the scale and setting of the protected structures at Charlemont Terrace. Building 02 to the rear also steps down in height from 9 no. storeys to 8 no. storeys moving west in order to respect and protect residential amenity, whilst relating to the 8 no. storey Harbour View apartments to the east. The western part of Building 02 proposed at PAC stage, extending over the vehicular access at the western perimeter, has been removed to further mitigate potential impacts upon neighbouring properties to the west to the greatest extent possible whilst also ensuring optimal use of the brownfield land resource.
- 3.20 Hard and soft landscaping is provided at an area of public open space (c. 681 sqm) adjacent to the northern elevation of Building 01, providing continuity with the series of open spaces along Crofton Road. This area of landscaping will seek to complement the ground floor café use at the northern eastern corner of Building 01 and provide integration with the streetscape whilst enhancing the quality and nature of the public realm.
- 3.21 The summary description of the proposed development, as provided within the accompanying application form is as follows:

The development will consist of the demolition of an existing 2 no. storey house (c. 78 sqm) on the site and the construction of 102 no. Build-to-Rent residential apartments (as defined under SPPR 7 of the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities') across 2 no. buildings (Building 01 and Building 02), along with ancillary residential amenities and a publicly accessible café (overall total gross floor space c. 8,765 sqm) on a c. 0.42ha site.

Building 01 (fronting onto Crofton Road) comprises part 5 no. storeys, part 6 no. storeys, part 8 no. storeys and extending to part 13 no. storeys in height (with setback at 13th storey level) and will accommodate 42 no. 1-bed apartments and 15 no. 2-bed apartments (c. 5,047 sqm). A flagpole extends from 8th storey level at Building 01. Building 02 to the south extends to 9 no.

storeys in height (with setback at 9th storey level including a terrace), and will accommodate 38 no. 1-bed apartments and 7 no. 2-bed apartments (c. 3,718 sqm).

Internal residential support facilities and amenities in the form of a co-working/study space, gym, games area, lounge/kitchen area, and multi-purpose recreational space, alongside a reception, postal and waste storage areas (c. 363 sqm) is provided at ground floor level of Building 01, with an enclosed amenity space at 13th storey level which will be publicly accessible on occasions, (extending to c. 77.4 sqm). A publicly accessible café unit is provided at ground floor level of Building 01 extending to c. 93 sqm. Additional internal residential support facilities are found at ground floor level of Building 02 in the form of a bicycle repair station, waste and storage units (c. 45.8 sqm).

A total of c. 765 sqm of communal landscaped open space is provided, included at the courtyard between the two buildings, roof terraces at 6th storey level [western elevation], 9th storey level [southern elevation] and 13th storey level [enclosed - north, east and west] at Building 01 and at the 9th storey level [west elevation] roof terrace of Building 02. A total of c. 681 sqm of landscaped public open space is located to the north of Building 01, adjacent to Crofton Road including a pedestrian route along the eastern perimeter of the site. Balconies are included at both buildings.

The development includes a shared right of way providing access to St. Michael's Hospital along the western perimeter of the site, accessed from Crofton Road. This provides access to 3 no. car parking spaces (including 1 no. disabled space) and 2 no. motorcycle parking spaces located between the two buildings. A secondary landscaped pedestrian route is included along the eastern perimeter of the site providing access to St. Michael's Hospital. A total of 150 no. secured bicycle parking spaces are provided at the ground floor level of Building 02, with additional external bicycle parking within the external courtyard (26 visitor spaces) and public open space at the northern perimeter for café use (8 public bicycle parking spaces).

The development also includes an ESB substation at ground floor level of Building 01, bin stores, services and drainage infrastructure, green roofs, boundary treatments and all ancillary development works necessary to facilitate the development. Modifications to the configuration of the roadway and footpath, including new road markings are included at Crofton Road to facilitate the implementation of a new vehicular entrance at the western perimeter.

- 3.22 For further detail on the design rationale, please refer to the architectural drawings, design appraisal and rationale which accompany this application, prepared by Reddy Architecture and Urbanism and the landscape drawings prepared by Dermot Foley Landscape Architects.

4.0 EIA SCREENING STATEMENT

Introduction

4.1 The following sections provide the information as required by Schedule 7A for the purposes of screening sub-threshold development for environmental impact assessment.

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

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

Physical Characteristics of the Proposed Development

4.2 A full description of the proposed development is provided at Section 3.21 above. The proposed development will consist of 102 no. build-to-rent residential apartments across 2 no. blocks. Building 01 to the north extends to c. 5,047 sqm, within a part 5, part 6 and part 13 no. storey building which comprises of 42 no. 1-bed apartments and 15 no. 2-bed apartments. Building 01 includes external roof terraces at 6th and 8th floor levels, with an additional enclosed roof amenity space at 13th storey level, with external terrace. Roof terraces are provided at Building 02 to the rear extends to c. 3,718 sqm, within a part 8, part 9 no. storey building with setback 9th storey comprising 38 no. 1-bed units and 7 no. 2-bed, including 10 no. social housing units. An external roof terrace is included at 9th storey level with additional amenity located the central area between the blocks and public open space at Crofton Road at the northern perimeter adjacent to a publicly accessible café.

4.3 The proposed development on a brownfield site is compatible with its surrounding land uses and compliant with the site's zoning Major Town Centre (MTC) Zoning Objective in the Dun Laoghaire Rathdown Development Plan 2016-2022, which seeks *"to protect, provide for and-or improve major town centre facilities"*.

4.4 In zoning the site, the Planning Authority will have thoroughly assessed the nature of the site to ascertain its capacity to accommodate such development A Strategic Environmental Assessment (SEA) was carried out in relation to the Development Plan. The zoning was unchanged following the SEA review. The SEA considered that objective 73, relative to lands at St. Michael's Hospital, would not cause any *'probable conflict'* with status of Strategic Environmental Objectives which would be *'unlikely to be mitigated'* The site is brownfield in nature and exists as a hard standing surface car parking.

4.5 Water supply and wastewater will be provided via the public mains network. Water supply will be via a connection to the existing 160mm Irish Watermain located at Crofton Road. It is proposed to discharge foul effluent to the existing combined sewer at Crofton Road, with surface water discharging separately to an existing surface water sewer on Crofton Road and ultimately to the Irish Sea at the West Pier at Dun Laoghaire.

- 4.6 For further detail on the physical characteristics of the proposed development please refer to the architectural drawings, design statement and the landscape drawings which accompany this planning application. Figure 2, above, notes the proposed layout of the scheme. Please see the Proposed Site Layout Plan for details.



Figure 2: Proposed Site Layout Plan

Source: Reddy Architects

Demolition and Excavation

- 4.7 There is limited demolition involved, comprising the 2 no. storey vacant dwelling at the north east part of the site. This dwelling extends to c. 78 sqm. The proposals will require the excavation of the site which currently exists as a surface car park and also to facilitate infrastructure connections.
- 4.8 The accompanying Construction & Demolition Waste Management Plan states that *'it is not anticipated that the project will generate hazardous waste, however if such waste is generated or encountered appropriate handling, storage, transportation, and disposal of such waste will be undertaken. Prior to being removed from the site any such waste will be the subject of a comprehensive waste assessment and classification by a suitably qualified person in accordance with the European Waste Catalogue (EWC) and Hazardous Waste List'*. In respect of Hazardous Liquids, *'these will be stored in a designated and temporarily bunded area with appropriate signage... within the construction compound'*.
- 4.9 The C&D Waste Management Plan provides details on the disposal of clay, soil and stones, concrete, metals, timber, packaging and plastic blocks, bricks, tiles, canteen waste and other waste.

Use of Natural Resources

- 4.10 A Site Investigation was undertaken by Glover Site Investigations Limited (dated March 2007) and is enclosed with this submission.
- 4.11 The outline Construction and Demolition Waste Management Plan details that excavated soils and clay will be loaded directly from the excavation location to vehicles for removal from site and use within the project area as appropriate (e.g. as potential backfill material).
- 4.12 The proposed development is estimated to require 52m³ litres of drinking water per day. IW water has issued a Statement of Design Acceptance which is submitted within the accompanying Engineering Planning Report prepared by Muir Associates.

Pollution and Nuisances

- 4.13 The risk of pollution has been considered in Section 5 of the Construction Environmental Management Plan by Enviroguide Consulting and Section 3 of the AA Screening Report by Enviroguide Consulting submitted with this application.

Location of Proposed Development

- 4.14 The site is located on Crofton Road, Dun Laoghaire and forms lands to the north of St. Michael's Hospital. The site exists at present as a surface car park with some small areas of landscaping, trees and planting. The site is bound to the east by Harbour View apartments and to the west by the residential area of Charlemont Avenue and Charlemont Terrace. There are a number of protected structures in the immediate vicinity including at Charlemont Terrace, Avenue and Dun Laoghaire Harbour.
- 4.15 Site boundaries are marked by existing walls, with the boundary to the south open at present. The site is generally flat in nature, rising slightly moving south, away from Crofton Road. The site extends to approximately 0.42 hectares.
- 4.16 The site is located centrally within the context of Dun Laoghaire town centre and falls within the Seafront Quarter as noted by the Dun Laoghaire Urban Framework Plan, prepared by the local authority. Dun Laoghaire DART station is located approximately 120 metres to the east, providing regular, frequent services between Bray and Greystones in the south to Howth and Malahide to the north.
- 4.17 The town's main bus terminus is located adjacent to the rail station on Crofton Road. This benefits from a number of Dublin Bus services which provide links to Dublin city centre and Phoenix Park to the north west (no. 46a) as well as Dalkey (no. 111), Brides Glen (no. 7) and Loughlinstown Park (no. 7a). Additional bus stops are located on Marine Road, approximately 175 metres from the site, providing links to Dublin Airport (no. 703), Kilmacanogue (no. 45a), Kiltarnan (no. 63) and Killiney (no. 59). In this respect the site benefits from excellent connectivity to the wider metropolitan area of Dublin.
- 4.18 The site also benefits from nearby recreational facilities including seafront parks, walkways and piers at Dun Laoghaire, as well as yacht clubs and the marina, all located within a 500 metre radius of the location.

