



An
Coimisiún
Pleanála

Inspector's Report ABP-322408-25

Development	Proposed development of 129 dwellings consisting of 1, 2, 3 & 4-bedroom housing and apartments, a high support unit of 5 bedrooms in 7 blocks ranging from 2 – 5 storeys and all associated site works.
Location	Blackglen Road, Sandyford, Dublin 18.
Planning Authority	Dun Laoghaire-Rathdown County Council
Requester(s)	Kevin Cullen & Others Dudley Dolan.
Type of Application	Environmental Impact Assessment (EIA) Screening Determination (Application under Article 120(3)(b) of the Planning and Development Regulations, 2001 (as amended)).
Date of Site Inspection	3 rd May 2025
Inspector	Owen Cahill

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1.0 Introduction

Under the provisions of Article 120(3)(b) of the Planning and Development Regulations, 2001 (as amended) (the Regulations) a request for an Environmental Impact Assessment Screening Determination was made to An Coimisiún Pleanála (the Commission) to determine whether or not a proposed development would be likely to give rise to significant effects on the environment, and thereby require the preparation of an Environmental Impact Assessment Report (“EIAR”). The proposed development comprises 129 dwellings consisting of 1, 2, 3 & 4-bedroom housing and apartments, a high support unit of 5 bedrooms in 7 blocks ranging from 2 – 5 storeys and all associated site works at Blackglen Road, Sandyford, Dublin 18.

The proposed development is a local authority development and is being applied for under Part XI of the Planning and Development Act 2000, as amended (the Act), and Part 8 of the Regulations. It is not a direct planning application to the Commission. Kevin Cullen & Others and Dudley Dolan made applications under the provisions of Article 120 (3)(b) requesting the Commission to make an Environmental Impact Assessment (EIA) Screening Determination.

Dun Laoghaire-Rathdown County Council (DLRCC) is of the opinion that the works do not require an EIAR and has initiated the process set out in Part XI of the Act and Part 8 of the Regulations. This view is evidenced in an EIA Screening Report submitted to the Commission by DLRCC on 15th August 2025. The requesters question this conclusion and contend the proposed development would be likely to have significant effects on the environment.

2.0 Site Location and Description

The subject site is in the townland of Balally and is located just off the Blackglen Road c.200m west of the junction of the R113 (Hillcrest Road/Blackglen Road) and R117 (Sandyford Road/Enniskerry Road) in an area known locally as Lambs Cross.

The site is slightly elevated relative to the adjacent R113 from the existing entrance at the south of the site and gradually slopes to the east where the ground levels in the eastern section of the site align with that of the R113 adjacent. The very centre of the site is the highest point with the ground levels then falling gradually toward the

north and northeast to the densely vegetated area in the north of the site and beyond. The vegetated area to the north is enclosed with a box wire fence with one opening in the northeast of the site which allows access to existing paved walkways which is a route into Fitzsimons Wood. The nearest watercourse to the site is the Carrickmines stream which is located c.200m to the south of the site boundary at its nearest point.

The site can be categorised as a greenfield site with no history of any development thereon. At the existing entrance off the R113, there is evidence of disturbed ground which has revegetated and includes areas of made ground as identified by the site investigation. This disturbance appears to be related to temporary stockpiling of excavated material which is visible in aerials included in the documents prepared as part of the Part 8 application.

In the northwest of the site there is an area which appears to have been subject to some excavation however, given the existing overgrowth it is difficult to determine if it is just the natural terrain of the site. However, the area is relatively small and no evidence of any contaminated material was visible. In the same area of the site, there was also evidence of some very minor discarding of waste material. Again, this appeared to be quite localised, historical and most likely related to unauthorised recreational use of the site. All other areas within the site are undisturbed, vegetated and in some areas, densely vegetated.

3.0 Proposed Development

3.1. Overview

The proposed development will comprise the construction of 129 no. residential units and associated infrastructure on a site measuring 2.8 hectares. It is intended to provide vehicular access off Blackglen Road (R113). The height of the proposed units ranges from 2 to 5 storeys. The mix of units comprises:

- 55 no. 1-bed apartments
- 39 no. 2-bed apartments
- 21 no. 2-bed houses

- 11 no. 3-bed houses
- 2 no. 4-bed houses
- 1 no. high support unit of 5 bedrooms
- Associated infrastructure which includes 138 no. on-street car parking spaces, 168 no. bike parking spaces, new roadways, footpaths, bin storage units, landscaping, drainage connection, pedestrian routes to Fitzsimons Wood, related ancillary services and all associated site works.

The drainage proposal for surface waters at the site will comprise attenuation via a porous surface and modular system both of which will be connected to the public system via a hydrobrake. For foul drainage, a gravity connection to an existing foul line on the Blackglen Road which ultimately discharges to an existing wastewater treatment plant in Ringsend where it will undergo treatment prior to discharge to receiving waters in the River Liffey and Dublin Bay. It is acknowledged within the Appropriate Assessment Screening Report that the Ringsend Wastewater Treatment Plant is currently undergoing upgrade works. The Uisce Eireann Project website confirms that the upgrade works are due for completion by the end of 2025.

3.2. The Part 8 Application

The Planning Authority has confirmed that the development is intended to be subject to the process set out at Part XI of the Act and Part 8 of the Regulations and that this process had commenced but is now pending determination of the subject matter.

3.3. Documents Supporting the Proposed Development

The following documents which formed part of the Part 8 application were submitted to the Commission in response to the request for an EIA Determination:

- Cover Letter dated 15-08-2025 (Local Authority Response to the EIA Determination Request).
- Archaeological Impact Assessment
- Architectural Design Statement
- Civil Report (including the Ground Investigation Report)

- Traffic and Transport Assessment
- Preliminary Construction and Environmental Management Plan
- Environmental Impact Assessment Screening Report
- Appropriate Assessment Screening Report
- Ecological Impact Assessment
- Newt Survey Report

The Part 8 application also included a number of internal DLRCC reports, technical reports relating to development design as well as architectural, civil, mechanical and electrical design drawings all of which were issued to the Commission in response to the request.

4.0 Planning History

A review of the DLR Planning Portal and the Commission's case files was carried out on the 17th September 2025 to collate a planning history for the site and the immediately adjacent lands.

On Site

PA ref. PC/H/03/25: This case file relates to the application under Part 8 of the of the Regulations for which this request for an EIA Screening Determination has been made.

