



An
Bord
Pleanála

Inspector's Report ABP-308878-20

Strategic Housing Development

Alterations to previously permitted development ABP-301614-18, as altered by ABP-304726-19 and ABP-306218-19 for the replacement of the permitted childcare facility and associated outdoor play area with a communal amenity space for residents and associated works.

Location

Brennanstown Road, Carrickmines,
Dublin 18

Planning Authority

Dun Laoghaire Rathdown County
Council

Applicant

Viscount Securities

Type of Application

Section 146B

Prescribed Bodies

None on file

Observer(s)	None on file
Site Inspection	30 th July 2021
Inspector	Sarah Moran

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Appendix I EIA Screening Form

1.0 Introduction

- 1.1. An Bord Pleanála received a request for alterations to a previously permitted development (reference ABP-301614-18) on 11th December 2020, from John Spain Associates on behalf of Viscount Securities to alter the permission granted for 136 no. residential units (98 no. apartments and 38 no. houses), crèche facility, works to Brennanstown Road, alterations to the Brennanstown Road/ Glenamuck Road North/ Brighton Road/ Claremont junction, connections to and through Cabinteely Park and associated site works, as subsequently altered by ABP-304726-19 and ABP-306218-19, on lands at Brennanstown Road, Carrickmines, Dublin 18. The request for alterations is made under Section 146B of the Planning and Development Act, 2000, as amended.
- 1.2. In accordance with Section 146B (2) (a) of the Planning and Development Act 2000 (as amended) and following a review of the submitted details, it was concluded that the alterations to which this request relates, amounted to a significant alteration to the overall development, and it could not be reasonably concluded that the Board would not have considered the relevant planning issues differently to a material extent, and that other planning issues for consideration might also arise. As a result, the alteration was considered to constitute the making of a material alteration of the terms of the development concerned. Pursuant to subsection (3)(b)(i) notice was subsequently served on the requester to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal, and additional drawings to be submitted.
- 1.3. Following the receipt of this information and display period up to 16th June 2021, a determination is now required under subsection (3)(b)(ii) of the Act whether to —
 - (I) make the alteration,
 - (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or
 - (III) refuse to make the alteration

2.0 Site Location and Description

- 2.1. The development site is located approx. 1.5km north of Junction 15 of the M50 and approx. 1 km to the Carrickmines Luas stop. The overall development lands have a stated developable area of 2.7ha and are bound by the Brennanstown Road to the south, the Carrickmines Wood residential development to the west and north-west, and individual residential plots to the east and north-east. There are three storey apartment blocks within Carrickmines Wood along the northwest and western site boundaries. The north western corner of the development adjoins Cabinteely Park, with a new link to the park permitted under ABP-301614-18. There is a private laneway to the east of the site, which serves several large residential properties. Construction works have commenced on the permitted development and are currently underway at the site.

3.0 Legislation

3.1. Section 146B (1)

Subject to subsections (2) to (8) and section 146C, the Board may, on the request of any person who is carrying out or intending to carry out a strategic infrastructure development, alter the terms of the development the subject of a planning permission, approval or other consent granted under this Act.

3.2. Section 146B (2)

(2) (a) As soon as practicable after the making of such a request, the Board shall make a decision as to whether the making of the alteration to which the request relates would constitute the making of a material alteration of the terms of the development concerned.

(b) Before making a decision under this subsection, the Board may invite submissions in relation to the matter to be made to it by such person or class of person as the Board considers appropriate (which class may comprise the public if, in the particular case, the Board determines that it shall do so); the Board shall have regard to any submissions made to it on foot of that invitation.

3.3. Material Alteration

Section 146B (3) (b) If the Board decides that the making of the alteration would constitute the making of such a material alteration, it shall —

(i) by notice in writing served on the requester, require the requester to submit to the Board the information specified in Schedule 7A to the Planning and Development Regulations 2001 in respect of that alteration, or in respect of the alternative alteration being considered by it under subparagraph (ii)(II), unless the requester has already provided such information, or an environmental impact assessment report on such alteration or alternative alteration, as the case may be, to the Board, and

(ii) following the receipt of such information or report, as the case may be, determine whether to—

(I) make the alteration,

(II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or

(III) refuse to make the alteration.

(4) Before making a determination under subsection (3) (b) (ii), the Board shall determine whether the extent and character of —

(a) the alteration requested under subsection (1), and

(b) any alternative alteration it is considering under subsection (3) (b) (ii) (II)

are such that the alteration, were it to be made, would be likely to have significant effects on the environment (and, for this purpose, the Board shall have reached a final decision as to what is the extent and character of any alternative alteration the making of which it is so considering).

(5) If the Board determines that the making of either kind of alteration referred to in subsection (3) (b) (ii) —

(a) is not likely to have significant effects on the environment, it shall proceed to make a determination under subsection (3) (b) (ii), or

(b) is likely to have such effects, the provisions of section 146C shall apply.

(8) (a) Before making a determination under subsection (3) (b) (ii) or (4), the Board shall —

(i) make, or require the person who made the request concerned under subsection (1) to make, such information relating to that request available for inspection for such period,

(ii) notify, or require that person to notify, such person, such class of person or the public (as the Board considers appropriate) that the information is so available, and

(iii) invite, or require that person to invite, submissions or observations (from any foregoing person or, as appropriate, members of the public) to be made to it in relation to that request within such period,

as the Board determines and, in the case of a requirement under any of the preceding subparagraphs, specifies in the requirement; such a requirement may specify the means by which the thing to which it relates is to be done.

3.4. Section 146(C)

146C (1) This section applies to a case where the determination of the Board under section 146B (4) is that the making of either kind of alteration referred to in section 146B (3) (b) (ii) is likely to have significant effects on the environment.