- 4.19 The proposed development is in an urban environment on major town centre land zoned, under which residential development is permissible. In this regard the proposed residential accommodation use is considered wholly appropriate with adjoining residential land and commercial use. Figure 3 notes the indicative location of the subject lands in the context of its town centre location with surrounding facilities and amenities noted.



Figure 3: Contextual Location

Biodiversity

- 4.20 Biodiversity was assessed within the AA Screening, which found that the site was not ecologically sensitive. The AA Screening notes that *'the site is urban in nature and has little value in terms of biodiversity. An ecological assessment of the Site was carried out on the 26th of November, the results of which are provided in [an Ecological Statement] ... with this application'*.
- 4.21 The Ecological Statement prepared by Enviroguide states that *'the habitats at the site are of minimal biodiversity value and of little to no value to local fauna including birds'*,
- 4.22 The site is not located within or directly adjacent to any Natura 2000 area (SAC or SPA). The AA Screening acknowledges a total of 18 no. SPAs within the 15km Zone of Interest of the proposed development site.
- 4.23 In terms of hydrology, the site is within the Liffey and Dublin Bay catchment and Dodder sub catchment, with the Monkstown Stream the closest river, located approximately 970 metres west. The stream is not hydraulically connected to the subject site. The application site is situated on the Kilcullen groundwater body which is *'Not at Risk'* of not meeting its WFD objectives.
- 4.24 As noted by the AWN Hydrological and Hydrogeological Qualitative Risk Assessment report included within the Enviroguide AA Screening Report, the site *'is currently drained by the public sewer network via an existing surface water sewer located in Crofton Road which discharges into the Irish Sea at one of two outfalls at the West Pier'*.

- 4.25 South Dublin Bay SAC (site code 000210) and South Dublin Bay and River Tolka Estuary SPA (site code: 4024) are located 1.1km and 0.6km from the site respectively. These are the only qualifying interests within 2km of the site. The Dalkey Islands SPA (004172) and Rockabill to Dalkey Island SAC (003000) are located 3.3km and 3.1km from the site respectively. There are no further qualifying interests with 5km of the site.
- 4.26 As noted in the AA Screening, the Environmental Protection Agency online mapping notes Dublin Bay has a WFD status of 'good'. Dublin Bay waterbody has a WFD risk score of 'Not at Risk'. The ecological status (which comprises biological and chemical status) of transitional and coastal water bodies during 2012-2018 for Dublin Bay is classed as 'good'. The most recent surface water quality data for the 2015-2017 assessment on trophic status of estuarine and coastal waters indicate that they are 'Unpolluted'. Under the 2015 'Trophic Status Assessment Scheme' classification of the EPA, 'Unpolluted' means there have been no breaches of the EPA's threshold values for nutrient enrichment, accelerated plant growth, or disturbance of the level of dissolved oxygen normally present.
- 4.27 It is noted that the lands intervening between the site and the SPA/SAC of Dublin Bay and River Tolka Estuary are occupied by residential/urban development and transport links, including the DART line.

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

- 4.28 This section is intended to provide a clear statement on the aspects of the environment which could potentially be significantly affected by the proposed development, if any. This section will consider the potential impacts of the proposed development under the environmental topics prescribed by Directive 2014/52/EU. This approach will assist in providing a comprehensive description of the aspects of the environment likely to be significantly affected by the proposed development that have not previously been identified.

Population & Human Health

- 4.29 European Commission guidance relating to the implementation of the 2014 Directive, in reference to Human Health, states, '*Human health is a very broad factor that would be highly project dependent. The notion of human health should be considered in the context of other factors in Article 3(1) of the EIA Directive and thus environmentally related health issues (such as health effects caused by the release of toxic substances to the environment, health risks arising from major hazards associated with the project, effects caused by changes in disease vectors caused by the project, changes in living conditions, effects on vulnerable groups, exposure to traffic noise or air pollutants) are obvious aspects to study*³.'
- 4.30 The Draft EPA Guidelines on the information to be contained in environmental impact assessment reports states that; '*in an EIAR, the assessment of impacts on population and human health should refer to the assessments of those*

³ Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report, European Commission, 2017 <http://ec.europa.eu/environment/eia/ria-support.htm>

factors under which human health effects might occur, as addressed elsewhere in the EIAR e.g. under the environmental factors of air, water, soil etc⁴.

- 4.31 The subject site is located in an urban area zoned for uses including residential and café development as proposed, in close proximity to excellent public transport links. The subject site is zoned 'MTC' for Major Town Centre uses, as set out in the Dun Laoghaire-Rathdown County Development Plan 2016-2022.
- 4.32 A key strand of the overall Settlement Strategy focuses on the continued promotion of sustainable development through positively encouraging infill development thereby maximising efficiencies from already established physical and social infrastructure. The Dun Laoghaire Urban Framework Plan (Appendix 12 of the CDP) identifies the lands as one of the last remaining development opportunities in the settlement which is suitable for infill use.

Biodiversity

- 4.33 An Appropriate Assessment Screening Report has been prepared by Enviroguide Consulting and submitted with this application. The report notes the urban, hardstanding nature of the subject site and confirms that *'the site is urban in nature and has little value in terms of biodiversity'*.
- 4.34 An Ecological Statement has also been prepared by Enviroguide following an Ecological Assessment of the site on 26th November. This notes that *'due to the low biodiversity value of the site, significant impacts to habitats are not anticipated'*.
- 4.35 The site was surveyed for the likelihood of bird collisions, with *'no medium or high collision risk species'* recorded during the flight line surveys. The statement considers that *'given the general heights of the surrounding buildings, it is not considered that the Proposed Development will constitute a significant collision risk for bird species'*.
- 4.36 The proposed development site is not under any wildlife or conservation designation. As detailed within the accompanying Ecological Statement, the presence of buddleia was observed on site during the site assessment. It is considered as an *'easily spread non-native plant that will occupy any disturbed habitats made available to it'*. The Ecological Statement recommends disposal of buddleia *'be carried out in accordance with appropriate guidelines such as TII (formerly NRA) Guidelines of the Management of Noxious Weeds and Non-Native Invasive Plant Species on National Roads (2010), with consideration given to the prevention of spread of this plant'*.
- 4.37 Furthermore, no rare, threatened or legally protected plant species, as listed in the Irish Red Data Book 1 – Vascular Plants (Curtis & McGough, 1988), the Flora (Protection) Order, 2015 or the EU Habitats Directive, are known to occur within the site.
- 4.38 The statement noted no sign of any mammal, amphibian, or other species at the site during the survey.
- 4.39 Following an external inspection of the existing building on the site, the Ecological Statement concludes that *'the building holds little bat potential'*. The

⁴ Guidelines on the information to be contained in environmental impact assessment reports, EPA, 2017 (draft)

statement notes that *'all roof slates were observed to be intact with no breaks or gaps that would allow entry to the building interior by bats via the roof. The windows were all sound and/or boarded up, and the building appeared to be well sealed overall (Figure 4). One section of potentially suitable roost habitat was observed where some rotting of the eaves had occurred at the south-west corner of the building (Figure 5).'*

- 4.40 No evidence (live/dead animals, droppings, urine stains, feeding remains etc) of bats was observed within the building. The report states overall that *'Proposed Development is unlikely to result in any significant impacts to bats due to the apparent lack of use by, and unsuitability of the Site for bats. The surrounding environment is busy and highly urbanised in nature, with street lighting within close proximity to the building'*.
- 4.41 The Ecological Statement recommends that *'prior to the beginning of any demolition works; a full roost survey is carried out. Should any signs of roosting bat be observed then no works can take places until a derogation licence is obtained from the NPWS. Suitable compensation e.g. bat boxes/bat bricks will need to be incorporated, where suitable and appropriate, into the project design if bat roosting habitat will be compromised by the Proposed Development'*.
- 4.42 The effects on biodiversity are not likely to be at such a quantity or of such a significance that would warrant the completion of a sub threshold EIAR.
- 4.43 The subject site does not lie within or directly adjacent to any SAC or SPA. An assessment of the project outlined in the accompanying AA Screening Report has shown that significant negative effects are not likely to occur to such areas either alone or in combination with other plans or projects.
- 4.44 The site is brownfield in nature and exists as a hardstanding surface car park with small areas of landscaping. A vacant 2 no. storey dwelling is also located within the north eastern corner of the site. The site is urban in nature and has little value in terms of biodiversity.

Land and Soils

- 4.45 The land take of the proposed development is c. 0.42 hectares. The subject site exists as (under-utilised) developed, brownfield land at present having been developed as a surface car park, with a vacant 2 no. storey dwelling located in the north east corner of the site. The proposal will provide a sustainable density of development, on an infill site, proximate to excellent public transport links, and will reduce urban sprawl, within Dublin and its suburbs.
- 4.46 Excavated soil will arise during the construction period and will be stored (if required) on site prior to being removed by a specialist contractor as detailed within the accompanying Construction & Demolition Waste Management Plan prepared by Muir Associates and the Construction & Environmental Management Plan prepared by Enviroguide.
- 4.47 An Archaeology Report has been prepared by IAC and accompanies this application. The report considers that *'whilst it is clear that the proposed development site has been subject to disturbance, it is not clear how the disturbance may have affected the potential archaeological resource. It remains possible that ground disturbances associated with the proposed*

development may have an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level with no surface expression'.

- 4.48 In this respect the report recommends that all ground disturbances associated with the proposed development are monitored by a suitably qualified archaeologist, with mitigation required subject to discovery of any features of interest.