PC/06/06: This case also relates to the subject site for a Part 8 application for 133 residential units inclusive of a basement car parking, resource centre and other ancillary works.

The proposal was put to a vote at a Dun Laoghaire-Rathdown County Council meeting on September 11th, 2006, where the motion was defeated.

Adjoining Area

PA ref. D25A/0662/WEB: The proposed demolition of an existing bungalow, boiler house and garden shed and the construction of a new two storey house and associated site works.

Decision due: 21st October 2025.

PA ref. LRD25A/0065/WEB: Large-Scale Residential Development (LRD) on a site of approx. 3.83ha. The development will consist of 192 no. residential units ranging from 2-5 storeys in height, associated resident amenity facilities, a childcare facility, all boundary treatment and landscaping works, site services connections and all site development works

DLRCC granted permission with decision on the Appeal (ACP-323280-25) awaited.

PA ref. ABP-314459-22: Permission for 360 no. apartments, creche and associated site works.

Refused by the Commission on 6th July 2023.

PA ref. ABP-313321-22: Permission for the demolition of existing structures and the construction of 101 no. residential units, creche and associated site works.

Granted by the Commission on 23rd August 2024.

PA ref. ABP-309965-21: Permission for a strategic housing development consisting of demolition of existing dwelling on site and permission for a mixed-use development consisting of 143 Residential Units, including 4 live work units.

Refused by the Commission on 5th August 2021

PA ref. D23A/0456: The proposed demolition of the existing single storey dwelling, garage, boiler house, 2 no. dwarf block walls and associated structures at 'Crohamhurst' (approx. 209.8 sq. m) and the construction of a new Neighbourhood Centre and Residential Development in 3 no. new build Blocks A, B and C ranging between 3 - 6 storeys in height over part 1 and part 2 storey basement level. The

development consists of 80 no. residential apartment units, an ATM area, a health centre, and a café.

DLRCC granted permission with decision on the Appeal (ABP-319621-24) awaited.

PA ref. ABP-309828-21: Strategic Housing Development. The development of 445 no. Build to Rent apartments, creche and associated site works.

Approval was granted on July 15th, 2021.

PA ref. D24A/0424/WEB

The demolition of buildings for construction of a residential development comprising 13 houses and 60 apartments and all associated works. DLRCC granted permission for this development and the decision was subsequently appealed to the Commission (ABP-321220-24) where the DLRCC decision was upheld.

Approval was granted on October 14th, 2024.

PA ref. PC/07/07: A Part 8 application for the Blackglen Road/Harolds Glen Road Improvement Scheme.

Approval was granted on November 12th, 2007.

PA ref. PC/H/02/24: This case file relates an application under Part 8 of the of the Regulations for 37 apartment units in a 3-5 storey building over undercroft area and all associated site works.

It is noted that this development was the subject of a request for an EIA Screening determination to the Commission (ABP-321427-24). The Commission determined that the submission of an Environmental Impact Assessment Report was not required.

PC/11/06: This case relates to the same site as that in PC/H/02/24 above. It relates to a Part 8 application for 25 residential units inclusive of basement car parking.

Approval was granted on November 13th, 2006.

Residential Planning Applications: There are numerous planning applications in respect of residential development in the Balally area which is to be expected in a such a suburban location. These are all noted and considered in the assessment below.

5.0 Legislation and Policy

5.1. EIA Directive 2014/52/EU

5.1.1. Annex III of EIA Directive 2014/52/EU (the Directive) groups the criteria for determining whether projects listed in Annex II of the Directive should be subject to an EIA which has been transposed into the Planning and Development Regulations, 2001, (as amended) under Schedule 7.

5.2. Planning and Development Act, 2000, as amended

5.2.1. Section 179 of the Act relates to local authority own development. Under subsection (b), where a local authority proposes to carry out a development, it shall comply with this section and any regulations under this section.

5.2.2. Section 179 (6)(d) of the Act shall not apply to proposed development which is for development in respect of which an environmental impact assessment report is required under Section 175 or under any other enactment.

5.3. Planning and Development Regulations, 2001, as amended

5.3.1. Under Article 120 (3)(b) of the Planning and Development Regulations, 2001, as amended, “where any person considers that a development proposed to be carried out by a local authority would be likely to have significant effects on the environment, they may, at any time before the expiration of 4 weeks beginning on the date of publication of the notice referred to in Article 81(2), apply to the Commission for a screening determination as to whether the development would be likely to have such effects.”

5.3.2. Subsection (c) states that an application for screening determination under the above shall state the reasons why the development would be likely to have

significant effects on the environment and shall indicate the class in Schedule 5 within which the development falls.

- 5.3.3. Subsection (ca) requires the local authority to submit to the Commission the information specified in Schedule 7A for the purposes of the screening determination. Under subsection (cb) this information shall be accompanied by any other relevant information and assessments on the characteristics of the proposed development and its likely significant effects on the environment, including, where relevant, information on 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, and the description of any features of the proposal and measures to avoid or prevent significant adverse effects.
- 5.3.4. Subsection (cc) requires the Commission to carry out an examination of, at least, the nature, size or location of the development and shall make a screening determination. If the determination is that there is no real likelihood of significant effects on the environment arising from the proposed development, it shall determine that an EIA is not required. If there would be likely effects, it shall serve notice on the local authority to prepare an EIAR in respect of the proposed development.

Schedule 5

- 5.3.5. Article 93 of the Planning and Development Regulations 2001 (as amended) references the prescribed classes of development referring to Schedule 5 which reflects Annex I and II of the EIA Directive.

Schedule 7

- 5.3.6. Schedule 7 of the Planning and Development Regulations, 2001 (as amended), sets out criteria for determining whether a project should be subject to environmental impact assessment. These are as follows:
1. The characteristics of the proposed development.
 2. Location of the proposed development.
 3. Types and characteristic of potential impacts.

5.4. **Dun Laoghaire-Rathdown County Council County Development Plan, 2022-2028**

The relevant statutory plan is the Dun Laoghaire-Rathdown County Council County Development Plan, 2022-2028 (the Plan) with the following policies and objectives considered to be of relevance.

5.4.1. **Zoning Objective**

The site of the proposed development itself is zoned A “residential amenity”. The objective is “to provide residential development and improve residential amenity while protecting the existing residential amenities”.

5.4.2. **Specific Policies in relation to Housing**

There is a specific objective to facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users as set out in *Policy Objective PHP2*

The Plan also set out a Policy Objective 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’ and any amendment thereof as set out in *Policy Objective PHP3*

The Plan recognises a need for Increased housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites as set out in *Policy Objective PHP18*.

