

Environmental Impact Assessment Report

**Lands at adjacent to
'The Grange'
Brewery Road/Stillorgan Road,
Stillorgan, Blackrock, Co. Dublin**

On behalf of

**KW PRS ICAV acting for and on
behalf of its sub-fund KW PRS
Fund 10**

September 2019



Planning & Development Consultants

63 York Road,
Dun Laoghaire,
Co. Dublin

www.brockmcclure.ie

1 Introduction

1	INTRODUCTION	2
1.1	INTRODUCTION AND TERMS OF REFERENCE	3
1.2	DEFINITION OF EIA AND EIAR	3
1.3	EIA LEGISLATION	4
1.4	EIA GUIDELINES	4
1.5	THE REQUIREMENT FOR AN EIAR.....	5
1.6	OBJECTIVES OF THIS EIAR.....	8
1.7	FORMAT AND STRUCTURE OF AN EIAR.....	9
1.8	METHODOLOGY EMPLOYED TO EVALUATE EACH ENVIRONMENTAL TOPICS.....	10
1.9	EIAR PROJECT TEAM.....	11
1.10	APPROPRIATE ASSESSMENT.....	12
1.11	AVAILABILITY OF EIAR DOCUMENTATION	12
1.12	EIAR QUALITY CONTROL & REVIEW	12
1.13	ERRORS.....	12

1.1 Introduction and Terms of Reference

Brock McClure Planning and Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin have been commissioned by the applicant, **KW PRS ICAV acting for and on behalf of its sub-fund KW PRS Fund 10, 94 St. Stephen's Green, Dublin 2, D02 FD40**, to prepare an Environmental Impact Assessment Report (EIAR) in respect of a Strategic Housing Development application for a 'Build to Rent' residential development of 287 residential units, a crèche facility, residential amenity space and café.

The application site comprises 'The Lodge', 'Grange Select Marketing Suite', 'Oaktree Business Centre' and 'Nos. 2 and 3 The Grange Cottages'. The site is located at Brewery Road, Stillorgan, Blackrock, Co. Dublin and is situated adjacent to the existing 'The Grange' residential development.

The central purpose of this EIAR document is to undertake an assessment of the likely and significant impact on the environment of the proposed development in parallel with the project design process. This EIAR is prepared to provide the Competent Authority (CA) undertaking the Environmental Impact Assessment (EIA) review with the information on the likely and significant effects on the environment of the proposed development.

1.2 Definition of EIA and EIAR

Directive 2014/52/EU defines 'environmental impact assessment' as a process, which includes the responsibility of the developer to prepare an Environmental Impact Assessment Report (EIAR), and the responsibility of the competent authority to provide reasoned conclusions following the examination of the EIAR and other relevant information.

Article 1(2)(g) 4 of Directive 2014/52/EU states that "environmental impact assessment" means a process consisting of:

- (i) *the preparation of an environmental impact assessment report by the developer, as referred to in Article 5(1) and (2);*
- (ii) *the carrying out of consultations as referred to in Article 6 and, where relevant, Article 7;*
- (iii) *the examination by the competent authority of the information presented in the environmental impact assessment report and any supplementary information provided, where necessary, by the developer in accordance with Article 5(3), and any relevant information received through the consultations under Articles 6 and 7;*
- (iv) *the reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examination; and*
- (v) *the integration of the competent authority's reasoned conclusion into any of the decisions referred to in Article 8a.*

It is important to set out that the amended Directive (Directive 2014/52/EU) uses the term Environmental Impact Assessment Report (EIAR) rather than Environmental Impact Statement (EIS).

The Guidelines on the Information to be contained in an *Environmental Impact Assessment Report*, Environmental Protection Agency, 2017, provide the following definition of an EIAR:

"A statement of the effects, if any, which proposed development, if carried out, would have on the environment.

The EIAR is prepared by the developer and is submitted to a CA (Competent Authority) as part of a consent process. The CA uses the information provided to assess the environmental effects of the project and, in the context of other considerations, to help determine if consent should be granted. The information in the EIAR is also used by other parties to evaluate the acceptability of the project and its effects and to inform their submissions to the CA.

The EIAR consists of a systematic analysis and assessment of the potential effects of a proposed project on the receiving environment. The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and these factors must be addressed in the EIAR.

The EIAR should be prepared at a stage in the design process where changes can still be made to avoid adverse effects. This often results in the modification of the project to avoid or reduce effects through redesign”.

In summary, EIA is a process for anticipating the effects on the environment caused by development.