4.0 **Policy Context**

4.1. **Section 28 Ministerial Guidelines**

4.1.1. Having considered the nature and extent of the proposal, the receiving environment and the documentation on file, I consider that the directly relevant section 28 Ministerial Guidelines are:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas including the associated Urban Design Manual

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (as updated 2020)
- Design Manual for Urban Roads and Streets (DMURS)
- Urban Development and Building Height Guidelines for Planning Authorities
- Childcare Facilities Guidelines for Planning Authorities
- The Planning System and Flood Risk Management (including the associated Technical Appendices)

4.2. **Dun Laoghaire Rathdown County Development Plan 2016-2022**

4.2.1. The development site is zoned 'Objective A' – To protect and/or improve residential amenity.

4.2.2. The following development plan policies are noted in particular:

Policy RES14: Planning for Communities – It is Council policy to plan for communities in accordance with the aims, objectives and principles of 'Sustainable Residential Development in Urban Areas' and the accompanying 'Urban Design Manual – A Best Practice Guide'. In all new development growth areas, and in existing residential communities it is policy to ensure that proper community and neighbourhood facilities are provided in conjunction with, and as an integral component of, major new residential developments and proposed renewal/redevelopment areas, in accordance with the concept of sustainable urban villages outlined under Policy RES15.

Policy SIC11: Childcare Facilities provides:

It is Council policy to encourage the provision of affordable and appropriate childcare facilities as an integral part of proposals for new residential developments and to improve/expand existing childcare facilities across the County. In general at least one childcare facility should be provided for all new residential developments subject to demographic and geographic needs. The Council will encourage the provision of childcare facilities in a sustainable manner to encourage local economic development and to assist in addressing disadvantage...

Where a new residential development is proposed – with 75+ dwellings (or as otherwise required by the Planning Authority) – one childcare facility shall be

provided on site in accordance with Sections 2.4, 3.3.1 and Appendix 2 of the 'Childcare Facilities Guidelines for Planning Authorities' (2001). The provision of childcare facilities within new, and indeed existing, residential areas shall have regard to the geographical distribution and capacity of established childcare facilities in the locale and the emerging demographic profile of the area.

4.2.3. Development plan Chapter 8 deals with Principle of Development. Policy UD1: Urban Design Principles provides that it is Council policy to ensure that all development is of high quality design that assists in promoting a 'sense of place'. The Council will promote the guidance principles set out in the 'Urban Design Manual – A Best Practice Guide' (2009), and in the 'Design Manual for Urban Roads and Streets' (2013) and will seek to ensure that development proposals are cognisant of the need for proper consideration of context, connectivity, inclusivity, variety, efficiency, distinctiveness, layout, public realm, adaptability, privacy and amenity, parking, wayfinding and detailed design.

4.2.4. The following Specific Local Policies and Objectives are noted:

SLO130: To limit development along the Brennanstown Road to minor domestic infills and extensions until a Traffic Management Scheme for the area has been completed and its recommendations implemented.

Policy ST25: Roads:

It is Council policy, in conjunction and co-operation with other transport bodies and authorities such as the TII and the NTA, to secure improvements to the County road network- including improved pedestrian and cycle facilities...

It is an objective of the Council to preserve the existing character of Brennanstown Road whilst undertaking a Traffic Management Scheme that will:

- *reduce traffic speeds and improve road safety*
- *provide improved facilities for vulnerable road users*
- *reduce through traffic*
- *facilitate the development of zoned lands.*

To limit development along the Brennanstown Road to minor domestic infills and extensions until a Traffic Management Scheme for the area has been completed and its recommendations implemented.

The Brennanstown Road Traffic Management Scheme may determine the future development potential of the area and therefore it is also an objective of the Council to limit developments along Brennanstown Road to minor domestic infills and extensions until the Scheme has been completed and its recommendations implemented (Refer to SLO No. 130 Maps 7 and 9).

5.0 Requested Alterations

- 5.1. The requestor is making a request to An Bord Pleanála for alterations relating to ABP-301614-18 (as altered by ABP-304726-19 and ABP-306218-19). The proposed alterations are as follows.
- 5.2. The permitted development (as altered) provides for a total of 127 no. residential units and a childcare facility at the development site. The current requested alterations relate to the permitted childcare facility and associated outdoor play area at lower ground/ basement level of Block 1, adjacent to the site access from Brennanstown Road. The requestor seeks to replace the childcare facility (GFA of 195 sq.m) and outdoor play area with a communal amenity space for residents (GFA of 195 sq.m) and associated external terrace area. The proposed communal amenity space will include a concierge desk, a relaxation space, a kitchen/ dining area, a gym studio room and an office / meeting room. There are no alterations to the overall footprint of the building, or to the permitted fenestration and access. Aside from the omission of the creche signage, no other alterations are requested to the permitted elevations. The request includes the reallocation of the 2 no. creche car parking spaces at basement level to car parking for the communal amenity space for residents and landscaping alterations to the adjacent outdoor terrace, all to be managed by the management company for the development.
- 5.3. The alterations are requested on the basis that the permitted childcare facility is not viable at this location. A Childcare Demand Assessment and a letter from Savills Commercial (Ireland) Ltd. are submitted in support of the request. The requestor submits that a communal amenity space for residents and associated external

terrace area is an appropriate alternative use that will be of benefit to the residents of the development.

6.0 Submission from the Planning Authority

6.1. There is no submission on file.

7.0 Planning History

7.1. ABP-301614-18 Parent Permission

7.1.1. The development permitted under ABP-301614-18 on 31st August 2018 involved 136 no. residential units and associated site works principally comprising:

- Apartment Block 1 containing 44 no. apartments, including 3 no. 1 beds, 27 no. 2 beds and 14 no. 3 beds, in a 4 storey building over basement/lower ground floor;
- Apartment Block 2 containing 44 no. apartments, including 3 no. one beds, 33 no. two beds and 8 no. three beds in a 4 storey building over basement;
- Apartment Block 3 containing 10 no. apartments, including 2 no. 1 beds and 8 no. 2 beds in a 2 storey building;
- 7 no. 5 bed houses (Type A1 and A2), 23 no. 4 bed houses (Type B1,B2 and E2) and 8 no. 3 bed houses (Type D1, D2, D3 and E1) of 2 and 3 storey in height;
- A 195 sq.m. crèche facility and play area at lower ground floor of Block 1;
- 227 no. car parking spaces at basement/lower ground floor and surface level;
- Works to Brennanstown Road including a roundabout at the proposed new site entrance, road and footpath widening, raised tables/ramps for the purpose of traffic calming, and alterations and enhancements to the Brennanstown Road/Glenamuck Road North (R842)/ Brighton Road/ Claremont Road junction.
- Provision of new pedestrian connection to and through Cabinteely Park including works to Cabinteely Park.