It is a Policy Objective to promote the provision of social housing in accordance with the Council’s Housing Strategy and Government policy as outlined in the Department of Housing Planning and Local Government ‘Social Housing Strategy 2020’ as set out in *Policy Objective PHP31*.

It is a Policy Objective to encourage high quality design of all new development and to ensure new development complies with the Building Height Strategy for the County as set out in *Policy Objective PHP42*

5.4.3. Other Relevant Policies

The Plan also set out a number of policies in relation to Climate Action which have relevance to the proposed development.

There is a commitment to the implementation of International and National objectives on climate change including the 'Climate Action Plan 2021 Securing Our Future', the 'National Adaptation Framework' 2018, the 'National Energy and Climate Plan 2021-2030', and take account of the 'Climate Action and Low Carbon Development (Amendment) Act 2021', and subsequent updates, other relevant policy, guidelines and legislation, that support the climate action policies included in the County Development Plan as set out in *Policy Objective CA1*.

In terms of development design energy strategy, it is a policy objective to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new buildings as set out in *Policy Objective CA5*.

5.5. Natural Heritage Designations

The site is not located within any National or European designated sites. The following sites are in closest proximity to the site:

- Wicklow Mountains SAC (Site Code: 002122) and Wicklow Mountains SPA (Site Code: 004040) approx. 4.8km southwest of the site.
- South Dublin Bay SAC (Site Code: 00210) approx. 5.4km northeast of the site.
- South Dublin Bay and River Tolka SPA (Site Code: 004024) approx. 5.4km northeast of the site.

The site adjoins the Fitzsimons Wood pNHA which located immediately to the north of the proposed development.

6.0 Request for Determination

6.1. Requests

Two submissions were received requesting the Commission to exercise its powers under Article 120(3)(b) of the Regulations to require the local authority to prepare an EIA in respect of the proposed development. The requesters Kevin Cullen & Others and Dudley Dolan were required to submit further information within an appropriate period outlining which class(es) of development in Schedule 5 of the Planning and Development Regulations 2001, as amended, the development as proposed would fall within. The submissions are summarised below:

6.1.1. Submission of Kevin Cullen & Others

- Conclusion of the EIA Screening Report referring to the negligible impact on landscapes or sites of historical, cultural or archaeological significance should be set aside as the EIA Screening has not acknowledged that the adjoining Fitzsimons Wood pNHA lies within the Barnacullia LCA as set out in the Dun Laoghaire Rathdown County Development Plan 2022 – 2028.
- Site of the proposed development is within the 'Enclosure' of the Barnacullia LCA.
- Fails to consider the impact on the Barnacullia LCA with respect to Policy Objective GIB2: Landscape Character Areas, and the cumulative impact of the proposed development within the Barnacullia LCA.
- Any determination should await the outcome of judicial review proceedings for a consented development on lands immediately adjacent to the proposed development.
- Infrastructure Projects, Class 10,(b)(i) of Schedule 5 to the Planning and Development Regulations, 2001, as amended, i.e. Construction of more than 500 dwelling units applicable with the project sub-threshold development in accordance with Article 92 of the Planning and Development Regulations, 2001.

- Located in an area extremely vulnerable to groundwater pollution. Infiltration of contaminated water has the potential to have direct impacts on nearby newt ponds. The use of SuDS drainage systems which includes infiltration as a means of site drainage should not be permitted and the proposal for infiltration is contrary to Policy Objective EI8: Groundwater Protection and Appropriate Assessment.
- The overall conclusion reiterates the request that an Environmental Impact Assessment be undertaken considering the likelihood of significant environmental effects.

6.1.2. **Submission of Dudley Dolan**

- Site of the proposed development is located uphill from an area of smooth newt ponds. The surface water drainage proposals may have a direct impact on the hydrology and hydrogeology of these ponds.
- The Pale ditch, a defensive fortification is in close proximity to the site.
- The royal fern species has been identified beside the smooth newt ponds in a biodiversity audit of Fitzsimons Wood commissioned by DLRCC Parks Department in 2006.
- The overall conclusion reiterates the request that an Environmental Impact Assessment be undertaken with an emphasis on the hydrology and hydrogeology and the impact on the smooth newt ponds.

6.2. **Schedule 7A Information**

- 6.2.1. Schedule 7A of the Regulations relates to the information to be provided for the purposes of screening sub-threshold development for Environmental Impact Assessment. In this regard, the Planning Authority was requested, in accordance with Article 120(3)(ca) of the Regulations, to submit the information set out in Schedule 7A and to make any submission or observations it may have in relation to the matter.

6.2.2. In response to the request, the Planning Authority submitted all documents prepared as part of the Part 8 application including an Environmental Impact Assessment Screening Report.

7.0 Assessment

7.1. Introduction

Under the provisions of Article 120 (3)(cc) of the Regulations, the Commission is required to provide a screening determination as to whether the proposed development comprising 129 no. residential units and all associated works on a site comprising 2.8 hectares, would be likely to have significant effects on the environment.

The following matters are considered relevant in the assessment of whether the proposed development would be likely to have significant effects on the environment:

- Project type/class of development under Schedule 5 of the Regulations,
- Relevant thresholds under Part 2 of Schedule 5 of the Regulations,
- Criteria set out in Schedule 7 of the Regulations,
- Other Relevant Information, and,
- Measures to avoid significant adverse effects on the environment.

An assessment of the proposed development against the above is carried out in the sections that follow.

7.2. Relevant Project Types/Class of Development

7.2.1. I consider that the proposed project involves development that is a class for the purposes of Environmental Impact Assessment, as follows:

- Class 10(b)(i) in the Regulations is the *'Construction of more than 500 dwelling units'*.
- Class 10(b)(iv) in the Regulations is for *'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.

7.3. Relevant thresholds under Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended)

- 7.3.1. The threshold for development in Class 10(b)(i) in the Regulations is the *'Construction of more than 500 dwelling units'*. The proposed development comprises the construction of 129 no. residential units. Therefore, whilst the proposed development is a development type listed in Part 2 of the Fifth Schedule, it is sub-threshold for the purposes of mandatory EIA.
- 7.3.2. The threshold for development in Class 10(b)(iv) in the Regulations is for *'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'*. The proposed development is of a site with an area of 2.8 hectares and is not located in an area that could be considered to be a business district and therefore the higher threshold of 10 hectares in a built-up area is relevant. Therefore, whilst the proposed development is a development type listed in Part 2 of the Fifth Schedule, it is sub-threshold for the purposes of mandatory EIA.
- 7.3.3. Therefore, whilst the proposed development is a development type listed in Part 2 of the Fifth Schedule, it is sub-threshold, and a mandatory EIA is not required.
- 7.3.4. An assessment as to whether the sub-threshold project would be subject to EIA having regard to the criteria set out in Schedule 7 of the Regulations, is set out below.