Water

- 4.49 The proposed development is not located adjacent to any significant watercourse. The site is developed at present and benefits from proximity to existing surface and foul water drainage infrastructure located on Crofton Road. The proposed SUDS method of water disposal at the site will ensure that no negative impacts to surface water leaving the site will arise due to the attenuation measures planned, with the proposal improving the water environment at the location.
- 4.50 The proposed development has been designed in order to comply with the Greater Dublin Drainage Study (GDDS), as well as other relevant guidance. This is detailed further within the accompanying Planning Engineering Report prepared by Muir Associates. Surface water will be attenuated and subject to a single form of treatment on the site, prior to controlled release to the surface water sewer on Crofton Road which discharges to the Irish Sea at West Pier.
- 4.51 The disposal of foul water from the site is separated from that of surface water and Irish Water have confirmed a connection is feasible, with a foul water sewage located adjacent to the northern perimeter of the site on Crofton Road, connecting to Ringsend WwTP.
- 4.52 Hydrological & Hydrogeological Qualitative Risk Assessment has been undertaken by AWN Consulting and accompanies this submission. This report considers plausible 'Source-Pathway-Receptor' linkages have been assessed relative to the proposed development. The report confirms that *'there is no direct source pathway linkage between the Proposed Development site and open water (i.e. any Dublin Bay SAC/SPA/pNHA)'*.
- 4.53 AWN conclude that *'the in-combination effects of pollutants in surface water arising from the Proposed Development taken together with that of other developments will not be significant based on the low potential chemical and sediment loading'*
- 4.54 The report notes indirect pathways to Dublin Bay via public sewers and foul sewer discharge to West Pier pumping station and Ringsend WWTP. It concludes that *'there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat of the Natura sites within Dublin Bay'*.
- 4.55 The site is located in Flood Risk Zone C as per Appendix 13 of the DLRCC Development Plan 2016-2020, as detailed within the accompanying Site Specific Flood Risk Assessment prepared by Muir Associates accompanying this application. The SSFRA concludes that the proposed development is:
- Considered to have the required level of flood protection

- Does not increase the flood risk to other third parties or lands
- Meets the various requirements of the OPW Guidelines in relation to flood risk

Air & Climate

- 4.56 The EPA maintain an air quality monitoring station at Glenageary in Dun Laoghaire. The air quality is listed Index 1 – Good. There are no air quality issues on the site at present. The issue of dust arising from construction will be addressed under the next section.

Noise & Vibration

- 4.57 There may be noise and vibration during the construction phase. It is considered that there will be no significant noise or vibration effects on the environment during the operational phase and construction phase subject to standard construction mitigation measures. as outlined in the Construction Management Plan which should be read alongside the Construction & Environmental Management Plan. These measures are detailed in the next section.

Landscape

- 4.58 There are no landscape designations on the subject site and the site is not located within a designated area of landscape character. It is not considered that there will be likely significant environment effects in relation to landscape.
- 4.59 The proposed development will contribute positively to the nature of the landscape and streetscape in Dun Laoghaire town centre and Dun Laoghaire Harbour. The proposals include a comprehensive landscaping scheme which is in accordance with the Dun Laoghaire Urban Framework Plan providing an area of public open space at the interface with Crofton Road improving the public realm at the location. A pedestrian route through the site is located along the eastern perimeter which enhances permeability through the area and help facilitate a future link to Eblana Avenue and Dun Laoghaire town centre, subject to third party landowner agreement, in accordance with the objectives of the DLR County Development Plan Appendix 12.
- 4.60 It is considered that the proposed development will enhance the landscape in the area, replacing a brownfield infill site which currently exists as a hard standing surface car park, with a residential scheme which incorporates high quality hard and soft landscaping. These proposals are detailed within the accompanying Landscaping Design Rationale and Drawings prepared by Dermot Foley Landscape Architects.
- 4.61 The visual impact of the proposed development on the surrounding area has been separately assessed in a Landscape and Visual Impact Assessment (LVIA) prepared by ARC Consulting which is submitted with this application. This provides a comprehensive assessment of the proposal from 30 no. viewpoints in the surrounding area, noting a range of impacts from 'negligible' to 'moderate', with the proposed development completely concealed from a number of locations owing to the existing urban fabric and appearing as a minor feature in views from greater distances having regard to the nature of the Dun Laoghaire skyline.

- 4.62 The LVIA prepared by ARC concludes that *'the likely visual effects in the immediate area on Queen's Road, Crofton Road and Charlemont Avenue, is assessed as consistent with existing and emerging trends and 'moderate' in extent'*.

Material Assets

- 4.63 The land on which the site is situated is a material asset. It has been zoned for major town centre use development, under which residential and café development is permissible.
- 4.64 Upon completion, the operational phase will provide an important material asset for the area in terms of high quality residential units with an element of social housing and public accessibility. The development also includes commercial aspects in the form of a publicly accessible café and coworking space which will complement the range of uses in the town centre. The amenity area at rooftop level of Building 01 is proposed to be open to public access at certain times throughout the year, in associated with specific social and cultural events organised by Dun Laoghaire-Rathdown County Council or otherwise. This will enable people to ascend to the top of the building to enjoy the internal amenity and external terrace which provides panoramic, long ranging views across Dublin Bay and the surrounding area.
- 4.65 The proposed development will have an impact upon other material assets such as *'built services and infrastructure'* (set out in the draft EPA Guidelines 2017) such as electricity, telecommunications, gas and water supply. The likely impact is considered to be consistent with the site's Major Town Centre land use zoning objective as set out in the County Development Plan and typical of a development at an urban location. Pre-application consultation with Irish Water has confirmed that a connection to existing networks is feasible with Irish Water stating *'no objection'* to the proposed drainage design, as set out in Appendix B of the accompanying Engineering Planning Report.
- 4.66 The accompanying Planning Engineering Report prepared by Muir Associates notes a reduction in car parking provided on the site in comparison to that existing at present. This will result in a decrease in car parking spaces on site, significantly reducing the volume of traffic assessing the site to that experienced at present, whilst still providing car share vehicles and a disabled access space to cater for residents and promote sustainable forms of travel. This will encourage the use of sustainable forms of transport and reduce reliance on the private car and as a result, the material asset of traffic and roads infrastructure.
- 4.67 Furthermore, the proposed quantum of car parking is considered justified owing to the site's location in respect of public transport and accessibility. CSO 2016 Census data for the area also notes that approximately 29% of residents travel to work, school or college by car, demonstrating a limited projected demand for private car parking on the site. This justification is detailed further in the accompanying Outline Travel Plan prepared by Muir Associates and the proposed car parking level is considered to be appropriate having regard to the Build to Rent nature of the proposed development.
- 4.68 The accompanying outline Construction Management Plan and Construction & Demolition Waste Management Plan prepared by Muir Associates note that development will be undertaken in accordance with current European and

British industrial standards, with all mitigation and safety measures put in place to ensure a responsibly managed construction process.

- 4.69 Once constructed, the operational phase will provide an important material asset for the area in terms of additional residential units.

Cultural Heritage

- 4.70 The subject site is urban in nature and is located adjacent to a number of Protected Structures, most notably those to the west at Charlemont Terrace, with a secondary row of buildings at Charlemont Avenue to the south west also registered protected structures.

- 4.71 It is also a short distance to the south of the historic Dun Laoghaire Harbour, which contains a number of protected structures and an Architectural Conservation Area. The Dun Laoghaire Town Hall and railway station buildings are located a short distance to the south east of the site and are both protected structures.

- 4.72 It is noted that significant elements of the urban environment occupy the interim landscape between the application site and Dun Laoghaire Harbour in the form of railway lines and a national road to the north, with the modern Harbour Square development occupying lands to the east between the site and the Town Hall.

Vulnerability of the project to risks of major accidents and/ or disasters

- 4.73 Standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso/COMAH designated site consultation zones.

- 4.74 A review of the Strategic Flood Risk Assessment undertaken as part of the Dun Laoghaire Rathdown County Development Plan 2016-2022 Appendix 13 notes that the site does not fall within either Flood Zone A or Flood Zone B and considered appropriate development for Flood Zone C. This is discussed in greater detail in the next section.

The inter-relationship between the above factors

- 4.75 The above demonstrates that the interrelationship between different aspects of the environment have been considered in assessing the proposed development. The relationship between construction, dust, noise, and threat of pollution has been considered in terms of biodiversity and human health. The issue of flooding, climate change and human health has been considered. The interrelationship between architectural heritage, landscape assessment and retention of trees have been assessed. Traffic safety and human health has been considered. No impacts are likely to exacerbate the impacts on the environment from this proposed development.

- 4.76 It is not considered that any of the previously identified relatively minor impacts would in themselves, directly or indirectly be considered significant nor would they cumulatively result in a likely significant effect on the environment.

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, and

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

4.77 The matters at (a) and (b) above will be addressed in the context of considering “*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*”, below.

4.78 The EPA *Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports 2017* require that the direct, indirect, cumulative and residual impacts of the proposed development for both the construction and operational stages are described. The identified quality, significance and duration of effects for each aspect are categorised, as set out below. Quality refers to the nature of the impact, significance of effects refers to the degree that these will impact on the site and surrounding area and duration refers to how long the effects are likely to last for. A direct impact is an impact a project will give rise to. An indirect impact is ‘*not a direct result of the project, often produced away from (the site) or as a result of a complex pathway*’. Cumulative impacts are impacts that arise in conjunction with other developments. Residual impacts are ‘*the final or intended effects which occur after the proposed mitigation measures have been implemented*’. Where relevant, impacts arising from the proposed development will be assessed on this basis.

Table 4 - Quality of Potential Effects

Quality of Effects	Definition
Negative	A change which reduces the quality of the environment
Neutral	No effects or effects that are imperceptible, within the normal bounds of variation or within the margin of forecasting error.
Positive	A change that improves the quality of the environment

Source: Draft EPA Guidelines 2017

The significance of an effect on the receiving environment are described as follows:

Table 5 - Significance of Effects

Significance of Effects on the Receiving Environment	Description of Potential Effects
Imperceptible	An effect capable of measurement but without significant consequences.
Not Significant	An effect which causes noticeable changes in the character of the environment but without significant consequences.
Slight	An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.
Moderate	An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.
Significant	An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment.
Very Significant	An effect which, by its character, magnitude, duration or intensity significantly alters a sensitive aspect of the environment.
Profound	An effect which obliterates sensitive characteristics.