7.1.2. The Board granted permission subject to 25 no. conditions. Condition no. 2 required the developer to submit revised drawings and documentation showing compliance with the following requirements:

- (a) Revised site layout plan which indicates Unit no. 22 as house type D2 and Unit no. 25 as house type D3.
- (b) Revised plans and elevations for Unit no.23 which shall be referred to as house type D4, a mirror of the D1 layout.
- (c) Provision of privacy screens at either end of all balconies.
- (d) Provision of 1.8-metre-high block walls, capped and rendered on both sides to the rear gardens of the housing units.
- (e) Provision of a pedestrian gate to the south-west corner of the boundary wall along Brennanstown Road.
- (f) Provision of a revised location for the playground.
- (g) Full details of proposed green roofs.
- (h) Provision of adequate cycle storage facilities.
- (i) Details to ensure all basement and surface parking are constructed so as to accommodate future electric charging points for electrically operated vehicles.

None of the other conditions imposed involved any significant amendments to the permitted development.

7.2. ABP-304726-19 S146B Alteration

7.2.1. The alterations requested under ABP-304726-19 comprised:

- Replacement of Block B containing 10 no. apartments, including 2 no. 1 bed and 8 no. 2 beds, in a 2 storey building with 5 no. 2 storey houses (Type E2- nos. 39 to 43 on the site plan) and associated car parking alterations.
- Replacement of no. 1 no. E1 house type with 1 no. E2 house type (no. 20)
- Replacement of 2 no. D2 house types (nos. 21 and 22) with 1 no. D1 house type (no. 22) and 1 no. D4 house type.
- Alterations to the basement layout of Block 1 relating to alterations and reconfiguration of the bin storage, plant and cycle storage areas and including the omission of 6 no. car parking spaces.
- Provision of 2 no. additional surface car parking spaces on the internal access road.

- Alterations to house types A1, A2, B1, B2, D1, D3, D4 and E2 relating to the rooflights and alterations to canopies and fenestration.
- Replacement of side boundary block walls in rear gardens with concrete post and panel fencing and minor changes to other boundaries.
- All associated site works involving landscaping alterations and minor changes to finished floor levels and road levels.

7.2.2. The Board determined on 26th August 2019 that the requested alterations would not be likely to have significant effects on the environment or any European Site and that they would not be material. The parent permission was altered accordingly.

7.3. **ABP-306218-19 S146B Alteration**

7.3.1. The alterations requested under ABP-306218-19 comprised:

- Alterations to the penthouse levels of Blocks 1 and 2 to provide 6 no. apartments in place of 8 no. apartments to each block, resulting in an overall reduction of 4 no. units, with amended internal layouts and external private amenity spaces.
- Alterations to the basement level of Block 1 comprising the provision of 2 no. additional basement parking spaces, provision of an additional escape stair / emergency egress, relocation of the entrance to the car park and reconfiguration of basement ventilation.
- Alterations to the basement layout of Block 2 relating to alterations and reconfiguration of the bin storage, plant and cycle storage areas, omission of 4 no. car parking spaces, provision of two escape stairs, reconfiguration of basement ventilation.
- Relocation of 1 no. ESB substation adjacent to Block 1 and the provision of an additional ESB substation to the north of Block 2.
- Replacement of 7 no. 4 bed type E2 houses with 7 no. 3 bed type D5 houses, and
- All associated development and ancillary works.

7.3.2. The Board determined on 7th May 2020 that the requested alterations would not be likely to have significant effects on the environment or any European Site and that they would not be material. The parent permission was altered accordingly.

7.4. Other Planning History

- 7.4.1. The Inspector's Report of ABP-301614-18 details relevant planning history in the surrounding area.

8.0 Assessment

- 8.1. The following are considered to be the principal matters for consideration with regard to the proposed alterations:

- Replacement of Childcare Facility
- Communal Amenities and Impacts on Residential Amenities
- Surface Water Drainage and Site Services
- Traffic and Transportation Issues

These matters may be considered separately as follows.

8.2. Replacement of Childcare Facility

- 8.2.1. Section 2.4 of the S28 Childcare Guidelines recommends:

Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments. For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate. (See also paragraph 3.3.1 and Appendix 2 below). The threshold for provision should be established having regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas. Authorities could consider requiring the provision of larger units catering for up to 30/40 children in areas of major residential development on the basis that such a large facility might be able to offer a variety of services – sessional/drop in/after-school, etc.

Appendix 2 of the Childcare Guidelines provides guidance on the application of the standard of one childcare facility per 75 dwellings, which should have regard to:

1. *The make-up of the proposed residential area, i.e. an estimate of the mix of community the housing area seeks to accommodate. (If an assumption is made that 50% approximately of the housing area will require childcare then in a new*

housing area of 75 dwellings, approximately 35 will need childcare. One facility providing a minimum of 20 childcare places is therefore considered to be a reasonable starting point on this assumption. Other assumptions may lead to an increase or decrease in this requirement.)

2. *The results of any childcare needs analysis carried out as part of a county childcare strategy or carried out as part of a local or action area plan or as part of the development plan in consultation with county childcare committees, which will have identified areas already well-served or alternatively, gap areas where there is under provision, will also contribute to refining the base figure.*

- 8.2.2. Section 4.7 of the Apartment Guidelines (as updated 2020) states the following in relation to the provision of childcare facilities:

Notwithstanding the Planning Guidelines for Childcare Facilities (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.