7.4. Assessment of the development under the criteria set out in Schedule 7 of the Planning and Development Regulations, 2001 (as amended)

The criteria for determining whether a development would or would not be likely to have significant effects on the environment are assessed under the following headings:

1. Characteristics of Proposed Development
2. Location of Proposed Development

3. Types and characteristics of potential impacts.

Each of these criteria is assessed below.

7.4.1. **Characteristics of the Proposed Development**

- **Size & Design**

The proposal is for the development of 129 residential units is below the 500-unit threshold that would require an EIAR as set out in the Regulations. The proposed development site is 2.8 hectares which is below the 10-hectare threshold for urban development in built up areas that require mandatory EIAR.

The construction will be confined to the footprint of the site except for the works associated with the connections required to existing services and utilities all of which are adjacent to the site. The Preliminary Construction and Environmental Management Plan (CEMP) provides measures to be undertaken to ensure the potential for impact on the surrounding area from the works is kept to a minimum. In particular, measures are provided in relation to traffic management for both site access and works on the R113, with commitments provided to coordinate works and access around school traffic and local residents. Regular communication and consultation with neighbouring residents and other stakeholders is proposed, as required.

In regard to the design and layout of the proposal, the development comprises a mix of two-storey dwellings to apartment buildings up to five storeys. A contiguous elevation (Drawing no. BGR-ARCH-ZZ-ZZ-DR-A 0201) has been prepared which depicts the proposed developments from the R113 showing the variation in the design and height of the buildings proposed. Whilst the two and three storey dwellings are consistent with the existing development in this suburban location, the apartment buildings will contribute to the creation of a more urban streetscape resulting in permanent visual changes to the landscape. The EIA Screening Report refers to the peri-urban nature of the area and that highly sensitive landscapes or protected views will not be impacted. The DLR CC mapping portal identifies areas along the Blackglen Road (R113) and the Ticknock Road (Local Road) to the west and southwest of the site respectively with an objective to preserve views. These

views will not be impacted by the proposed development given the orientation on the R113 and the considerable vegetative screening on the Ticknock Road.

It is noted that a development of a similar scale has been consented by the planning authority on the Blackglan Road (ABP-313321-22). A development at Lambs Cross (D23A/0456) has also been consented by the planning authority and is currently the subject of an appeal (ABP-319621-24). If consented, this will alter the character of the landscape at Lambs Cross and further evolve the urban character of the area.

Having regard to the nature and size/scale of the proposed development, which is significantly below the thresholds set out in Part 2 of the Fifth Schedule of the Regulations as well as the absence of any impact on highly sensitive landscapes or protected views, I do not consider that significant effects on the environment will arise as a result of size or design of the proposed development.

- **Potential for Cumulative Impacts with other Existing and/or Approved Projects**

There are a number of permitted and proposed developments within the vicinity of the proposed development, the details of which have been provided in Table 5.1 of the EIA Screening Report. It is noted that the status of some of the proposed developments listed in Table 5.1 has changed since the preparation of that document where decisions have been made on some cases and others have been withdrawn or deemed to have been withdrawn by the planning authority. This is considered in Section 4 above. There are still some developments in the planning system awaiting decision, the most notable being a large scale residential development under LRD25A/0065/WEB / ACP-323280-25 which is proposed for a site immediately southwest of the subject site off the R113 and a large scale residential development under D23A/0456 / ABP-319621-24 which is proposed for a site to the east of the subject site and located to the north of Lambs Cross on the R117 as discussed above.

The proposed development is not associated with any significant loss of habitat or pollution which could act in a cumulative manner to result in significant negative effects on any Natura 2000 sites. There are no projects which can act in combination with the development which can give rise to significant effect to Natura 2000 sites.

Where there is overlap between the construction periods of the proposed development with other developments in the area, potential for effects could arise from noise, dust, visual impact and traffic. The effects would be of a temporary nature and short-term given:

- the nature of works associated with residential development,
- the expected duration of the works (80 weeks),
- the location of lands to be developed (outside the business centre),
- the location and separation to the other existing and/or approved projects,
- The varying likelihood of temporal overlap of construction works between projects,
- the implementation of standard and best practice construction and operation measures.

I do not consider that there is potential for significant cumulative effects to occur on the environment.

- **Nature of any Demolition Works**

There are no structures on site for which demolition is proposed. However, the construction phase will require considerable excavation works. The management of materials arising from such excavation will be carried out in accordance with the Preliminary Construction & Environmental Management Plan (CEMP).

- **Use of Natural Resources**

The proposed development will be expected to adopt standard construction measures. A development of this nature will inevitably use natural resources and materials during construction. The natural resources such as aggregates and aggregate products will be used for the purposes they were produced for. It is not anticipated that large quantities of rare or unusual materials will be utilised on such a development.

Whilst the site itself is greenfield in nature, the loss of that natural resource requires consideration. The highest unmitigated percentage of habitat loss as set out in Table 5-2 of the Ecological Impact Assessment (EclA) is for dry meadow and grassy verges and recolonising bare ground. Mitigation in terms of landscaping and planting

schemes for the site has been proposed to compensate for the loss of habitats. There is no Annex I habitat loss as a result of the proposed development.

In regard to water consumption, the use of water during the construction phase will be temporary to service site offices, welfare facilities and certain construction activities. This will not result in a high volume of water usage. The completed development, during its operational phase will provide a standard water supply to each residence. Residential dwellings do not have a high-water demand and a confirmation of feasibility for supply has been received from Uisce Eireann for the proposed development.

- **Production of Waste**

A Preliminary Construction & Environmental Management Plan (CEMP) has been prepared for the construction phase of the proposed development. The Preliminary CEMP provides estimated quantities of waste material arising from the works. The Preliminary CEMP acknowledges the difficulty in providing quantities of construction waste with a high level of accuracy owing to changes and variation in construction works, methodologies and processes when the construction phase is ongoing. The largest volume of waste provided by these estimates is for excavated soil and stone during the initial earthworks. The possibility of reclassifying this material as a by-product under Article 27 of the European Communities (Waste Directive) Regulations 2011 is acknowledged however, the scale of the works involved in the excavation, management and haulage of this material off site is still noteworthy.