An EIAR is the document produced as a result of that process and provides information which the competent/ consent authorities use in deciding whether or not to grant consent. Where significant and likely environmental effects are identified that are unacceptable; the EIA process aims to quantify and minimise the impact specified development projects have on the environment through appropriate mitigation measures. The preparation of an EIAR document requires site-specific considerations and the preparation of baseline assessment against which the likely impacts of a proposed development can be assessed by way of a concise, standardised and systematic methodology.

1.3 EIA Legislation

This EIAR document has been prepared in accordance with the European Union EIA Directive 85/337/EC as amended by 97/11/EC, 2003/4/EC, 2011/92/EU and Directive 2014/52/EU.

The Planning & Development Act 2000 (as amended) and the Planning & Development Regulations 2001 (as amended) transpose the EIA Directive into Irish land use planning law. We note specifically that the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 came into operation on the 1st of September 2018 in order to transpose Directive into Irish planning law and existing planning procedures.

1.4 EIA Guidelines

The EIAR has also been prepared in accordance ‘*Guidelines for Planning Authorities and An Bord Pleanála on Carrying out Environmental Impact Assessment*’ (September 2018) and the Environmental Protection Agency (EPA) published draft ‘*Guidelines on the information to be contained in Environmental Impact Assessment Reports*’ (August 2017). These guidelines are intended to facilitate compliance with the 2014 Directive and this EIAR has been prepared in accordance with the Guidelines.

In addition to the above guidelines, we note that in preparation of this EIAR, regard has been given to the following documentation:

- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018*
- *Draft Guidelines on the information to be contained in environmental impact assessment reports, EPA, August 2017*
- *Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems - Key Issues Consultation Paper, Department of Environment, Community and Local Government, 2017.*
- *Circular letter PL 1/2017 - Advice on Administrative Provisions in Advance of Transposition (2017).*
- *Development Management Guidelines (DoEHLG, 2007).*
- *Advice Notes on Current Practice (in preparation of Environmental Impact Statements) (EPA 2003).*

- *Environmental Impact Assessment (EIA), Guidance for Consent Authorities Regarding Sub-Threshold Development (DoEHLG 2003).*
- *Guidelines on Information to be Contained in an Environmental Impact Statement (EPA 2002).*
- *Study on the Assessment of Indirect & Cumulative Impacts as well as Impact Interaction (DG Environment 2002).*
- *EU Guidance on EIA Screening (DG Environment 2001).*
- *Guidance on EIA Scoping (DG Environment 2001).*
- *EIA Review Checklist (DG Environment 2001).*

1.5 The Requirement for an EIAR

Environmental Impact Assessment (EIA) requirements derive from EU Directives. Council Directive 2014/52/EU amended previous directions and is transposed into Irish Law by Planning and Development Act 2000, as amended and the Planning and Development regulations 2001, as amended. Significant amendments were effected to the 2001 Regulations by the European Union (Planning and Development) (Environmental Impact Assessment) Regulation 2018.

Screening for Environmental Impact Assessment

Screening is the term used to describe the process of determining whether the proposed development required an EIA by reference to mandatory legislation threshold requirements or in the case of sub threshold development, by reference to the type and scale of the proposed development and significance or the environmental sensitivity of the receiving baseline environment.

Annex 1 of the EIA Directive requires as mandatory the preparation of an EIA for all development projects listed therein.

Schedule 5 (Part 1) of the Planning & Development Regulations, 2001 (as amended) transposes Annex 1 of the EIA Directive directly into Irish land use planning legislation. An EIAR is required to accompany a planning application for development of a class set out in Schedule 5, Part 1 of the Planning & Development Regulations 2001 (as amended) which exceeds a limit, quantity or threshold set for that class of development.

Schedule 5, Part 2, 10. *Infrastructure Projects* of the Planning & Development Regulations 2001 (as amended) defines projects that are assessed on the basis of set mandatory thresholds for each of the project classes including:

(b) (i) Construction of more than 500 dwelling units.

(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)

The current development proposal provides for the demolition of The Lodge, Oaktree Business Centre, Grange Select Marketing Suite, No.s 2 & 3 The Grange Cottages and the construction of 287 residential units, a crèche facility and residential amenity space. The proposal therefore falls below the thresholds set out above for mandatory Environmental Impact Assessment. Notwithstanding this, an EIAR has been prepared to accompany the subject strategic housing development

application to An Bord Pleanála, having regard to the specific characteristics and features of this site, its size, and the cumulative quantum of development proposed.

We note specifically that the 287 residential units proposed are being delivered in addition to 506 permitted residential units at the existing Grange residential development. Furthermore, it is anticipated that there is potential for a further phase of development at this site and we note specifically the potential for an additional c. 200 units in this regard. Overall, it is considered that the future development of this site has potential for an additional c. 500 units.