- 8.2.3. The overall development (as altered) comprises 84 no. apartments (including 6 no. one bed units and 56 no. 2 bed units) and 43 no. houses. Having regard to the above policy guidance, the development (as altered) would generate a demand for between 18–32 no. childcare places, depending on the demand from 2 bed apartments within the scheme. The requester submits that the permitted childcare facility (GFA 195 sq.m.) would cater for c. 39-49 children based on the accepted industry standard of 4-5 sq.m. GFA per child, which would meet this demand.
- 8.2.4. The requestor submits a rationale for the replacement of the permitted creche, along with demographic analysis and details of existing childcare provision in the area. The following points of same are noted:

- It is submitted that the subject development is an infill scheme in an established residential community and is not a 'larger new housing development' as per section 2.4 of the Childcare Guidelines.
- There is extensive existing childcare provision in the area. The requestor submits details of a review of 25 no. existing childcare facilities within c. 2 km of the development site, carried out at the Carrickmines and Cabinteely areas in December 2020 which, it is submitted, demonstrates that these facilities can reasonably accommodate any future demand generated by the permitted development of 127 no. residential units.
- The requestor's rationale provides details of the existing local demographic profile based on Census 2016 data and the CSO Quarterly National Household Survey (QNHS). It notes that Dun Laoghaire Rathdown has an ageing population and one of the lowest young dependency ratios in the state at 27.9%. There is a strong market for downsizing in this area of the county and the permitted development is aimed at this demographic. It is submitted that it is unlikely that many of the 2 bed apartment units within the development would generate demand for childcare places.
- The requestor's rationale estimates that there is a demand for 81 no. pre-school places in the Foxrock-Carrickmines Electoral Division. It is submitted that this demand can be catered for by the existing childcare facilities in the area.
- The requestor provides a demographic assessment of the permitted development, based on census information on the average household size of 2.7 persons per unit in DLR and other census data. This indicates that the overall development would generate c. 11 no. children in the pre-school 0-4 age category, or theoretically 3 no. childcare places based on the 25% childcare uptake figure for Dublin stated in QNHS data. The development would generate c. 16 no. children in the primary school 5-12 age category, with a consequent requirement for 2 no. childcare places based on QNHS data on after-school care in the Dublin area. The 'worst case scenario' would be a demand for 27 no. childcare places.

- The permitted childcare facility would cater for c. 39-49 children, which is in excess of the demand likely to be generated by the development. It is submitted that the permitted creche would not be viable due to its limited size. The request includes correspondence from Savills estate agent, which states that the permitted childcare facility would not be attractive to the requirements of modern day operators, who typically prefer larger scale facilities.
- The Savills correspondence also notes that the entrance to the creche is within an underground car park with no designated drop off point. It is submitted that this will be unattractive to an operator and could result in safety issues.

8.2.5. I note that Appendix 2 of the Childcare Guidelines states that the application of the standard of one childcare facility per 75 dwellings should be applied with regard to the make-up of the proposed residential area. In addition, section 4.7 of the Apartment Guidelines states that the threshold for provision of childcare facilities in apartment schemes should be established having regard to the scale and unit mix of the development, the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. I also note that development plan policy SIC11 provides that childcare facilities should be provided in new residential developments 'subject to demographic and geographic needs'. Having regard to the above demographic information on the area where the development is situated and of the likely occupants of the permitted development, I accept that the development would, of itself, generate limited demand for childcare provision. While I note that the survey of existing childcare facilities in the area provides limited information on capacity, this is due to the unusual circumstances of the Covid 19 pandemic restrictions and I generally accept that there is a significant number of such facilities in the area. Notwithstanding current uncertainty in the childcare sector due to the Covid 19 pandemic, I consider that, given the limited size of the overall development and with regard to the unit mix and the local demographic profile, it is unlikely to generate a substantial demand for childcare places. In addition, the requestor's point regarding commercial viability is accepted given the limited size of the permitted childcare facility and the lack of details regarding the proposed facility, as noted in section 10.7 of the Inspector's Report of ABP-301614-18. The requested

replacement of the permitted childcare facility is therefore considered acceptable in this instance.

8.3. Proposed Communal Amenities and Impacts on Residential Amenities

- 8.3.1. The proposed communal amenity space provides an exercise studio, a residential / communal amenity space, office / meeting room and a dining area, all within the same envelope as that of the permitted creche. The external play space associated with the creche is now to be landscaped as a communal terrace, as per the submitted revised landscaping plan. Given that the requested change of use does not involve any significant change to the external elevations of the permitted development (as altered), I do not consider that any new issues arise in relation to potential impacts on residential amenities by way of overlooking or impacts on daylight or sunlight. I also note in this regard that this element of the development at the southern end of Block 1 is the furthest from the adjacent residential development at Carrickmines Wood and is separated from the nearest apartment block within Carrickmines Wood to the northwest by a buffer of mature trees and garden areas (minimum c. 55m). I am also satisfied that the requested alterations will not result in any significant change in visual impacts from the permitted development or any consequent additional impacts on visual or residential amenities.
- 8.3.2. The proposed communal amenities are to be managed by the management company as part of the overall development and are to serve residents of the scheme. The requester suggests that the amenities could be made available to residents of the wider community through a booking process if the Board considers this to be appropriate. It is submitted that the proposed facilities are in accordance with guidance on communal amenities for apartment developments as provided in section 4.5 of the Apartment Guidelines. The amenities are generally considered acceptable in principle as they will enhance the permitted residential scheme and are in keeping with the 'Objective A' residential zoning of the development site. There is potential for impacts on adjacent residential amenities due to noise associated with the use of the external terrace, however, I note that use of the communal amenities is to be limited to residents of the development only. I do not consider it appropriate that use of the facility be extended to the wider area, as proposed by the requester, given the potential for adverse impacts on residential amenities. Overall, I consider that, given that the use of the residential amenities is to be limited to residents of the

permitted development, this land use will have a lower impact on adjacent residential amenities due to noise and general disturbance that that likely to result from the permitted commercial childcare facility at this location.

- 8.3.3. The proposed communal amenities are considered acceptable in principle on this basis and I do not consider that they would have any significant additional impacts on visual or residential amenities above or beyond those related to the childcare facility at this location in the permitted development (as altered).