During the operational phase of the development, the domestic waste generated from the residential units will be managed and recycled in accordance with an Operational Waste & Recycling Management Plan (OWRMP). All domestic waste will be disposed of by a licensed waste contractor.

I do not consider that the production and management of waste materials or by-products attributable to the construction and occupation of the proposed development will result in significant environmental effects.

- **Pollution and Nuisances**

The initial site set up, mobilisation and earthworks phase has the potential to result in some local disruption as a result of increased traffic volumes during this phase. The

Preliminary CEMP has provided measures in relation to traffic management requirements including the provision of a site-specific traffic management plan to be prepared prior to the commencement of construction. The Traffic Management Plan will require approval from DLRCC. The Preliminary CEMP has also set out a commitment to limit earthworks to seasonally dry weather and suspend works during prolonged rainfall as required.

In relation to potential for impact on water, the Preliminary CEMP has proposed the installation of silt fencing as a means of preventing silt leaving the site and entering watercourses. The Preliminary CEMP also sets out proposals for the protection of road gullies to prevent silt laden run-off entering the network. There is also proposals for the management of refuelling and other potentially harmful chemical including the provision of dedicated refuelling area within a compound with appropriate bunding for liquids.

Whilst the Preliminary CEMP does not provide specific detail on the location of the mitigation measures proposed, particularly silt fencing, and refers to future iterations of that document that will be prepared, the location of the site relative to watercourses and the considerable buffer that exists is a key consideration in relation to the potential for impacts on water quality in nearby watercourses.

The Preliminary CEMP makes reference to a watercourse, the River Tullyeskar. I note there is no connection to this watercourse and therefore would advise the Commission that this appears to be an error in the Preliminary CEMP. There is also references within the Preliminary CEMP to an adjacent watercourse. It is noted that the nearest watercourse to the site is Carrickmines stream which is located c.200m to the south of the site.

The construction phase of the proposed development has the potential to generate nuisance associated with noise and dust. The Preliminary CEMP has provided standard preventative mitigation measures with a requirement to further develop such measures in a Construction Management Plan and a Construction & Environmental Management Plan to be prepared for the site prior to the start of any construction works.

Having regard to the scale of the proposed development along with design and mitigation measures proposed, I do not consider that there is potential for significant environmental effects as a result of pollution or nuisances.

- **Risk of Major Accidents and/or Disasters including those caused by Climate Change**

The construction phase of the development will be required to comply with the Safety, Health, and Welfare at Work (Construction) Regulations 2013 and ensure all necessary emergency procedures are in place as required. The Preliminary CEMP proposes that the site will be enclosed with perimeter hoarding to secure the site and prevent unauthorised access by the public into work zone areas.

The site is not located in the vicinity of any Seveso / COMAH sites.

Having regard to the characteristics of the proposed development, including its location, it is considered unlikely that there is a risk of major accidents and/or disasters including those caused by climate change.

- **Risk to Human Health**

The main potential for risk to human health is during the construction phase. The Preliminary CEMP sets out the Environmental Management Elements and a process for the implementation of the same with an emphasis on roles and responsibilities and procedures for investigating environmental incidents and the logging and actioning of complaints as received. The Preliminary CEMP also provides clear controls for traffic management with a commitment for further development of traffic management by an appointed contractor. The EIA Screening Report outlines that all materials, workmanship, plant, equipment and working methods shall comply with the Safety, Health, and Welfare at Work (Construction) Regulations, the Safety, Health, and Welfare at Work (General Application) Regulations and all other associated Regulations and Codes of Practice.

Potential risks to human health arising from water contamination, air pollution, noise etc, are considered to be unlikely and not of a magnitude to generate a requirement for environmental impact assessment.

7.4.2. Location of the Proposed Development

- **Existing and Approved Land Use**

The site of the proposed development is a greenfield site which has not been previously developed. A small area of the site appears to have been previously disturbed based on the visible ground conditions on site and the nature of its revegetation. Aerial imagery shows a small area of the site immediately adjacent to the R113 which was disturbed with some evidence of material stockpiling. The site is zoned for residential use in the Dun Laoghaire-Rathdown Development Plan 2022 – 2028, although it has been previously the subject of a Part 8 application for residential development which was refused approval.

There are no apparent characteristics or elements of the proposed use, design or layout of the scheme that are likely to cause significant effects on the environment. The site is located in an area which has been the subject of considerable development with residential development being the prevalent land use. The addition of this development is not considered to have a significant impact on the environmental sensitivities of the area.

- **Relative abundance, availability, quality and regenerative capacity of natural resources**

It is acknowledged that the proposed development will result in unmitigated loss of habitat on the site with grassland, scrub and bare ground habitat being lost. The EclA references the importance of this habitat at a local scale and whilst their loss will result in a negative impact, this impact is minor and not considered significant. The EclA outlines a loss of native woodland in the northern section of the site which is an extension of the Fitzsimons Wood pNHA. The woodland is considered important at a national level. However, the scale of woodland removal at the site of the proposed development, 0.08ha is minimal. This represent 50% of the baseline habitat of native mixed broadleaved woodland at the site. A landscaping and planting scheme has been designed which is intended to mitigate for this loss of habitat with compensatory planting on site.

There will be the loss of a small area of scrub vegetation along the northern boundary of the site but there will be no loss of habitats associated with this woodland during the Construction phase. There is potential for additional pressures

on the woodland from increased recreational use of the area by future residents. The EclA sets out a proposal to increase the landscape cover and habitats between the Proposed Development and Fitzsimons Wood to increase the buffer between the two areas, and also to erect educational signage and directing walkers to defined pathways.

Whilst the proposed development will result in habitat loss as well as increase the potential for impact on a natural resource in the native woodland within Fitzsimons pNHA, I am satisfied that the proposals to compensate for habitat loss and measures to protect Fitzsimons Wood will ensure no significant effects on these resources.

- **The absorption capacity of the existing natural environment**

The site of the proposed development is a greenfield site which historically has had very minimal alteration. The natural environment at the site is examined under the following headings:

Wetlands and Watercourses

There are no wetlands or watercourses on the site. The nearest watercourse is the Carrickmines stream which is located c.200m to the south of the site boundary at its nearest point. The Preliminary CEMP sets out proposals for the provision of silt fencing albeit specifics in relation to the location on the site are lacking. Given the setback of the site from the nearest watercourse, there is no likely potential for impact on this watercourse as a result of construction works or the future occupation of the completed development.