Therefore, in consideration of the potential cumulative impacts of development for this site, it is considered that an EIAR is submitted so that an EIA can be carried out in relation to the proposed development.

We note also the Planning Authority in this case, Dun Laoghaire Rathdown County Council were of the considered view that the preparation of an EIAR was required in this case.

Scoping for the Environmental Impact Assessment

The Draft Guidelines on the information to be contained in environmental impact assessment reports, EPA, August 2017 state that Scoping is a process of deciding what information should be contained in an EIAR and what methods should be used to gather and assess that information.

Scoping is It is defined in the EC guidance (EC, 2017) as:

“determining the content and extent of the matters which should be covered in the environmental information to be submitted in the EIAR”.

In this case, the content of this EIAR was informed by a scoping process carried out by the applicant, the design team and appointed EIAR consultants to identify the core issues likely to be most important during the Environmental Impact Assessment process.

The EIAR prepared for the scheme has endeavoured to be as thorough as possible and therefore all of the issues listed in Schedule 6, Sections 1 and 2 of the Planning & Development Regulations 2001 (as amended) have been addressed in the EIAR.

In this context the following chapters are prepared in assessment of the likely significant effects of the proposed development on the environment:

No.	Proposed Content
1.	Introduction
2.	Site Context
3.	Development Description
4.	Consideration of Alternatives
5.	Population and Human Health
6.	Biodiversity
7.	Land & Soils
8.	Water
10.	Noise and Vibration
9.	Air Quality and Climate
11.	Wind and Microclimate

12.	Landscape and Visual Impact Assessment
13.	Material Assets - Traffic and Transport
14.	Material Assets - Utilities
15.	Material Assets - Waste Management
16.	Archaeological, Architectural and Cultural Heritage
17.	Daylight and Sunlight
18.	Risks of Major Accidents and Disasters
19.	Interactions
20.	Summary of Mitigation Measures
21.	Competent Persons Table

Table 1.1 - Scoping and Chapters of this EIAR

In addition to the above a series of standalone reports have been prepared to accompany the application and which have helped inform the above chapters of the EIAR where relevant. We refer to the covering letter enclosed herewith for full detail on the relevant enclosures.

The scope of this EIAR has also been informed by the following:

- European Union (Planning and Development)(Environmental Impact Assessment) Regulations 2018.
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018.
- Draft Guidelines on the information to be contained in environmental impact assessment reports, EPA, 2017.
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems - Key Issues Consultation Paper, Department of the Environment, Community and Local Government, 2017.
- Circular letter PL 1/2017 – Advice on Administrative provisions in advance of Transposition (2017)
- The requirements of Part X of the Planning and Development Act, 2000, as amended, and Part 10 of the Planning and Development Regulations, 2001 (as amended);
- The requirements of the Dun Laoghaire-Rathdown Development Plan 2016-2022;
- Relevant Regional and National Planning Policy Documents;
- Issues raised during meetings with technical staff of Dun Laoghaire-Rathdown Development Plan 2016-2022 and An Bord Pleanála;
- Consultation process with statutory bodies and local stakeholders as referenced in the individual chapters;
- The receiving environment and any vulnerable or sensitive local features and current uses;
- Previous relevant planning history and applications that have been submitted on the subject and adjoining lands;
- The likely and significant impacts of the proposed development on the environment; and

- Available mitigation measures for reducing or eliminating any potentially significant undesirable impacts.

1.6 Objectives of this EIAR

The primary purpose of this EIAR is to assist in the EIA process, by identifying likely significant environmental impacts resulting from the proposed development, to describe the means and extent by which they can be reduced or mitigated, to interpret and communicate information about the likely impacts and provide an input into the decision-making planning process.

The fundamental principles to be followed when preparing an EIAR are:

- Anticipating, avoiding and reducing significant effects
- Assessing and mitigating effects
- Maintaining objectivity
- Ensuring clarity and quality
- Providing relevant information to decision makers
- Facilitating better consultation.

The EIA process was iterative and progressed in tandem with the project design process. The EIAR document captures this assessment process and describes its outcomes.

The EIAR documents the consideration of the environmental effects and provides transparent, objective and replicable documentary evidence of the EIA evaluation and decision making processes.

The EIAR document provides information on any identified effects arising as a consequence of the proposed development and which are:

- Environmentally based;
- Likely to occur; and,
- Have significant effects.

It also documents how the selected project design incorporates mitigation measures; including impact avoidance, reduction or amelioration; to explain how significant adverse effects will be avoided.