8.4. Surface Water Drainage and Site Services

- 8.4.1. The proposed communal amenities in lieu of the permitted creche will not result in any increased surface water discharge or changes to the foul drainage or water supply. The alterations therefore will have no impact on the previously approved surface water design, arrangements, layouts or details. I am therefore satisfied that the alterations will not result in any significant change in impacts from the permitted development in relation to surface water drainage or site services. The Site Specific Flood Risk Assessment (SSFRA) submitted with ABP-301614-18 is noted and I am satisfied that the proposed alterations will not result in any significant changes to flood risk from those associated with the permitted development.

8.5. Traffic and Transportation Issues

- 8.5.1. I note that the permitted development includes upgrade works to Brennanstown Road, including the access adjacent to the proposed alterations, which have now been completed. The proposed communal amenities are to be used by residents of the permitted development and therefore will not generate any additional vehicular movements or public transport demand. The alterations will therefore result in a reduction of traffic and transportation impacts from those associated with the permitted creche, which would have drawn some clients from the surrounding area. The requested alterations to the permitted car parking layout are minor in nature and will not result in any additional traffic or transportation impacts from the permitted development. I am satisfied that the alterations would not give rise to any new issues in relation to the Development Plan specific local policies and objectives as summarised in section 4.2 above. I therefore consider that the alterations will not give rise to any traffic or transportation issues that are different than those considered by the Board in relation to ABP-301614-18.

9.0 Environmental Impact Assessment Screening

9.1. The documentation submitted with ABP-301614-18 includes an Environmental Report (which includes an EIA screening exercise) and an Ecological Appraisal, both dated May 2018. The requestor has submitted a Planning and Environmental Report in respect of the requested alterations (dated 11th December 2020), which also includes an EIA screening exercise. The requestor has also submitted the information specified in Schedule 7A of the Planning and Development Regulations 2001, in respect of the proposed alterations.

9.2. Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:-

- Construction of more than 500 dwelling units
- Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha 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.)

In addition, item 13(a) of Schedule 5 Part 2 refers to changes and extensions to permitted developments:

Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:

- (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
- (ii) result in an increase in size greater than –
 - 25 per cent, or
 - an amount equal to 50 per cent of the appropriate threshold,whichever is the greater.

The overall development of 127 residential units, on a 3.6 ha site (including third party lands for works to public roads and Cabinteely Park) is below the above thresholds for mandatory EIAR. I am satisfied that, having regard to the nature and

size of the requested alterations, they are well below the applicable thresholds for EIA. 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.

9.3. The various reports submitted with the application ABP-301614-18 address a variety of environmental issues and assess the impact of the proposed development, in addition to cumulative impacts with regard to other permitted development in proximity to the site, and demonstrate that, subject to the various construction and design related mitigation measures recommended, the proposed development will not have a significant impact on the environment. I have had regard to the characteristics of the site, location of the proposed alterations, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other submissions, and I have considered all information which accompanied the application including inter alia:

- Environmental Report
- Planning Report
- Tree Retention, Removal and Protection Plan
- Landscape Masterplan
- Photomontages
- Appropriate Assessment Screening Report
- Ecological Appraisal
- Site Specific Flood Risk Assessment, Hydrogeological Assessment and Surface Water Drainage Audit
- Engineering Services Report and Engineering Drawings
- Traffic and Transport Assessment, Road Quality Audit, Mobility Management Plan
- Construction and Environmental Management Plan
- Archaeology and Cultural Heritage Report

9.4. I note the Environmental Report and Ecological Appraisal submitted with ABP-301614-18 and the Planning and Environmental Report submitted with the subject S146B request, along with the submitted Schedule 7A information. The Ecological Appraisal submitted with ABP-301614-18 is based on site surveys carried out on 13th February 2017 and 21st March 2018, as well as a bat survey undertaken on 9th/10th April 2018. The overall development site was originally greenfield lands which are zoned for residential development and the permitted residential development is currently under construction. The lands comprised three fields subdivided by hedgerows with a hedgerow along the Brennanstown Road frontage. There was a drainage ditch along the eastern side of the site. There are no sites designated for nature conservation present at or adjacent to the overall development site. The development is served by municipal drainage and water supply. The drainage ditch that flows along the southern boundary of the site serves as a land drain only for the existing undeveloped site and is not a watercourse. It is connected to an existing 300mm diameter culvert under Brennanstown Road and discharges to the south. The nearest watercourse, the Carrickmines Stream, is located approximately 400m south of the development site and eventually meets the Shanganagh River in Loughlinstown and enters the sea at Ballybrack. The Shanganagh River does not drain directly into any European sites and the AA Screening set out below concludes that the potential for adverse impacts on European sites can be excluded at the screening stage. The nearest (non-European) sites designated for nature conservation are Dingle Glen (001207), Loughlinstown Woods (001211), Dalkey Coastal Zone and Killiney Hill (001206) and Fitzsimon's Wood pNHAs, all within 5km of the development site. In addition the Shanganagh River flows through Loughlinstown Woods pNHA (001211) and enters the sea near Dalkey Coastal Zone and Killiney Hill pNHA, approximately 3.5km downstream to the east. However, the Ecological Appraisal concludes that no impacts on these proposed designated sites are likely, due to the intervening distances and to the reasons for which the sites are designated. No rare species, or habitats of high ecological value are present at the site. There are no invasive species present at the site. No bat roosts or evidence of badgers or otters were recorded at the site. The Ecological Appraisal concludes that the habitats at the site are of local ecological value, particularly for nesting birds.