Coastal Zones

The Carrickmines stream ultimately connects with the two designated European Sites in Dublin Bay, South Dublin Bay (SAC) (Site Code: 00210) and the Dublin Bay and River Tolka Estuary (SPA) (Site Code: 004024) however, noting the separation distance between the site of the proposed development and the Carrickmines stream, any deterioration in water quality and thus an impact on Dublin Bay is unlikely. This is consistent with the conclusions of the Appropriate Assessment Screening Report prepared as part of the Part 8 application which examined the links to these two designated sites.

Mountain and Forest Areas

The site of the proposed development is not located in a mountain or forest area however it is adjacent to a number of high amenity areas. The existing local environment within which the site is situated is predominately residential. There are no direct links to these areas and therefore it is unlikely that the proposed development will result in significant effects on mountain and forest areas.

Nature Reserves and Parks

The site is not located within or within immediate proximity of a nature reserve or park.

Nationally Designated Sites and European Sites

There is no Natural Heritage Area (NHA) within 15km of the site. The nearest proposed NHA (pNHA) is the adjacent Fitzsimons Wood pNHA which was designated to protect native woodland, scrub and some wetlands. The site is located within the Transition zone of the Dublin Bay UNESCO Biosphere which promotes sustainable development.

The nearest European sites are the Wicklow Mountains (SAC) (Site Code: 002122), South Dublin Bay (SAC) (Site Code: 00210), Wicklow Mountains (SPA) (Site Code: 004040) and the Dublin Bay and River Tolka Estuary (SPA) (Site Code: 004024). The Appropriate Assessment Screening Report concluded that the proposed development does not pose a risk of significant effects on any European sites.

Environmental Quality Standards

The proposed development as with any construction project is expected to comply with the relevant Statutory Legislation including the Local Government (Water Pollution) Acts, 1977 and 1990. The appointed contractor will be required to cooperate in full and thereby ensure no significant effects.

Densely Populated Areas

The proposed development comprises a modest number of residential units which would generate a small increase in population. The numbers in terms of workforce during the construction of the project can be considered positive in terms economic benefit and job creation. Overall, it is considered that any effects on the existing population in the area will not be significant.

The EIA Screening Report has also considered the impact on population from the perspective of the wider traffic network. It refers to the Traffic and Transport Assessment undertaken which completed a traffic analysis and the impact of the proposed development and concluded no impact on the functionality of the surrounding road network for all future scenarios which were modelled.

Landscapes of Historical, Cultural or Archaeological Significance

The site is not within an Architectural Conservation Area. There are no sites on the Sites and Monuments Record, the Record of Monuments and Places or the National Inventory of Architectural Heritage located within the site boundary. Therefore, architectural or archaeological sites will not be affected by the construction and operation phases of the proposed development.

The requestor has outlined in their submission that the site of the proposed development is located within the Barnacullia Landscape Character Area (LCA). The submission refers to the DLRCC strategy for the protection of the Barnacullia LCA and the objective that all future residential developments shall maintain the rural character of the area and that significant effects on the environment will therefore likely arise due to this urban residential development in a protected landscape. I note the clarification from the local authority in relation to the approximate location of the Barnacullia LCA which is verifiable in Appendix 8 of the Dun Laoghaire Rathdown County Development Plan 2022 – 2028. I am satisfied that the site of the proposed development has the appropriate zoning designation for the residential development proposed. In terms of the objective of maintaining the rural character of the area, irrespective of the LCA within which it falls, I believe the design proposed along with various landscaping proposals is satisfactory when considered in an area which is evolving in character. I do not believe this proposed residential development in this location will result in effects of a magnitude to generate a requirement for environmental impact assessment.

In conclusion, the information set out within the application documents has indicated that the proposed development site and its separation from the various National and European designated sites indicates that there is no likelihood of significant effects on these designated sites. The proposed development has been screened out for Appropriate Assessment. I have considered the submissions from the requesters

and the information provided by the local authority in consideration of the potential impact on the landscape from both the development and the cumulative impact of proposals within the wider area and I am satisfied that while there will be a notable change in the character of the area, it is an appropriate visual impact given that the evolving urban character.

7.4.3. Types and Characteristics of the Potential Impact

- **Nature, magnitude and extent of impact**

- Population & Human Health

The potential for impacts arising as a result of any pollution and nuisance during the construction phase are considered within the EIA Screening Report prepared. The Preliminary CEMP sets out commitments for the implementation of various control measures including standard and best practice construction measures. It is considered unlikely that significant effects would arise on population and human health. It is acknowledged that there will be a temporary impact on the residential, commercial and community receptors in the area in proximity to the proposed development but these will be short term. The operational phase of the project will generally result in positive impacts associated with the provision of housing and recreational areas associated with the site.

- Biodiversity

The EclA prepared for the proposed development concluded that no Annex I habitats will be directly impacted by the proposed development, but it was noted that the increased recreational use of the adjacent Fitzsimons Woods pNHA may result in indirect impacts although appropriate measures to reduce the impact have been set out. The EclA has concluded that nesting birds are absent from the site but the grassland habitat on the site may be used for foraging. The loss of some of this habitat has been considered in Section 7.4.1 above along with the landscaping and planting schemes proposed to compensate for the loss of habitats. The risk of migrating birds colliding with the higher structures has not been considered in any of the documents received. However, in reference to the Irish Aviation Authority (IAA) Integrated Aeronautical Information Package (ENR 5.6), it can be concluded that migrating species tend to commute at heights of c.750m. The proposed finished

height of the proposed buildings is well below this level. A smooth newt survey has been completed for the site which found the site supports a low population with low water levels (in the waterbodies), shading and vegetation density seen as contributing factors. The EclA also identified the presence of a badger sett on site for the which the development design has adopted an appropriate setback with monitoring proposed in the operational years of the development. The Smooth Newt Survey Reports looked at the factors that may be limiting the population and sets out a number of management techniques which should be factored into a CEMP prepared for the construction phase. The Local Authority response has also reiterated the findings of the EclA in that habitat for smooth newt are rain fed and not dependent on groundwater.

The AASR found that there is no possibility of any significant effects on any European Sites.