Source: Draft EPA Guidelines 2017

The duration of effects as described in the Draft EPA Guidelines are:

Table 6 - Duration of Effects

Duration of Impact	Definition
Momentary	Effects lasting from seconds to minutes
Brief	Effects lasting less than a day
Temporary	Effects lasting one year or less
Short-term	Effects lasting one to seven years
Medium-term	Effects lasting seven to fifteen years
Long-term	Effects lasting fifteen to sixty years
Permanent	Effects lasting over sixty years
Reversible	Effects that can be undone, for example through remediation or restoration

Source: Draft EPA Guidelines 2017

- 4.79 The proposed development is located in an urban context, surrounded by other residential and commercial uses. The proposed use is therefore consistent and compatible with land in such a location and aligns with the site's MTC – Major Town Centre zoning objective. The works during the construction phase will have impacts on the immediate area which will be mitigated by the measures to be adopted under the Construction Management Plan (CMP). These are addressed further below.
- 4.80 Having regard to the necessity to take into account the criteria under Schedule 7, where relevant for the purposes of compiling the relevant information on the likely effects of the proposed development, reference should be made to *“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”* and the characteristics of the impacts, which are addressed further below. Entrance of the duration of effects, these can, in general, be regarded as “short-term” in the context of the construction phase of the proposed development and “long – term” in the context of the operational phase. Under Section 171A of the Planning and Development Act 2000, as amended, the effects of the proposed development on the following factors need to be evaluated in an “environmental impact assessment”:

- i. *“population and human health;*
- ii. *biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;*
- iii. *land, soil, water, air and climate;*
- iv. *material assets, cultural heritage and the landscape*
- v. *the interaction between the factors mentioned in clauses (I) to (IV)”* 4.68

4.81 The above topics are considered below.

Population and Human Health

- 4.82 The proposed development will provide high quality residential and commercial use at a town centre location which is capable of supporting new population. The mix of 1 and 2 no. bed Build to Rent apartments provide for an appropriate blend of unit types and include 10 no. units for social housing. The future population of the site will provide compact growth in a highly accessible location in close proximity to a range of services and facilities. The impact upon population is considered slight, moderate and positive in nature.
- 4.83 The proposal includes 176 no. cycle spaces for residents and visitors, with 8 no. cycle public spaces at the northern perimeter, encouraging cycling as the main method of transport to and from the site, with consequent benefits for human health. The site is located within 120 metres of the Dun Laoghaire DART and commuter rail station and bus terminus, and also benefits from proximity to the recently implemented cycle lane on the N31 a short distance to the north. Therefore, the location of the site will encourage sustainable modes of transport.
- 4.84 Bruton Consulting Engineers carried out a Stage 1 Quality Audit which assesses and provides a rationale for the location of the proposed vehicular entrance at the western part of the site in the context of the local road network. The impact is estimated to be positive, moderate and long term in effect.
- 4.85 There will be negative, slight and short term impacts during the construction period arising from noise, vibration dust and construction traffic, which will be mitigated in accordance with the Construction Management Plan and the Construction & Environmental Management Plan. The construction works include ground preparation works, development of site infrastructure, construction of buildings and hardstanding areas and landscaping of the site including open soft landscaped areas. These are not likely to be at such a quantity or of such a significance that would warrant the completion of a sub-threshold EIAR.
- 4.86 There is the potential for a moderate impact from noise and pollution prior to mitigation during the construction phase will occur. However, construction works in an urban environment are entirely normal and working hours will be limited generally to hours set by condition, or as otherwise agreed. The frequency of vehicles accessing the site will vary throughout the construction phase. A site specific construction traffic management plan incorporating the mitigation measures set out under the CMP accompanying this application will be prepared by the contractor and submitted to the planning authority prior to the commencement of development on site. Once mitigation measures are implemented in accordance with the CMP, the likely impacts on human health are considered to be negative, slight, and short term.

- 4.87 On site works will be carried out in accordance with the content of the submitted outline Construction Management Plan, prepared by Muir Associates and the Construction & Environmental Management Plan prepared by Enviroguide, with all mitigation measures implemented.
- 4.88 There will be some waste materials produced in the construction of the proposed scheme which will be disposed of using licensed waste disposal facilities and contractors. This waste is considered to take the form of soil, hardcore, timber, concrete etc. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant effects on the environment.
- 4.89 The accompanying outline Construction & Demolition Waste Management Plan prepared by Muir Associates sets out the measures used in the responsible disposal of waste arising from the construction of the development. The majority of waste generated at the construction phase will be excavated and demolished material, with surplus construction materials and cuts also anticipated.
- 4.90 Other resources used will be construction materials which will be typical raw materials used in construction of residential and commercial developments. The scale and quantity of the materials used will not be such that would cause concern and the effects on the environment can be characterised as neutral, not significant and short term in the construction phase, taking into account mitigation.
- 4.91 The Operational Waste Management Plan, prepared by Muir Associates, also includes a strategy for the disposal of waste during the operational phase of the development. This is to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development.
- 4.92 The proposal will deliver a high quality and high density residential development which is sensitively designed to integrate with the surrounding context including neighbouring properties.
- 4.93 There are no operational impacts arising from waste and in this regard, the effects would be neutral, imperceptible and long term in nature, in terms of population and/or human health, and also cumulatively, or which would warrant the preparation of a sub-threshold EIAR.
- 4.94 A screening review by Dr. Martin Hogan, Corporate Health Ireland, has been prepared in terms of human health in relation to the proposed development. The review has considered the relevant documents as they relate to human health and concludes that:

'Overall, therefore my assessment is that the human health impact of a proposed development would be typical of a moderate sized development in an urban site, i.e., provided that the reasonable construction plan limits the emissions of noise and dust, etc the human health impacts are extremely unlikely. Based on this and the conclusions of the other reports referenced above there are no impacts on human health arising that would warrant further assessment. In my opinion therefore, no further assessment on human health is required.'

4.95 This document is included at Appendix 1 of this report.

Daylight & Sunlight

- 4.96 It noted that daylight and sunlight access is not referred to within the EPA Guidelines on information to be contained in Environmental Impact Assessment Reports (2017), the EU EIA Regulations 2018, or the Planning & Development Regulations 2001, as amended, in relation to environmental impact. However, it is considered that daylight and sunlight could potentially be linked to 'Human Health and Population' in the context of the EIA Directive.
- 4.97 A Sunlight / Daylight Analysis and Shadow Analysis have been carried out by Hollis in the preparation of this application in respect of impacts upon adjacent properties. The sunlight / daylight analysis assessed the level of light access at windows of adjacent buildings at 5 Charlemont Terrace, St. Michael's hospital, Harbour View and 1 Charlemont Avenue and 5-6 The Mews (both residential).
- 4.98 Hollis note that the flat nature of the subject site *'leads to artificially elevated levels of daylight and sunlight amenity at neighbouring properties as they receive light across the boundaries of the site without obstruction... this is not considered to be a typical reflection of an urban situation at an infill site such as this'*.
- 4.99 The Hollis report considered that *'it is likely that any kind of viable development on the site would alter the levels of daylight reaching these windows, whether this be a massing of equal size to Harbour View Apartments or one based on the DRLCC Framework'* as considered in the analysis. Notwithstanding this, the report concludes that *'the majority of windows to other properties which face the site are not materially affected and retain reasonable levels of VSC'*. It is noted that where shortfalls are encountered, these are marginal in nature, with flexibility in in applying numerical criteria promoted by the BRE guide.
- 4.100 The Hollis report notes that the guidelines are not mandatory and should be interpreted flexibly because natural lighting is one of many factors in the site layout design. Furthermore, the guidelines are considered to be applicable to suburban residential development with typically low densities, in contrast with the subject proposal.
- 4.101 It is considered that the subject proposal will enable the regeneration of an area of infill brownfield land which is significantly underutilised at present, with a high-quality development, the introduction of a residential population in close proximity to Dun Laoghaire town centre and excellent public transport, as well as providing publicly accessible commercial uses and landscaped public open space.
- 4.102 The layout and siting of the proposed buildings have been carefully considered to avoid a single, elongated block informed by the shape of the site, and therefore has sought to minimise potential impact on neighbouring properties through a rationale and high quality design solution
- 4.103 It is considered that owing to the site's urban context, proximity to existing buildings, particularly to the east and south, the design of the proposed development has enabled results to perform well in the context of the recommended BRE Guidelines in respect of light access.

- 4.104 Furthermore, the guidelines are considered to be applicable to suburban residential development with typically low densities, in contrast to the proposals, which are located at an urban site with developed sites neighbouring to the west, east and south.
- 4.105 In light of the daylight and sunlight assessment, it is considered that the effects of the proposed development on the access to daylight and sunlight at neighbouring residential dwellings surrounding '*would not constitute a material health impact*' as qualified by an opinion from Dr. Andrew Buroni of RPS Group. The opinion also notes that the '*the proposed development has demonstrated that it has sought to optimise the project to minimise impacts on daylight/sunlight; that the daylight impact will centre on Harbour View Apartments, but is considered marginal within the assessment, and by itself, is not of a nature, magnitude or distribution sufficient to quantify any manifest health outcome*'. This letter is enclosed at Appendix 2.

Biodiversity

- 4.106 An Ecological Statement has been prepared by Enviroguide in respect of the application site. This provides details of bird surveys undertaken at the site, noting that '*the Proposed Development will not have any significant effects on breeding bird species due to the general lack of any significant areas of suitable habitat at, or immediately adjacent to the site and the overall low quality of the man-made habitats present*'.
- 4.107 The Ecological Statement notes that there is a general lack of significant areas of suitable habitat for birds. The report considers that some ivy growth on walls and trees '*may offer some habitat for nesting birds*' and recommends that the existing building should be checked by a qualified ecologist for nesting birds prior to demolition, during the nesting season 1st March to 31st August, with a derogation licence required from NPWS in the case that nesting birds are found.
- 4.108 Flight line surveys of the site were carried out on site and found '*no medium or high collision risk species were recorded*'. No mitigation measures are proposed by the Ecological Statement as '*collision risk is not predicted to present a significant risk to bird species*'.
- 4.109 Following an examination of the site and existing building on site for bat activity, the statement concludes that '*the Proposed Development is unlikely to result in any significant impacts to bats due to the apparent lack of use by, and unsuitability of the Site for bats. The surrounding environment is busy and highly urbanised in nature, with street lighting within close proximity to the building*'. The Ecological Statement recommends a full roost survey is undertaken prior to demolition.
- 4.110 The presence of Buddleia was recorded at the site. The Ecological Statement notes that while this is '*not considered a high impact invasive species*', its removal should be carried out in accordance with appropriate guidelines.
- 4.111 The report notes that '*subject to the successful implementation of the above mitigation measures, it can be concluded that the Proposed Development will not cause any significant negative impacts on habitats, legally protected species, or any other features of ecological importance*'.