- 9.5. I note the EIA screening assessment and Schedule 7A information submitted by the requestor. The nature and the size of the proposed alterations are well below the applicable thresholds for EIA. The proposed communal amenities would be similar to predominant land uses in the area. The requested alterations do not involve any significant change in floorspace from the permitted development and the change in use from commercial childcare facility to communal amenity space for residents and associated outdoor terrace use will reduce wastewater generation and water demands arising from the development. The alterations are considered to have a minor beneficial impact in relation to Population and Human Health, as they will result in an improvement in the residential amenities of residents of the permitted development. There are no characteristics or elements of the alterations that are likely to cause significant effects in relation to Biodiversity, Land, Soils and Water. All details of the original SSFRA remain unchanged. The requested alterations have no impact on the previously approved surface water details, water supply or disposal of foul wastewater. They will not involve any change to the overall number of permitted residential units at 127 no. units, or to the overall site area of 3.6 ha. They will not materially impact on the design, character or density of the permitted development. The Schedule 7A information includes a review of adjacent planning permissions such that the requested alterations will not result in any cumulative environmental impacts. The development would not give rise to significant use of natural resources, production of waste, pollution, nuisance, or a risk of accidents.
- 9.6. The requestor's Planning and Environmental Report and Schedule 7A information consider the requested alterations with regard to the criteria at Schedules 7 and 7A as to whether the proposed sub-threshold development would be likely to have significant effects on the environment that could and should be the subject of environmental impact assessment. They conclude that, having regard to the nature, extent, and the characteristics of likely impacts, the proposed alterations to the permitted development would not result in any significant additional environmental impacts when compared with the permitted residential development at the overall site. I have had regard to the characteristics of the site, location of the proposed development, and types and characteristics of potential impacts. I have examined the sub criteria having regard to the Schedule 7A information and all other relevant information on file, and I have considered the AA Screening Report. I consider that

the location of the requested alterations and the environmental sensitivity of the geographical area would not justify a conclusion that they would be likely to have significant effects on the environment. The requested alterations do not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required. Having regard to the limited scale of the requested alterations and to the matters outlined above, I am satisfied that they will not give rise to any change to the Ecological Appraisal and Environmental Report submitted with ABP-301614-18 and that there will be no significant loss of soil, land, water or biodiversity.

- 9.7. I am overall satisfied that the information required under Section 299B(1)(b)(ii)(II) of the Planning and Development Regulations 2001 (as amended) have been submitted.
- 9.8. I note the requirements of Section 299B (1)(b)(ii)(II)(C), whereby the applicant is required to provide to the Board 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. I would note that the following assessments / reports have been submitted:
- An AA Screening Report in support of the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC) has been submitted with the request, which also address requirements arising from the Water Framework Directive and the Urban Wastewater Treatment Directive.
 - A Site Specific Flood Risk Assessment that addresses the potential for flooding having regard to the OPW CFRAMS study which was undertaken in response to the EU Floods Directive was submitted with ABP-301614-18.
 - A Preliminary Construction and Demolition Waste Management Plan which was undertaken having regard to the EC Waste Directive Regulations 2011 and which relied on standards derived under or related to the EU Environmental Noise

Directive, as well as air quality monitoring and standards derived from the EU Ambient Air Quality Directive, was submitted with ABP-301614-18.

The EIA screening report prepared by the requestor has under the relevant themed headings considered the implications and interactions between these assessments and the requested alterations, and as outlined in the report states that the development would not be likely to have significant effects on the environment. I am satisfied that all other relevant assessments have been identified for the purposes of screening out EIAR.

- 9.9. I have completed an EIA screening assessment as set out in Appendix A of this report. I consider that the location of the proposed development and the environmental sensitivity of the geographical area would not justify a conclusion that it would be likely to have significant effects on the environment. The proposed development does not have the potential to have effects the impact of which would be rendered significant by its extent, magnitude, complexity, probability, duration, frequency or reversibility. In these circumstances, the application of the criteria in Schedule 7 to the proposed sub-threshold development demonstrates that it would not be likely to have significant effects on the environment and that an environmental impact assessment is not required before a grant of permission is considered. This conclusion is consistent with the EIA Screening Statement submitted with the request.
- 9.10. A Screening Determination should be issued confirming that there is no requirement for an EIAR based on the above considerations.

10.0 Appropriate Assessment

- 10.1. The requirements of Article 6(3) as related to screening the need for appropriate assessment of a project under part XAB, section 177U and 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.
- 10.2. A Stage 1 AA Screening Report was submitted with ABP-301614-18. The report was prepared in line with current best practice guidance and provides a description of the proposed development and identifies European Sites within a possible zone of influence of the development. Potential effects during construction and operation of the development are considered as well in combination effects of neighbouring

developments. The screening is supported by associated reports submitted with the application, including an Environmental Report, an Ecological Appraisal, an Engineering Services Report and a SSFRA, Hydrogeological Assessment and Surface Water Drainage Audit. The AA Screening Report submitted with ABP-301614-18 concluded, based on the best scientific evidence, that the proposed development either individually or in combination with other plans or projects would not be likely to have a significant effect on any Natura 2000 sites and that a Stage 2 AA is not required. An updated AA Screening Report is submitted with the current request, which considers the requested alterations. This notes that the requested alterations do not involve any increase in floorspace and that the change in use from commercial childcare facility to communal amenity space for residents will reduce the wastewater and water demands arising from the development. It concludes that the requested alterations result in no change to the conclusions reached on previous applications at this site, and that, based on the best scientific evidence, it can be clearly demonstrated that no elements of the project will result in any impact on any relevant European site, either on their own or in combination with other plans or projects, in light of their conservation objectives.

- 10.3. Having reviewed the documents and submissions, I am satisfied that the information submitted allows for a complete examination and identification of any potential significant effects of the development, alone, or in combination with other plans and projects on European sites.
- 10.4. The Board is directed to section 10.9 of the Inspector's Report of ABP-301614-18, which comprises an AA screening of the permitted development and concludes that, having regard to the nature and scale of the development, to the proposed foul and surface water treatment measures and construction mitigation measures, the nature of the receiving environment and proximity to the nearest European sites, it was reasonable to conclude that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site in view of the sites' conservation objectives that and a Stage 2 AA was therefore not required. The Board also completed an AA Screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban area, the AA Screening Report

submitted with the application, and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European Site in view of the sites' conservation objectives, and that a Stage 2 AA was not, therefore, required.

- 10.4.1. I note the zoned and serviced nature of the development site and the fact that the proposed alterations do not involve any significant amendments to site services or surface water drainage. Having considered the Board's determination on Appropriate Assessment on ABP-301614-18, section 10.9 of the Inspector's Report on ABP-301614-18, the nature, scale and extent of the proposed alterations relative to the development subject of and approved under ABP-301614-18, and the information on file which I consider adequate to carry out AA Screening, I consider it reasonable to conclude that the alterations proposed, individually or in combination with other plans or projects, would not be likely to have a significant effect on the European sites in view of the sites' conservation objectives and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.
- 10.4.2. In reaching this conclusion I took no account of mitigation measures intended to avoid or reduce the potentially harmful effects of the project on any European Sites.