- Land, Soil, Water, Air and Climate

It is considered unlikely that significant effects would arise on land and soil during construction or operational phases. Excavated soil will be reused where possible. The Preliminary CEMP outlines that excess material will be exported off site to either a licensed waste receiving facility or reclassification as a by-product under Article 27 of the European Communities (Waste Directive) Regulations 2011 and transported to an appropriate location. The Preliminary CEMP refers to site investigation works for the site which identified ground conditions which included areas of made ground. It is likely that areas of made ground comprise material which is not native to the site. Evidence of temporary use of the site for material stockpiling was visible from the historical aerial imagery for the site. The trial pits carried out by the site investigation has confirmed that this area contains deposits of made ground, the details of which are provided in the Ground Investigation Report which is appended to the Civil Engineering Services Report prepared for the Part 8 application. As with any interaction of this nature on land, there is the potential for contamination or contaminated material to exist. Again, there was no evidence of the same from the site walkover and it has not been highlighted by the soil analysis undertaken as part of the site investigation. The Preliminary CEMP provides for appropriate controls to be put in place for segregation of potentially contaminated materials, and the correct classification and management of this material should it be encountered.

The site is underlain by the Wicklow Groundwater Body (IE_EA_G_076) which designated as good status under the Water Framework Directive (WFD) assessment (2016-2021). It is also considered 'At risk' of meeting the objectives of the WFD to achieve "good" quantitative status by 2027. The underlying aquifer is classified as PI, Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones. The groundwater vulnerability category is X, Rock at or near Surface or Karst.

Appropriate measures for the management of fuel, oils and chemicals during the construction phase and in particular during the excavation works will be implemented. There are no proposals for groundwater abstraction or any other direct interaction with the groundwater body. The location of and proximity to the nearest watercourse has been discussed in Section 7.4.1 along with the considerable buffer that exists between the site and the watercourse. The probability of impacts on water during the operational phase is unlikely due to the design proposals for wastewater and surface water management along with the recognised SuDS measures which are intended retain pre-development existing run-off systems and where possible enhance them. Therefore, it is considered unlikely that significant effects would arise on water during construction or operational phases.

It is expected that during the construction phase of the proposed development, plant and equipment which are run on fossil fuels and are known emitters of greenhouses gases will be used. It is not anticipated that that will result in significant effects to climate due to the scale of the development and the short-term duration of the works.

For the operational phase, the Mechanical and Electrical Strategy Report prepared for the Part 8 application which provides an overview of the various mechanical and electrical proposals for the development. There is a commitment to provide residential units which adopt PassiveHaus principles and Building Energy Rating (BER) of at least A2. There is no proposal for the use of use of fossil fuels within the project design. It is not anticipated that such a development will result in significant effects on climate.

- Material Assets, Cultural Heritage and the Landscape

The proposed development will connect to existing services and utilities which are immediately accessible to the site. The works associated with access and connection to such services may result in disruption for other local users, but this will

be short term and not result in a significant effect. The site investigation and services drawings do not identify any utilities that traverse the site other than an overhead electricity supply line and an overhead telecoms line. The construction phase will likely require the redirection or undergrounding of this line to accommodate the construction of the residential units. Again, minor disruption to service users may be experienced for a brief period. During the operational phase, the proposed development will utilise material assets such as services and utilities already mentioned as well as existing public facilities and services. Whilst the proposed development will generate a small increase in the demand for such services in the area, the demand from the proposed development will not result in significant effects on the environment.

There are no protected structures or features on the site of the proposed development. The closest recorded monument to the site is a 16th/17th century house (DU022-068) which is c.420m to the southeast with an enclosure (DU025-014) located a similar distance from the site in a more southerly direction. Therefore, there is no likelihood of significant effects on archaeological sites from the construction or operation of the proposed development.

In regard to potential landscape impacts, the construction phase will result in a degree of change on the visual environment, however, this will be moderate and short-term. The proposed development, when complete, will present some buildings of a scale greater in height than existing development in its immediate surrounds however, the buildings to the northwest are of a considerable scale in terms of height relative to the proposed development when the higher elevation that it sits on is taken into consideration. It has been established through the cumulative assessments that buildings of a similar scale have been proposed and consented for the area. In addition, the design has been developed in accordance with national and local policy and good practice guidance.

Considering also that there are no features of specific visual sensitivity on the site or its surrounding area, significant effects on landscape or visual amenity are not anticipated.

- Traffic and Transport

The construction phase of the project is expected to bring increased traffic flows associated mainly with delivery of materials and workers accessing the site. Whilst this may result in some localised disruption to road users, it will be short term and will not result in significant effects. During the operational phase, the proposed development has provision for car parking spaces, the number of which is slightly higher than one space per unit which in itself should encourage a move away from private car use to shared car use, public transport and active travel. There will be a reliance on public transport services by residents. The Traffic and Transport Assessment prepared for the proposed development, which has modelled various future design scenarios for the surrounding road network, concluded that the development will not have a negative effect on the functionality of the local road network.

- Noise

The noise impacts associated with the construction phase of the proposed development will be akin to that of any standard construction project. Whilst a standalone assessment of noise impacts has not been prepared, the Preliminary CEMP sets out a commitment to restrict noise levels to an appropriate threshold during the working day with no works proposed for evenings, Saturday afternoons, Sundays and Bank Holidays. The Preliminary CEMP also recommends monitoring to ensure compliance, the details of which shall be agreed in the CEMP prepared prior to the commencement of construction.

As with any construction project the potential for nuisance associated with noise emanating from the active construction site will exist however, it will be short-term. The operational phase of what will be a standard residential development and would not be expected to generate noise to level that is not consistent with the current background noise levels.

- Major Accidents or Disasters

As discussed in Section 7.4.1 above, it is considered that the proposed development does not present significant risks to human health or risk of major accidents or disasters including those related to climate change. Having regard to the

characteristics and location of the proposed development, it is considered unlikely that significant effects will arise.

- Interaction between the factors

There is potential for interactions between the various environmental factors, notably between water and biodiversity and between ecology and landscape. Noting the nature, scale and location of the proposed development, along with the various mitigation measures proposed for the compensation of lost habitat and for the protection of a natural resource, and the intensity or significance of the predicted impacts within each respective environmental factor being at the very least, not significant, I consider it unlikely that significant effects will arise from the interaction between the factors.

- **Transboundary nature of impact**

There will be no transboundary impacts associated with the proposed development. The development will be contained within a defined site boundary with no requirement to go beyond, except for the brief period when the works associated with connection to existing services and utilities are to be undertaken all of which are adjacent to the site and relatively accessible.