- 4.112 In respect of the South Dublin Bay and River Tolka Estuary (approximately 0.6km from the site) the Appropriate Assessment Screening notes a *'lack of suitable qualifying interests of the SPAs within, or within close proximity to the Proposed Development'*, and that as the application site is *'comprised of man-made built land'* the *'habitat is not considered suitable ex-situ breeding, roosting, staging or foraging habitats for the species listed as qualifying interests for these SPAs'*. This is also considered to be the case in respect of Dalkey Islands SPA, Howth Head SPA, Wicklow Mountains SPA, Ireland's Eye SPA, Malahide Estuary SPA and North Bull Island SPA as set out in Table 3 of the AA Screening Report.
- 4.113 The proposed landscaping strategy at the site, detailed within the accompanying drawings and Landscape Rationale prepared by Dermot Foley Landscape Architects will benefit the levels of biodiversity at the development by the provision of a variety of soft landscaping and planting which will create habitats and enhance the quality of the environment at the site.
- 4.114 The AA Screening notes a hydrological link between the site and South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA via the surface water sewer on Crofton Road which discharges to Dublin Bay at West Pier in Dun Laoghaire. Enviroguide considered that owing to the *'suite of SUDS measures that will be incorporated into the Proposed Development this will reduce the flow rate of surface water run-off and eliminate the risk of pollution to local waterbodies arising from surface water run-off from the site during the operational phase of the Proposed Development'*.
- 4.115 The AA Screening considers the potential for surface water generated at the site to reach Natura 2000 sites and to cause significant adverse effect is *'negligible'* owing to:
- *'The potential for dilution in the surface water network*
 - *The standard construction procedures being implemented*
 - *The incorporation of SUDS into the project design'*
- 4.116 In respect of foul water, a pathway exists from the site to Dublin Bay via the Ringsend wastewater treatment plant. Enviroguide consider that the proposed development and the maximum population equivalent load arising from this to be *'insignificant in terms of the overall scale of the facility'* and confirm that the potential maximum increased load *'does not have the capacity to alter the effluent released from the WwTP to such an extent as to result in likely significant effects on the SACs and SPAs connected hydrologically with Ringsend WwTP'*.
- 4.117 It is noted that the Ringsend WwTP is due to be upgraded to cater for a capacity of 2.4 million by 2023. In assessing this upgrade, the AA Screening concludes:
- 'that effects on marine biodiversity and the Natura 2000 sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely. Importantly, this conclusion is not dependent upon any future works to be undertaken at Ringsend. Thus, in the absence of any upgrading works, significant effects to Natura 2000 sites are not likely to arise.'*
- 4.118 In respect of habitats and species listed under Annexes II, IV and/or V of the Habitats Directive, the AA Screening notes that the majority of these species are water dependent and therefore may be affected by uncontrolled releases

of contaminated surface water from the proposed development. Adequate best practice measures set out in the Construction Management Plan and Construction & Environmental Management Plan are considered sufficient to ensure the potential for polluted water from the site reaching Natura 2000 sites is '*negligible*'. Furthermore, the AA Screening illustrates that the proposals will not cause any reduction in the baseline population of species associated with any Natura 2000 site.

- 4.119 Table 4 of the AA Screening Report provides a summary of the potential impacts on Natura 2000 sites as a result of the proposed development, noting no likely impacts.
- 4.120 Foul water from the site will be discharged existing public sewers and be subject to appropriate treatment at the Ringsend Wastewater Treatment Plant. Surface water will be subject to a SUDS treatment on site, before being discharged at a controlled rate to the surface water sewer on Crofton Road and to the Irish Sea at West Pier.
- 4.121 As noted in the accompanying Engineering Planning Report, surface water attenuation measures are designed to reduce the rate of run-off to 1.4 l/s, via SUDs treatment in the form of green roofs and permeable pavements. This will improve the surface water treatment on the site which currently exists as a surface car park with no SUDs treatment.
- 4.122 The development is considered to enhance the biodiversity in the area due to the introduction of a high quality landscaping and planting scheme which will create habitats, as noted by the accompanying drawings and rationale prepared by Dermot Foley Landscape Architects.
- 4.123 The AA Screening considers that the distance between the site and permitted development at Eblana Avenue (ABP Ref: 304249-19) and nearby Natura 2000 sites are '*sufficient to exclude the possibility of significant effects on the Natura 2000 site arising from combined emissions of noise, dust, airborne pollutants... vibrations... traffic... lighting and increased human presence at the site during construction and operational phase*'. It is noted that the AA Screening carried out in relation to the Eblana Avenue development concluded that '*progression to stage 2 of the AA process was not required, and significant effects on the relevant Natura 2000 sites could be ruled out*'.
- 4.124 The AA Screening considers the potential for in-combination effects at section 3.8, noting '*there are several existing granted planning permissions on record in Dun Laoghaire within the last 3 years, ranging from small-scale extensions and alterations to existing residential properties to some larger-scale developments*'. The report states that:

'there is no potential for significant effects on Natura 2000 sites as a result of in-combination effects due to the following:

- *The short-term Construction Phase of the Proposed Development (20 months);*
- *The incorporation of SuDS into both project designs.'*

- 4.125 In addition, the accompanying risk assessment by Awn states that:

'It can also be concluded that the cumulative or in-combination effects of effluent arising from the Proposed Development with that of other proposed

developments or planned development pursuant to statutory plans in the greater Dublin, Meath and Kildare areas discharging to Ringsend WWTP will not be significant having regard to the size of the calculated discharge from the Proposed Development and having regard to the following:

-Recent water quality assessment for Dublin Bay shows that Dublin Bay currently continues to meet the criteria for 'Unpolluted' water quality status (EPA, 2020).

-The Ringsend WWTP upgrade which is currently being constructed will result in improved water quality to ensure compliance with Water Framework Directive requirements.

-All new developments are required to comply with SUDs which ensures management of runoff rate and water quality within the catchment of Ringsend WWTP.

- The natural characteristics of Dublin Bay result in enriched water rapidly mixing and degrading such that the plume has no appreciable effect on water quality at Natura sites.'

4.126 In respect of in-combination effects, the AA Screening states *'it is considered that there are no means for the Proposed Development to act in-combination with any plans or projects, that would cause any likely significant effects on any Natura 2000 sites'*.

4.127 The AA Screening Report concludes –

'On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.'

4.128 The proposed development will help to create biodiversity through the implementation of a high quality landscaping strategy and therefore effects are considered to be positive, moderate and long term in nature.

Land and Soils

4.129 The proposed development will require the excavation and removal of soils and materials for the purposes of levelling, excavation for foundations, landscaping, access and services.

4.130 The removal will give rise to noise and dust as part of the construction. These emissions will be controlled to an acceptable level through the implementation of the mitigation measures set out at sections 6.2 to 6.4 of the Construction Management Plan and section 6.5.3 of the Construction & Environmental Management Plan.

4.131 A summary of the measures set out in the CMP are noted as follows:

'The contractor will ensure that all construction vehicles that exit the site onto the public roads will not transport dust and dirt onto the external road network. This will be achieved through a combination of the following measures:

- Provision will be made for cleaning by a road sweeper of all access routes to and from the site during the course of the works. Road cleaning will be undertaken as required during the works. Exposed stockpiled demolition debris, crushed material, excavated materials,*

disturbed ground surfaces, and unpaved traffic areas will be maintained in a moist condition;

- *During non-working hours, the site will be left in a condition that will prevent dust from being generated. At the end of each workday, disturbed areas will be wetted down, and security fencing will be installed and/or inspected to prevent access and additional disturbance.*
- *Ensuring all construction vehicles are inspected by the gateman for cleanliness prior to exiting the site;*
- *Ensuring an appropriate wheel or road washing facility is provided as and when required throughout the various stages of construction on site;*

The use of appropriate water-based dust suppression systems will be adopted. This system will be closely monitored by site management personnel particularly during extended dry periods'.

- 4.132 Stone crushing is not anticipated within the construction period. A Site Investigation Report prepared by Glover Site Investigations Ltd accompanies this submission.
- 4.133 In summary, the overall anticipated environmental effect is considered to be negative, slight and short term in nature.

Water

- 4.134 The proposed development will be served by potable water from a public water supply. The impact will be imperceptible and long term.
- 4.135 Foul water from the proposed development will flow to the Ringsend Wastewater Treatment Plant via the pumping station at West Pier. The Appropriate Assessment Screening Report by Enviroguide Consulting notes that negative impacts on nutrient over-enrichment are considered '*unlikely*' arising from cumulative nutrient loads from the River Liffey and Tolka and the effluent from the Ringsend Wastewater Treatment Plant.
- 4.136 The AA Screening states that '*it can be concluded that effects on marine biodiversity and the Natura 2000 sites within Dublin Bay from the current operation of Ringsend WwTP are unlikely. Importantly, this conclusion is not dependent upon any future works to be undertaken at Ringsend. Thus, in the absence of any upgrading works, significant effects to Natura 2000 sites are not likely to arise*'.
- 4.137 A Hydrological & Hydrogeological Qualitative Risk Assessment has been undertaken by AWN Consulting and accompanies this submission as part of the AA Screening report. This report considers plausible 'Source-Pathway-Receptor' linkages have been assessed relative to the proposed development. The report confirms that '*there is no direct source pathway linkage between the Proposed Development site and open water (i.e. any Dublin Bay SAC/SPA/pNHA)*'.
- 4.138 The report notes indirect pathways to Dublin Bay via public sewers and foul sewer discharge to West Pier pumping station and Ringsend WWTP. It concludes that '*there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat of the Natura sites within Dublin Bay*'.