11.0 Recommendation

- 11.1. As per section 146B(3)(b)(ii), the Board may (I) make the proposed alteration; (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or (III) refuse to make the alteration. As per the above discussion, the proposed alterations are considered acceptable without any further amendments. I therefore recommend that the Board apply the provisions of section 146B(3)(b)(ii)(I) and make the proposed alteration in accordance with the draft order set out below.

DRAFT ORDER

REQUEST received by An Bord Pleanála on the 11th day of December 2020 from Viscount Securities under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of a permitted Strategic Housing Development of 136 no. residential units (98 no. apartments and 38 no. houses), crèche facility, works to Brennanstown Road, alterations to the Brennanstown Road/Glenamuck Road North/Brighton Road/Claremont junction, connections to and through Cabinteely Park and associated site works at a site at Brennanstown Road, Dublin 18, the subject of a permission under An Bord Pleanála reference number ABP-301614-18, as subsequently altered by ABP-304726-19 and ABP-306218-19.

WHEREAS the Board made a decision to grant permission, subject to 25 conditions, for the above-mentioned development by order dated the 31st day of August 2018,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alterations are described as follows:

- Replacement of permitted childcare facility (GFA of 195 sq.m) and outdoor play area on the ground floor of Block 1 with a communal amenity space for residents (GFA of 195 sq.m) and associated external terrace area. The proposed communal amenity space will include a concierge desk, a relaxation space, a kitchen/ dining area, a gym studio room and an office / meeting room.
- Reallocation of 2 no. creche car parking spaces at basement level to car parking for the communal amenity space for residents.
- Landscaping alterations to the adjacent outdoor terrace.

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alterations would result in a material alteration to the terms of the development, the subject of

the permission,

AND WHEREAS the Board decided, in accordance with section 146B(3)(b)(i) of the Planning and Development Act 2000, as amended, to require the submitted information to be placed on public display and submissions sought, prescribed bodies to be issued a copy of the proposal and additional drawings to be submitted,

AND WHEREAS having considered all of the documents on file and the Inspector's report, the Board considered that the making of the proposed alterations would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(a) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by the Board on the 11th day of December 2020.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

In coming to its decision, the Board had regard to the following:

- (a) the policies and objectives set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022,
- (b) the Childcare Facilities Guidelines for Planning Authorities 2001
- (c) the Guidelines for Planning Authorities on Sustainable Urban Housing: Design Standards for New Apartments 2020,

- (d) the nature and scale of the Strategic Housing Development, permitted under An Bord Pleanála Reference Number ABP-301614-18, in respect of 136 no. residential units (98 no. apartments and 38 no. houses), crèche facility, works to Brennanstown Road, alterations to the Brennanstown Road/Glenamuck Road North/Brighton Road/Claremont junction, connections to and through Cabinteely Park and associated site works at a site at Brennanstown Road, Dublin 18, the subject of a permission under An Bord Pleanála reference number ABP-301614-18 (as subsequently altered by ABP-304726-19 and ABP-306218-19),
- (e)) the appropriate assessment and environmental impact assessment carried out in the course of this application
- (f) the limited nature and scale of the alterations
- (g) the absence of any significant new or additional environmental concerns (including in relation to European sites) arising as a result of the proposed alterations
- (h) the absence of any new or significant issues relating to the proper planning and sustainable development of the area arising from the proposed alterations, and
- (v) the report of the Board's Inspector.

Appropriate Assessment Screening

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on designated European sites, taking into account the nature, scale and location of the proposed development within a zoned and serviced urban site, the Screening for Appropriate Assessment submitted with the application and the Inspector's Report. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the conservation objectives of such sites, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment

The Board completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report submitted by the applicant, identifies and describes adequately the direct, indirect, secondary, and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10 (b) (i) and (iv) of Schedule 2, Part 5 of the Planning and Development Regulations, 2001 (as amended),
- (b) the location of the site on land zoned “A” in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, with the objective “to protect and/or improve residential amenity” and the compliance of the proposed development with the policies, objectives and development management,
- (c) the pattern of development on the lands in the surrounding area,
- (d) the availability of mains water and wastewater services to serve the development,
- (e) the location of the development outside any sensitive location specified in Article 299(c)(1)(v) of the Planning and Development Regulations, 2001 (as amended),
- (f) the guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-Threshold Development” issued by the Department of the Environment, Heritage and Local Government (2003),
- (g) the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended),
- (h) the features and measures proposed by the applicant to avoid or prevent what might otherwise be significant effects on the environment,

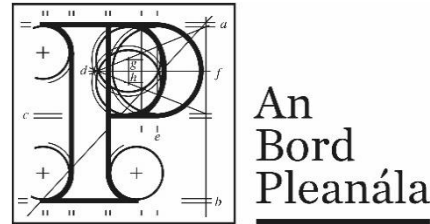
It is considered that the proposed development, by reason of the nature, scale and location of the subject site, would not be likely to have significant effects on the environment and the preparation and submission of an Environmental Impact Assessment Report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development:

The Board considers that the proposed alterations would be material and would be generally in accordance with the provisions of the of the Dun Laoghaire Rathdown County Development Plan 2016-2022, would not be likely to give rise to impacts on the surrounding area that significantly differed from those that were considered before permission was granted and would not injure the character of the permitted development or the level of amenity that it would afford its occupants. The proposed alterations would therefore be in keeping with the proper planning and sustainable development of the area.