- **Probability, intensity and complexity of impacts**

Having regard to the scale of the development, 129 dwellings and all associated site works, and the nature of the proposed development and noting the measures outlined in the documentation supporting the proposal, it is considered that the nature of the environmental impacts during the construction and operation phase are not particularly complex or intense. The effects from the predicted impacts within each respective environmental factor is, at the very least, not significant.

- **Expected onset, duration, frequency and reversibility of the impact**

Having regard to the nature of the proposed development, the scale of the construction works, it is expected that the construction phase impacts will be short term and temporary, estimated at being 80 weeks. The operational impacts will be on-going, long term and only reversible if in the unlikely event that the proposed development is removed, and the site is reinstated to its pre-development state.

- **Cumulation of Impact**

The consideration of cumulative impacts with other plans and projects is set out in Section 7.4.1 above. The range of other environmental factors including pollution, nuisance, waste and biodiversity, all excluded significant effects therefore, I consider it unlikely that the proposed development will result in significant effects as a result of any cumulative impacts.

- **Possibility of effectively reducing Impact**

I am satisfied that the implementation of standard best practice methodologies during the construction phase of the proposed development will result in a reasonable probability of effectively reducing potential impacts. The probability of impacts during operational phase is significantly reduced owing to the completion of the construction works and the design proposals for wastewater and surface water management as well as the landscaping proposals and the project design.

7.4.4. **Other Relevant Information**

Article 120(3)(cb)(i) of the Regulations provides that where a local authority is submitting Schedule 7A Information to the Commission it shall be accompanied by any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, including, how the results of other relevant assessments of effects on the environment carried out pursuant to European Union Legislation (other than the EIA Directive), have been taken into account.

The EIA Screening Report does not provide a dedicated assessment of the proposed development against all other European Union Legislation, nor has a standalone assessment been provided within the Part 8 application documents received in response to the request.

However, while not expressly provided, I have had regard to the following in the consideration of my assessment as follows:

- The Birds Directive (Directive 2009/147/EC) and Habitats Directive (Council Directive 92/43/EEC) through the Appropriate Assessment Screening Report, Ecological Impact Assessment and the EIA Screening Report.

- The Water Framework Directive (WFD) (Directive 2000/60/EC) and The Groundwater Directive (Directive 2006/118/EC). The EIA Screening Report and Appropriate Assessment Screening Report have been informed by the water quality status.
- The Floods Directive (Directive 2007/60/EC) The implementation of the Dun Laoghaire-Rathdown County Development Plan which undertook a Strategic Flood Risk Assessment (FRA).
- The Strategic Environmental Assessment (SEA) Directive 2001/42/EC through the zoning of the land for residential use, in accordance with the Dun Laoghaire-Rathdown County Development Plan which was subject to SEA.
- The Environmental Noise Directive 2002/49/EC. The objectives of the Dublin Agglomeration Noise Action Plan 2024-2028 are considered under the EIA Screening Report, Preliminary CEMP and Appropriate Assessment Screening Report.
- European Commission Noise Emission Directive 2000/14/EC was considered under the EIA Screening Report and the Preliminary CEMP.
- The Clean Air for Europe (CAFE) Directive 2008/50/EC was considered in the EIA Screening Report and the Preliminary CEMP.
- The Waste Framework Directive 2018/851/EC through the design of the proposed development and the mitigation measures set out in the Preliminary CEMP.
- The Seveso Directive (Directive 82/501/EEC, Directive 96/82/EC, Directive 2012/18/EU). The proposed development site is not located within the consultation zones, therefore, this does not form a constraint to the proposed development at this location.

The applicants EIA Screening Report, Ecological Impact Assessment, Appropriate Assessment Screening Report and Preliminary CEMP under the relevant themed headings, considered the implications and interactions between these assessments and the proposed development. The EIA Screening Report outlined that the development would not be likely to have significant effects on the environment. I am

satisfied that all relevant assessments have been identified for the purpose of EIA Screening

7.4.5. **Measures to Avoid Significant Adverse Effects on the Environment**

Article 120(3)(cb)(ii) of the Regulations provides that where a local authority is submitting Schedule 7A information to the Board it may describe 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.

The Preliminary CEMP outlines standard best practice and mitigation measures which will be implemented during construction of the proposed development. The various measures provided relate to the construction methodologies, control and suppression of dust, noise management, measures for the control of silt laden water and the management of fuels and any potentially harmful chemicals. The document describes a range of measures developed to avoid, reduce or mitigate potential impacts so that they do not result in significant effects. The mitigation measures as they are presented are relatively standard practice for most developments of this nature and scale and are well established in terms of being implementable and effective and will contribute positively towards the development in terms of minimising any effects that may arise during the construction phase of the project.

8.0 Recommendation

Having regard to the above assessment, it is considered that the proposed development is unlikely to have significant effects on the environment, and accordingly, an Environmental Impact Assessment is not required.

It is therefore recommended that Dun Laoghaire-Rathdown County Council be advised that the preparation and submission of an Environmental Impact Assessment Report is not required in respect of the proposed development.

9.0 Reasons and Considerations

Having regard to the following:

- (i) The provisions of Section 179 of the Planning and Development Act, 2000, as amended and Article 120 (3)(b) of the Planning and Development Regulations, 2001 (as amended).
- (ii) Annex III of the EU EIA Directive 2014/52/EU.
- (iii) The nature and scale of the proposed development which is significantly under the threshold in respect of Class 10 (b)(i) (Infrastructure – Dwelling Units) and (Class 10 (b)(iv) (Infrastructure – Urban Development) of Part 2 of Schedule 5 of the Planning and Development Regulations, 2001 (as amended),
- (iv) The location of the site on lands that are zoned residential amenity in the Dun Laoghaire-Rathdown County Council County Development Plan, 2022-2028, and the results of the strategic environmental assessment of this Plan undertaken in accordance with the SEA Directive (2001/42/EC),
- (v) The scale of the proposed development,
- (vi) The pattern of residential development in the vicinity,
- (vii) The submissions made as part of the request for a determination,
- (viii) The submission made by the local authority, and
- (ix) The report and recommendation of the Environmental Specialist,

It is considered that the proposed development would not be likely to have significant effects on the environment and accordingly, that the preparation and submission of an Environmental Impact Assessment Report is therefore, not required.

I confirm that this report represents my professional assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Owen Cahill
Environmental Specialist

25th September 2025