- 4.139 In terms of surface water, there is currently no control on discharge from the site in its current condition and so the proposed development will result in a significant reduction in the outflow (and a positive improvement) to the local surface water network upon completion, with surface subject to SUDS treatment before being discharged at a regulated rate via a surface water sewer to Dublin Bay at West Pier.
- 4.140 Detailing modelling was carried out as part of the engineering assessment on the existing storm water are presented in Appendix D of the Engineering Planning Report and note that *'The pipe numbers that are predicted to experience possible surcharging for critical storm durations of varying length are highlighted in the results. The results indicate that no flooding occurs for the storm events modelled.'*
- 4.141 A Stage 1 Surface Water Audit has been undertaken by Punch Consulting Engineers which makes a number of recommendations in relation to surface water treatment within the scheme which have been considered and incorporated into the design of the surface water drainage system as detailed within the accompanying Muir Associates Engineering Planning Report.
- 4.142 The proposed SUDS method of water disposal at the site will ensure that no negative impacts to surface water leaving the site will arise due to the attenuation measures planned. This is confirmed in the Engineering Planning Report prepared by Muir Associates and AA Screening Report prepared by Enviroguide. Enviroguide conclude that the potential for surface water generated at the site to reach Natura 2000 sites and cause significant effects is *'negligible'*.
- 4.143 In relation to potential pollution during construction, the AA Screening Report states:
- 'The potential for significant impacts to the South Dublin Bay SAC as a result of inadvertent surface water flows containing sediment, silts and/or pollutants, during the Construction of the Proposed Development is negligible due to the standard, best practice construction methods (as outlined in the CEMP) that will be adhered to. This will ensure that no contaminated surface water is released from the Site during the Proposed Works.'*
- 4.144 In relation to flooding, the Muir Associates SSFRA report notes:
- *The proposed development is residential and therefore falls into the category of a Highly Vulnerable development use, in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities;*
 - *The available data indicates that the proposed development is within Zone C for fluvial and tidal flooding. The flood extents indicate flow paths generally coming directly out of the Loughlinstown River and therefore mitigation measure proposed by the Dún Laoghaire–Rathdown County SFRA involves setting FFL to a height that is above the 1 in 100 year fluvial flood level, allowance for climate change plus suitable freeboard. The flood risk arising from the fluvial and tidal flooding is negligible and no further mitigation measures are required;*
 - *The proposed drainage system has been designed in accordance with the relevant standards and regulations. The flood risk arising from the*

proposed drainage infrastructure is negligible and no further mitigation measures are required;

- *The flood risk represented by groundwater is negligible; thus, no further mitigation is required.*

4.145 The Site-Specific Flood Risk Assessment concludes that:

'The proposed development is appropriate in terms of meeting the flood risk and storm water impact policies and objectives of the Dun Laoghaire–Rathdown County Development Plan 2016-2022 and that the proposed development is:

- *Considered to have the required level of flood protection;*
- *Does not increase the flood risk to other third parties or lands;*
- *Meets the various requirements of the OPW Guidelines in relation to flood risk.'*

4.146 The potential impact of climate change has been allowed for in the design of the surface water drainage network and storage system, with an allowance for a 10% increase in rainfall intensities, as recommended by the GDSDS (Greater Dublin Strategic Drainage Study). All drainage infrastructure will be included within the red line boundary of the site and in accordance with the provision of SUDS.

4.147 In regard to traffic safety, the site has been subject to a Stage 1 Quality Audit undertaken by Bruton Consulting Engineers and included as part of the Engineering Planning Report, which finds the proposed access to the site to be appropriate in terms of safety and location.

4.148 The physical characteristics of the site do not require specialist construction methods. The CEMP and CMP describes standard construction practices.

4.149 Both the proposed drainage and flooding strategies have been discussed and agreed with by Dun Laoghaire Rathdown County Council Infrastructure Section prior to the submission of this application.

4.150 The AWN assessment states that

'there are no pollutant linkages as a result of the construction or operation of the Proposed Development which would have an appreciable effect on water quality impact at the Natura sites within Dublin Bay.'

4.151 The AA Screening concludes that:

'There is either a significant intervening distance, considerable marine buffer or no hydrological or alternative pathway between the Site of the Proposed Development and the remaining Natura 2000 sites located within the precautionary zone of influence of the Proposed Development (Table 1). Therefore, it is deemed that there is no potential for significant impacts to these sites as a result of the Proposed Development.'

4.152 There is likely to be a slight improvement in water quality as a result of the proposal arising from the SUDS measures to be implemented, with overall effects on water considered to be positive, slight and long term in nature.

Air and Climate

4.153 During construction, the proposed development will give rise to slight fugitive dust emissions in the short term. Mitigation measures proposed in the accompanying Construction Management Plan prepared by Muir Associates and the Construction & Environmental Management Plan prepared by Enviroguide will ensure dust suppression techniques will remain within acceptable levels, and reduced as far as practicable. These include road sweeping, wheels washing and covered vehicles and comprehensive monitoring of dust levels.

4.154 The accompanying CEMP by Enviroguide sets out Dust Control Measures at Section 6.5.3.1 with the objective to ensure no significant nuisance occurs at nearby receptors. This will be achieved by good site management, good design and effective control strategies.

4.155 The CEMP notes that:

'At the construction stage, the siting of construction activities and storage piles will take note of the location of sensitive receptors and prevailing wind directions in order to minimise the potential for significant dust nuisance. In addition, good site management will include the ability to respond to adverse weather conditions (e.g. wind) by either restricting operations on-site or using effective control measures quickly before the potential for nuisance occurs:

- During working hours, the Contractor or delegate will monitor dust control methods as appropriate;*
- Complaint registers will be maintained on site detailing all telephone calls and letters of complaints received in connection with construction activities, together with details of any remedial actions carried out;*
- It will be the responsibility of the Contractor at all times to demonstrate full compliance with the dust control conditions. Regular toolbox talks / briefings will be given to construction staff, sub-contractors and operatives to raise awareness of the need to minimise dust. The implementation of dust suppression will be monitored, reviewed and any actions required addressed on an ongoing basis; and*
- At all times, the procedures put in place will be strictly monitored and assessed.*

The dust minimisation measures shall be reviewed at regular intervals during the construction phase to ensure the effectiveness of the procedures in place and to maintain the goal of minimisation of dust through the use of best practise and procedures. In the event of dust nuisance occurring outside the Proposed Development Site boundary, site activities will be reviewed and satisfactory procedures implemented to rectify the problem.'

4.156 The CEMP proceeds to state:

'Regular site inspections will be carried out to monitor compliance with the CMP, record inspection results, and make an inspection log available to the local authority when asked increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.

Dust deposition, dust flux, or real-time PM10 continuous monitoring locations will be agreed with the Local Authority.

Where possible, commence baseline monitoring at least three months before work commences on site or before work on a phase commences.

*Dust monitoring will be conducted using the Bergerhoff method in accordance with the requirements of the German Standard VDI 2119. The Bergerhoff Gauge consists of a collecting vessel and a stand with a protecting gauge. The collecting vessel is secured to the stand with the opening of the collecting vessel located approximately 2m above ground level. The TA Luft limit value is 350 mg/(m²*day) during the monitoring period between 28-32 days.'*

- 4.157 The resulting impacts on air and climate during the construction phase are likely to be negative, slight and short term.
- 4.158 During the operational phase, the proposed development will not give rise to impacts on air quality.
- 4.159 The proposed scheme will see a reduced level of traffic accessing the site when compared to the existing situation owing to the site's surface car park use at present. This will promote sustainable method of transports within the development such as walking and cycling, with 2 no. shared car vehicles proposed for operation from the site. The site is located approximately 120m from Dun Laoghaire DART and railway station and bus terminus, as well as cycle lane infrastructure on the N31 which reduce the need for travel by vehicle. The reduction in cars using the site in the operational phase will improve air quality in the medium term.
- 4.160 A Wind Modelling Analysis prepared by B-Fluid is submitted alongside this application. A wind microclimate modelling study performed for the proposed development in qualitative and quantitative terms notes that this *'does not give rise to negative or critical wind speed profiles at the nearby adjacent roads, or nearby buildings'*. In addition to this, the report concludes that *'the areas around the development can all be considered for long term sitting... moreover, in terms of distress, no critical conditions were found for "Frail persons or cyclists" and for members of the "General Public" in the surrounding of the development'*.
- 4.161 In summary, effects upon air and climate are considered to be neutral, not significant and long term in nature.

Noise and Vibration

- 4.162 During the construction phase, it is anticipated that there will be a number of HGVs and contractor vehicles accessing the site. All works on site shall comply with the relevant standard which gives detailed guidance on the control of noise and vibration from construction activities.
- 4.163 In accordance with the accompanying CEMP:

'Noise and vibration audits will be established on site throughout the project. Noise monitoring shall be carried out prior to works commencing at the Proposed Development Site to establish the baseline data and all subsequent results shall be recorded and issued to the planning authority DLRCC regularly.'

The noise monitoring measures will include monitoring stations located at recommended locations on site, which will be monitored daily to record background and construction noise activity. This will be subject to review and the frequency of audits may be revised if deemed appropriate.