Sarah Moran
Senior Planning Inspector
17th September 2021

Appendix A: EIA Screening Form



EIA - Screening Determination for Strategic Housing Development Applications

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-308878-20
Development Summary		Alterations to permission ABP-301614-18 as altered by ABP-304726-19 and ABP-306218-19 for the replacement of the permitted childcare facility and associated outdoor play area with a communal amenity space for residents and associated works.
	Yes / No / N/A	
1. Has an AA screening report or NIS been submitted?	Yes	An EIA Screening Report and a Stage 1 AA Screening Report were submitted with the application

2. Is a IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA	Yes	SEA undertaken in respect of the Dun Laoghaire Rathdown County Development Plan 2016-2022

B. EXAMINATION	Yes/ No/ Uncertain	Briefly describe the nature and extent and Mitigation Measures (where relevant) (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact) Mitigation measures –Where relevant specify features or measures proposed by the applicant to avoid or prevent a significant effect.	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			

1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The development comprises the construction of residential amenities on zoned lands. The nature and scale of the proposed development is not regarded as being significantly at odds with the surrounding pattern of development.	No
1.2 Will construction, operation, decommissioning or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	The proposed development is located on greenfield infill lands which are currently being developed as residential. The proposed development is not considered to be out of character with the pattern of development in the surrounding area.	No
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/minerals or energy, especially resources which are non-renewable or in short supply?	Yes	Construction materials will be typical of such an urban development. The loss of natural resources or local biodiversity as a result of the development of the site are not regarded as significant in nature.	No
1.4 Will the project involve the use, storage, transport, handling or production of substance which would be harmful to human health or the environment?	Yes	Construction activities will require the use of potentially harmful materials, such as fuels and other such substances. Such use will be typical of construction sites. Any impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts. No operational impacts in this regard are anticipated.	No

<p>1.5 Will the project produce solid waste, release pollutants or any hazardous / toxic / noxious substances?</p>	<p>Yes</p>	<p>Construction activities will require the use of potentially harmful materials, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and implementation of a Construction Management Plan will satisfactorily mitigate potential impacts.</p> <p>Operational waste will be managed via a Waste Management Plan. Significant operational impacts are not anticipated.</p>	<p>No</p>
<p>1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No</p>	<p>No significant risk identified. Operation of a Construction Management Plan will satisfactorily mitigate emissions from spillages during construction. The operational development will connect to mains services. Surface water drainage will be separate to foul services within the site. No significant emissions during operation are anticipated.</p>	<p>No</p>

<p>1.7 Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation?</p>	<p>Yes</p>	<p>Potential for construction activity to give rise to noise and vibration emissions. Such emissions will be localised, short term in nature and their impacts may be suitably mitigated by the operation of a Construction Management Plan. Management of the scheme in accordance with an agreed Management Plan will mitigate potential operational impacts.</p>	<p>No</p>
<p>1.8 Will there be any risks to human health, for example due to water contamination or air pollution?</p>	<p>No</p>	<p>Construction activity is likely to give rise to dust emissions. Such construction impacts would be temporary and localised in nature and the application of a Construction Management Plan would satisfactorily address potential impacts on human health. No significant operational impacts are anticipated.</p>	<p>No</p>
<p>1.9 Will there be any risk of major accidents that could affect human health or the environment?</p>	<p>No</p>	<p>No significant risk having regard to the nature and scale of development. Any risk arising from construction will be localised and temporary in nature. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location.</p>	<p>No</p>

1.10 Will the project affect the social environment (population, employment)	Yes	Development of this site as proposed will result in a change of use and an increased population at this location. This is not regarded as significant given the urban location of the site and surrounding pattern of land uses.	No
1.11 Is the project part of a wider large scale change that could result in cumulative effects on the environment?	No	This is an alteration to an existing permitted development. The development changes have been considered in their entirety and will not give rise to any significant additional effects.	No
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: <ul style="list-style-type: none"> 1. European site (SAC/ SPA/ pSAC/ pSPA) 2. NHA/ pNHA 3. Designated Nature Reserve 4. Designated refuge for flora or fauna 	No	No European sites located on the site. An AA Screening Report accompanied the application which concluded the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of	No

5. Place, site or feature of ecological interest, the preservation/conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan		any European site, in view of the sites Conservation Objectives.	
2.2 Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project?	No	No such species use the site and no impacts on such species are anticipated.	No
2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	No	No.	No
2.4 Are there any areas on/around the location which contain important, high quality or scarce resources which could be affected by the project, for example: forestry, agriculture, water/coastal, fisheries, minerals?	No	No such features arise in this urban location.	No

2.5 Are there any water resources including surface waters, for example: rivers, lakes/ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	No	There are no direct connections to watercourses in the area. The development will implement SUDS measures to control surface water run-off. The site is not at risk of flooding. Potential indirect impacts are considered with regard to surface water, however, no likely significant effects are anticipated.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	Site investigations identified no risks in this regard.	No
2.7 Are there any key transport routes(eg National Primary Roads) on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	No	The site is served by a local urban road network. There are sustainable transport options available to future residents. No significant contribution to traffic congestion is anticipated.	No
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be affected by the project?	Yes	The development would not be likely to generate additional demands on educational facilities in the area.	No

3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/or approved development result in cumulative effects during the construction/ operation phase?	No	No developments have been identified in the vicinity which would give rise to significant cumulative environmental effects. Some cumulative traffic impacts may arise during construction. This would be subject to a construction traffic management plan.	No
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	No trans boundary considerations arise	No
3.3 Are there any other relevant considerations?	No	No	No

C. CONCLUSION			
No real likelihood of significant effects on the environment.	Yes	EIAR Not Required	EIAR Not Required
Real likelihood of significant effects on the environment.	No		

D. MAIN REASONS AND CONSIDERATIONS

Having regard to: -

- a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(b)(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- b) the location of the site on lands governed by zoning objective Zoning Objective A 'To protect and / or improve residential amenity'.
- d) The existing use on the site and pattern of development in surrounding area,
- e) The planning history relating to the site,
- f) The availability of mains water and wastewater services to serve the proposed development,
- g) The location of the development outside of any sensitive location specified in article 299(C)(1)(v) of the Planning and Development Regulations 2001 (as amended),
- h) The guidance set out in the “Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development”, issued by the Department of the Environment, Heritage and Local Government (2003),
- i) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001 (as amended), and

i) The features and measures proposed by applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the proposed Construction & Demolition Waste Management Plan (CDWMP),

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

Inspector: _ Sarah Moran__

Date: __17th September 2021____