The purpose of the audits will be to ensure that all appropriate steps are being taken to control construction noise emissions. To this end, consideration will be given to issues such as the following:

- *Hours of operation being correctly observed;*
- *Opportunities for noise control 'at source';*
- *Optimum siting of plant items;*
- *Plant items being left to run unnecessarily;*
- *Correct use of proprietary noise control measures;*
- *Materials handling;*
- *Poor maintenance; and*
- *Correct use of screening provided and opportunities for provision of additional screening.'*

4.164 All construction works will be required to operate within the Construction Vibration Limits as per Table 6.2 of the CEMP below:

Allowable vibration (in terms of peak particle velocity) at the closest part of sensitive property to the source of vibration, at a frequency of:-			
Structurally Sound Buildings	Less than 15Hz	15 to 40Hz	40Hz and above
	15mm/s	20mm/s	50mm/s
Protected Buildings	6mm/s	10mm/s	25mm/s
Source: BS 5228-2 2009 + A1 2014			

Table 6-2: Recommended Construction Vibration Threshold for Control of Building Damage

4.165 A Noise and Vibration Management Plan prepared by the contractor will detail the measures to taken to minimise impacts of vibration during construction. These will include the following:

- *Vehicle engines shall be switched off when not in use;*
- *Machines will be fitted with suitable silencers;*
- *If appropriate, acoustic screens will be deployed;*
- *In method statement/risk assessment the contractor will highlight any activity that may cause significant vibration levels, and include measures in helping to mitigate these emission levels;*
- *Equipment is to be task-specific; and*
- *Best practice noise and vibration control measures will be employed by the contractor and screening provided to adjoining properties.*

4.166 In addition to the above, as set out in the CMP:

'Works will adhere to the guidelines and recommendations given in the following British Standards:

- *BS 6187:2011: Code of practice for full and partial demolition;*
- *BS 5228-1:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites. Noise;*
- *BS 5228-2:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites. Vibration.'*

4.167 The CEMP proceeds to state:

'Best practice control measures from construction sites within BS 5228-1:2009+A1:2014 "Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 and 2" will be used to control noise impacts associated with construction activities on the site. BS 5228 includes guidance on the various aspects of construction site noise mitigation, including, but not limited to the measures set out in sections 6.5.1.4 -6.5.1.10 below. Consideration will also be given to best practice measures as outlined in BS: 6187:2011: "Code of practice for full and partial demolition.", during demolition works.'

4.168 Additional noise and vibration monitoring methodology is set out at section 6.1 of the accompanying Construction Management Plan prepared by Muir Associates. This lists measures to be adopted in accordance with relevant recommendations of BS 5228.

4.169 Noise and vibration effects on the environment during the operational phase and construction phases of the development, following the implementation of standard construction mitigation measures can be characterised as negative, slight and short term in nature. The relevant mitigation measures are set out in the CMP and CEMP.

Landscape

4.170 There are no specific landscape designations on the subject site.

4.171 The visual impact of the proposed development on the surrounding area has been separately assessed in a Landscape & Visual Impact Report prepared by Arc Consulting which is submitted with this application. This provides a comprehensive assessment of the proposal from 30 no. viewpoints in the surrounding area, noting a range of impacts from 'negligible' to 'moderate', with the proposed development completely concealed from a number of locations owing to the existing urban fabric and appearing as a minor feature in views from greater distances having regard to the nature of the Dun Laoghaire skyline.

4.172 The ARC document notes that *'given the very diverse visual character of surrounding development, including development recently constructed, and given the potential for further large scaled development in the immediate area, the likely visual effects in the immediate area on Queen's Road, Crofton Road and Charlemont Avenue, is assessed as consistent with existing and emerging trends and 'moderate' in extent'.*

4.173 In relation to the Harbour the assessment notes that *'the proposed development is likely to be only a minor or very minor element in the view and, given the immense scale of the Harbour, the proposed development only has the potential to give rise to 'slight' to 'moderate' visual effects on the character of the Harbour'.*

4.174 The development is considered to contribute to the biodiversity in the area due to the introduction of a high quality landscaping and planting scheme which will create habitats, as noted by the accompanying drawings and rationale prepared by Dermot Foley Landscape Architects. The proposals will add positively to the public realm at Crofton Road by the implementation of

landscaped open space adjacent to the northern elevation of Building 01 and commercial café at this location. The proposals include communal open space for residents across a central courtyard and various landscaped roof terraces. A landscaped pedestrian route is also included at the eastern perimeter of the site providing a connection to St. Michael's Hospital to the south, enhancing permeability and a sense of place within the development.

- 4.175 In accordance with Condition 5 of the DLRCC Letter of Consent accompanying this application, an arboricultural survey has been undertaken by The Tree File in accordance with the recommendations of BS 5837:2012: Trees in relation to design, demolition and construction, and forms part of this submission.
- 4.176 The Arboricultural Report includes a method statement and proposed tree protection measures to be implemented during the construction phase. These include the erection of construction exclusion fencing and establishing an area of primary construction exclusion as detailed within the drawings enclosed with the report.
- 4.177 Cranes will be visible from the site during construction. This will have a temporary slight negative impact. The overall landscape effect of the proposed development is considered to be positive, moderate and long term in nature.

Material Assets

- 4.178 There will be some waste materials produced in the construction of the proposed scheme which will be disposed of using licensed waste disposal facilities and contractors. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant effects on the environment. The accompanying C&DWMP prepared by Muir Associates details the methodologies employed for the control, management, monitoring and disposal of waste from the site. The plan sets out the measures used is to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development.
- 4.179 There will be no large-scale use of natural resources. The main use of natural resources will be land. The subject site extending to 0.42 ha is an existing developed brownfield site which is zoned for major town centre uses including residential and commercial purposes.
- 4.180 Other resources used will be construction materials which will be typical raw materials used in construction of residential developments. The scale and quantity of the materials used will not be such that would cause concern in relation to significant effects on the environment.
- 4.181 Operational Waste Management at the development is to be carried out in accordance with all relevant statutory requirements, including:
- *Waste Management Act 1996 as amended;*
 - *Environmental Protection Agency Act, 1992 as amended;*
 - *Litter Pollution Act 1997 as amended;*
 - *BS 5906:2005 Waste management in buildings. Code of Practice;*
 - *Eastern-Midlands Region Waste Management Plan 2015 – 2021;*
 - *Dún Laoghaire-Rathdown Development Plan 2016-2022.*

- 4.182 Full details of the proposed waste management strategy are set out in the C&DWMP, Operational Waste Management Plan prepared by Muir Associates and Building Life Cycle Report prepared by Reddy Architecture respectively submitted with this application. Appropriate measures are outlined in the relevant reports.
- 4.183 The OWMP seeks to implement a high rate of reuse, recycling and recovery within the operational stage of the development.
- 4.184 The construction phase of the proposed development will provide for the temporary employment of construction workers which will provide benefits for local businesses providing retail or other services to construction workers and potential additional employment in the area.
- 4.185 The proposals will have an impact on servicing and utilities infrastructure in the area, requiring connections to water, electricity, and gas supplies, as well as connecting to the existing road network. Due to the brownfield nature of the site, the development is well placed to benefit from in-situ infrastructure provision and will therefore constitute a sustainable use at the location. The requirements on the current infrastructure are considered to be consistent with the site's Major Town Centre zoning objective and the nominal proposed car parking provision will reduce pressure on the local road network in comparison to the site's current use as a surface car park.
- 4.186 Upon completion, the operational phase will provide an important material asset for the area in terms of high-quality residential units and commercial use, with the overall effects on material assets considered to be neutral, slight and long term in nature.

Cultural Heritage

- 4.187 An Archaeology Report has been prepared by IAC and accompanies this application. The report considers that *'whilst it is clear that the proposed development site has been subject to disturbance, it is not clear how the disturbance may have affected the potential archaeological resource. It remains possible that ground disturbances associated with the proposed development may have an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level with no surface expression'*.
- 4.188 Having regard to these important heritage features, a Conservation Impact Assessment Report has been prepared by Rob Goodbody, Historic Building Consultant, to assess the perceived impact of the proposed development upon the Cultural Heritage and Architectural historic environment. The report notes that while the development is adjacent to protected structures at Charlemont Terrace and houses at Charlemont Avenue, the proposed development provides for an effective transition and a sensitive treatment of these protected structures. The report concludes that the proposed development *'would not have an adverse impact on the historic environment, including the protected structures in the vicinity'*. In this regard, the significant of effects on cultural heritage are considered to be neutral, moderate and long term in nature.

Vulnerability of the project to risks of major accidents and/or disasters

4.189 As noted above, standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso/COMAH designated sites.

4.190 A review of the Strategic Flood Risk Assessment undertaken as part of the Dun Laoghaire Rathdown County Development Plan 2016-2022 Appendix 13 notes that the site does not fall within either Flood Zone A or Flood Zone B.

4.191 A Site-Specific Flood Risk Assessment has been undertaken in accordance with the Planning System and Flood Risk Management Guidelines 2009 and submitted alongside this application. The SSFRA concludes that:

'The proposed development is appropriate in terms of meeting the flood risk and storm water impact policies and objectives of the Dun Laoghaire–Rathdown County Development Plan 2016-2022 and that the proposed development is:

- *Considered to have the required level of flood protection;*
- *Does not increase the flood risk to other third parties or lands;*
- *Meets the various requirements of the OPW Guidelines in relation to flood risk.'*

4.192 Taking cognisance of the other sections contained within this EIA Screening Statement and the accompanying plans and particulars, it is not considered that the proposed development site or the existing context presents risks of major accidents or disasters, including external man made or natural disasters.

4.193 Having regard to the foregoing it is considered that no significant impacts are likely to arise in terms of the vulnerability of the project to major accidents or disasters, having regard of the inter-relationship of the above factors. It is considered that any of the previously identified relatively minor impacts would not in themselves be considered significant nor would they cumulatively result in a likely significant effect on the environment.

4.194 In this regard, the relevant assessments undertaken, including the Appropriate Assessment Screening Report have examined and addressed the potential for cumulative effects arising from other ongoing, existing, or permitted developments in the vicinity, with effects considered to be neutral, imperceptible and long term in nature.

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

4.195 Schedule 7 of the regulations details the criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment. In compiling the information at paragraphs 1 to 3 above, all relevant criteria set out in Schedule 7 has been addressed.

5 OVERALL CONCLUSIONS ON SIGNIFICANCE OF IMPACTS

5.1 This Environmental Impact Assessment Screening Report has been prepared to accompany this Strategic Housing Development Application to An Bord Pleanála for the development of a 102 no. unit build to rent residential development including communal amenity and café use at ground floor level

on a site at the Seafront Quarter, Crofton Road, Dun Laoghaire. The site currently exists as a surface car park extending north from St Michael's Hospital.

- 5.2 The purpose of this report is to provide to An Bord Pleanála with the information required under Schedule 7A of the Planning and Development Regulations 2001, as amended, to enable the Board to determine in light of the criteria set out under Schedule 7 of those regulations whether the proposed development is likely to have significant effects on the environment. If the Board determines that the proposed development is not likely to have significant effects on the environment, the application can be determined without an Environmental Impact Assessment Report (EIAR) having been submitted.
- 5.3 The proposed development is substantially below the thresholds that would require a mandatory EIAR. The screening exercise has been completed in this report and the methodology used has been informed by the available guidance, legislation, and directives to assist the competent authority (An Bord Pleanála) to undertake EIA screening.
- 5.4 It is considered that a sub threshold EIAR is not required for the proposed residential development for the following summation of the reasons set out in this screening exercise:
- The proposal falls significantly below the thresholds of Schedule 5 of the Planning and Development Regulations 2001 (as amended).
 - The site makes optimum and sustainable use of an under-utilised brownfield infill site adjacent to other residential, commercial and institutional uses and will use existing servicing provision as well-being directly adjacent to high frequency public transport links and will have a positive long term impact on material assets.
 - The location of the site outside of any sensitive locations specified in the Planning and Development Regulations, 2001 (as amended).
 - The site is urban in nature and has little value in terms of biodiversity.
 - The urban location of the site in an established residential and commercial area served by public infrastructure and that the development will be connected to existing public services such as water, foul and surface water sewers located on Crofton Road.
 - The proposed drainage and flood risk strategy will contribute to improved retention of surface water on site and control discharge.
 - The range of mitigation measures included in the CMP and the CEMP. Standard construction practices will be employed to mitigate any risk of noise, dust or pollution to the surrounding environment.
 - The landscape and visual impact assessment notes that *'given the very diverse visual character of surrounding development, including development recently constructed, and given the potential for further large scaled development in the immediate area, the likely visual effects in the immediate area on Queen's Road, Crofton Road and Charlemont Avenue, is assessed as consistent with existing and emerging trends and 'moderate' in extent'*.

- No identified impact in this screening exercise, in-combination or individually is considered to likely cause likely significant effects on the environment.

5.5 A Screening Report for Appropriate Assessment prepared by Enviroguide Consulting accompanies this submission. The report concludes that:

*'upon the examination analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the Natura 2000 sites listed..' [on page 30 of the Report].*

5.6 Furthermore, the report states notes that *'in carrying out this AA screening, mitigation measures have not been taken into account', nor 'have standard best practice construction measures which could have the effect of mitigating any effects on any European Sites'.*

5.7 The report concludes:

'On the basis of the screening exercise carried out above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded.'

5.8 In the event that the screening determination carried out by the Board reaches the conclusion that the proposed development is not likely to have significant effects on the environment, the Board's attention is specifically drawn to the requirement that the Board's screening determination must comply with the requirements of Article 299C(2) of the Planning and Development Regulations, as amended, which provides:

"(2) (a) Paragraph (b) applies where the screening determination is that the proposed development would not be likely to have significant effects on the environment and the applicant has provided, under article 299B(1)(c), a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.⁵

(b) The Board shall specify such features, if any, and such measures, if any, in the screening determination."

5.9 Mitigation measures for the proposed development during the construction and operational phase are set out in various reports including but not limited to, the Construction Management Plan (CMP), Construction and Demolition Waste Management Plan (C&DWMP) and the Operational Waste Management Plan (OWMP) by Muir Associates, the Construction Environmental Management Plan (CEMP) and the Ecological Statement prepared by Enviroguide.

5.10 The following features may be considered by the Board in relation to paragraph (b): the incorporation of SUDs features within the proposals, the design and height variation of the proposed buildings and their relationship with features of historic and cultural heritage to the west, the siting and orientation of the buildings relation

⁵ Commonly referred to as mitigation measures.

to existing established building lines and the use of a high quality, carefully considered palette of materials which relates to the appearance of the area.

- 5.11 For ease of reference it is suggested that these mitigation measures and features can be specified or referred to in the Board's decision as the mitigation measures set out in this EIA Screening Report to facilitate compliance with the Board's legal obligation under Article 299C(2)(b), as the reports referred to are submitted alongside this report.

Appendix 1 Corporate Health Ireland Letter



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18 December, 2020

RE: *Development at St Michael Hospital, Dun Laoghaire*

Dear Sir,

I was asked to prepare a screening review in terms of human health in relation to the proposed development to build a rent strategic house on the lands of St Michael's Hospital carpark in Dun Laoghaire.

In preparing this assessment, I had available to me a Sunlight & Daylight Report prepared by Hollis dated December 2020, a Construction Management Plan prepared by Muir Associates and a Construction & Environmental Management Plan prepared by Enviroguide. I have also reviewed the conclusions of the Engineering Planning Report (including Transport Assessment), Site Specific Flood Risk Assessment, Site Investigation Report, Appropriate Assessment Screening Report (including Hydrological & Hydrogeology Risk Assessment Report). This report should be read in conjunction with those reports.

The proposed development will consist of 102 no. residential apartments within two blocks, built on a site of approximately 0.42 hectares. The purpose of my report is to determine whether a further human health impact assessment would be required.

Dust and Noise Emissions

Having read the relevant reports, the construction is in many ways similar to other brown field constructions in urban areas. An extensive Construction Management Plan and Construction and Environmental Management Plan has been performed, which I have reviewed. There is sufficient information available in these reports and it would appear that neither dust emissions nor noise emissions would reach significant levels for long enough or to such an extent as to cause a likelihood of human health effects.

Dust and Noise emissions therefore do not meet the threshold that warrants further assessment and should be screened out, in my opinion.

Daylight/ Sunlight

I have reviewed the Sunlight & Daylight report prepared by Hollis. It would appear that construction on the site may reduce light levels currently enjoyed by neighbouring properties. It is also noted that any kind of urban development would effectively do the same. Light levels that would exist, if the proposed development is allowed to go ahead, would certainly not be atypical of urban environments at any rate. In these circumstances, it would appear highly unlikely that there will be any human health affects as there simply is not any evidence of human health effects from urban environments because of light effects.

There is evidence of some psychological impacts of low light levels but this is predominantly a seasonal effect and relates typically to outdoor exposure to sunlight rather than indoor exposure. Therefore, a proposed development is extremely unlikely to have any human health effects through lighting.

Daylight/ Sunlight therefore do not meet the threshold that warrants further assessment and should be screened out, in my opinion.

Sensitive Receptors

Another factor to be considered is the proximity of St Michael's Hospital. There may be vulnerable persons attending or resident in the hospital. Certainly, all factors need to be considered including *Aspergillus Fumigatus*. Again, however the risk would be similar to any construction of any type in the vicinity of a hospital.

I reviewed HPSC publication of the National Guidelines for the Prevention of Nosocomial Infections dated January, 2018. Given that there is no internal work within the hospital and the demolition work would be at some distance, 80 metres or more from the nearest hospital building and further away again from the main hospital, the extensive dust control requirements as outlined in the Construction Management Plan will mitigate any risk. In addition, St Michael's Hospital does not appear to cater for very high-risk patients, such as solid organ transplants or haematopoietic stem transplantation. It does however cater for COPD patients.

Aspergillus can be generated by even everyday activities such as grass cutting and is not a risk for the vast majority of people. It is a concern particularly in demolition work. The nearest point of demolition work is 80 meters away from the closest point of the hospital buildings, which is outside the range normally associated with risk in a proposal of this nature. The extensive dust mitigation programme outline in the Construction Management Plan will further eliminate any risk.

Aspergillus therefore does not meet the threshold that warrants further assessment and should be screened out, in my opinion.

Summary

Overall, therefore my assessment is that the human health impact of a proposed development would be typical of a moderate sized development in an urban site, i.e., provided that the reasonable construction plan limits the emissions of noise and dust, etc the human health impacts are extremely unlikely.

Based on this and the conclusions of the other reports referenced above there are no impacts on human health arising that would warrant further assessment.

In my opinion therefore, no further assessment on human health is required.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Martin Hogan'.

Dr Martin Hogan FRCPI FFOMI
Consultant Occupational Physician (DMC No. 11908)

Appendix 2 RPS Letter



Our ref: OXF11897

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Date: 11 December 2020

Fitzwilliam DL Ltd

To whom it may concern.

St Michael's, Seafront Quarter, Dun Laoghaire, Dublin: Daylight Health Impact Review

Thank you for the briefing and the daylight/sunlight report for the proposed development. As requested, I have reviewed this in relation to any potential health impact to residents in the neighbouring building from changes in daylight and sunlight, and to inform a recommendation for any further health assessment.

I note that the daylight/sunlight assessment follows BRE guidance that includes the consideration of health within its approach, including the impact on circadian rhythm and the impact of poor lighting on health. On this basis, health is already an embodied feature to the assessment conducted, where the guidance values are intended to facilitate both safe indoor environments and promote good health.

The daylight and sunlight assessment conducted is considered the correct approach to investigating and addressing potential light impacts through the regulatory assessment and planning process. Noting this, it is recognised that the daylight/sunlight assessment has been applied to inform and refine the proposed application to minimise the impact to neighbouring properties and amenities, and informed the final option under consideration. The assessment then considered daylight and sunlight impacts to specific receptors, and understandably, identifies the neighbouring Harbour View Apartments to be subject to the greatest change.

The daylight/sunlight report concludes that the vast majority of rooms will not be materially affected in terms of daylight where a total of 39 rooms of the 156 rooms assessed within this block of apartments fall short of the BRE's numerical values for Daylight Distribution (DD). Of these 39 rooms, 19 serve bedrooms where the expectation of daylight is lower (due to their predominantly nocturnal use). The remaining 20 rooms are living/dining areas, of which the changes are relatively marginal in nature achieving between 0.77 and 0.53 times their former value, where 0.8 times is the BRE target. This would not constitute a material health impact.

With regards to sunlight, the results are considered to be reasonable given the site context and orientation of the windows at Harbour View Apartments, and would not constitute a material health impact.

On the above basis, the proposed development has demonstrated that it has sought to optimise the project to minimise impacts on daylight/sunlight; that the daylight impact will centre on Harbour View Apartments, but is considered marginal within the assessment, and by itself, is not of a nature, magnitude or distribution sufficient to quantify any manifest health outcome.

I therefore regard the assessment conducted sufficient, and I do not recommend any further health assessment of light impacts.

Yours sincerely,
for RPS Consulting Services Ltd

Andrew Buroni

Dr Andrew Buroni
PhD, MSc, BSc (Hons), FRSM, FRSPH
Director of Health and Social Impact Assessment