The key purpose of this EIAR document is to enable the competent/consent authorities to reach a decision on the acceptability of the proposed development in the full knowledge of the project's likely significant impacts on the environment, if any. This EIAR document describes the outcomes of the iterative EIA process which was progressed in parallel with the project design process. This forms the first part of the EIA process which will be completed by the competent authority, which in turn will be required to examine, analyse and evaluate the direct and indirect effects of the development on the various factors listed under Section 171A of the Planning and Development Act 2000, as amended.

The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and the environmental impact assessment should identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the prescribed environmental factors which are:

- (a) population and human health;
- (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- (c) land, soil, water, air and climate

- (d) material assets, cultural heritage and the landscape;
- (e) the interaction between the factors referred to in points (a) to (d).

This EIA documents the assessment process of the prescribed environmental factors in relation to the proposed SHD residential development at ‘The Grange’ Brewery Road.

1.7 Format and Structure of an EIA

The formation of an EIA necessitates the co-ordination and collation of associated, yet diverse specialised areas of assessment. The EIA approach involves the examination of each environmental factor, describing the existing baseline environment, the subject proposal, its likely impacts and direct and indirect significant effects pertaining to the environmental factor and mitigation measures, where appropriate. The topics examined in this EIA are categories under the environmental factors prescribed under the 2014 EIA Directive as follows:

- Population and Human Health
- Biodiversity
- Land & Soils
- Water
- Noise & Vibration
- Air Quality & Climate
- Material Assets
- Archaeological & Architectural Cultural Heritage
- Landscape & Visual Assessment

The structure used in this EIA document is the Grouped Format structure and is summarised below:

No.	Chapter	Prepared by
1.	Introduction	Brock McClure
2.	Site Context	Brock McClure
3.	Development Description	Brock McClure
4.	Consideration of Alternatives	Brock McClure
5.	Population and Human Health	Brock McClure
6.	Biodiversity	Scott Cawley
7.	Land & Soils	Waterman Moylan
8.	Water	Waterman Moylan
10.	Noise and Vibration	AWN Consulting
9.	Air Quality and Climate	AWN Consulting
11.	Wind and Microclimate	BFluid
12.	Landscape and Visual Impact Assessment	ARC Architectural Consultants

13.	Material Assets - Traffic and Transport	Waterman Moylan
14.	Material Assets - Utilities	Waterman Moylan
15.	Material Assets - Waste Management	AWN Consulting
16.	Archaeological, Architectural and Cultural Heritage	IAC
17.	Daylight and Sunlight	ARC Architectural Consultants
17.	Risks of Major Accidents and Disasters	Brock McClure
18.	Interactions	Brock McClure
19.	Summary of Mitigation Measures	Brock McClure
20.	Competent Persons Table	Brock McClure

Table 1.2 - Format and Structure of the EIAR

The competency of the design team is set out further in Chapter 21 of this EIAR.

Non Technical Summary

A Non-Technical Summary of the EIAR has also been prepared. The EIA Directive states that one of the objectives of the EIA process is to ensure that the public are fully aware of the environmental implications of any decisions. The EPA guidelines note that the non-technical summary of the EIAR should facilitate the dissemination of the information contained in the EIAR and that the core objective is to ensure that the public is made as fully aware as possible of the likely environmental impacts of projects prior to a decision being made by the Competent Authority. A Non-Technical Summary of the EIAR has therefore been prepared which summarises the key environmental impacts and is provided as a separately bound document.

1.8 Methodology Employed to Evaluate Each Environmental Topics

An outline of the methodology employed consistently in each chapter of the EIAR to examine each environmental topic is provided below. All inputs received have adhered to this structure as closely as possible:

Introduction	Provides an overview of EIAR and relevant terms of reference.
Study Methodology	The study methodology outlines the method by which the relevant information has been gathered and compiled.
The Existing Receiving Environment (Baseline Situation)	The receiving environment details the baseline condition for the site and references, the context, character, significance and sensitivity of the baseline receiving environment. Any factors for consideration in the immediate area are set out.
Characteristics of the Proposed Development	The characteristics of the development are set out as they relate to each discipline and should include reference to site location, size, design and appearance of the project, use of natural resources, the production of waste, emissions and nuisances.
Potential Impact of the Proposed Development	This section provides a description of the specific, direct and indirect, impacts that the proposed development may have. This is provided with reference to both the Receiving Environment and Characteristics of the Proposed Development sections

	while also referring to the (i) magnitude and intensity, (ii) integrity, (iii) duration and (iv) probability of impacts. The assessment addresses whether the impacts are direct, indirect, secondary or cumulative in nature, it also looks at the timescale of such impacts e.g. are they short, medium, long-term, and are they of a temporary, permanent, continuous or intermittent nature, and are they positive or negative impacts. The impact interactions are also addressed.
Potential Cumulative Impact	This section allows for a qualitative assessment of the addition of many minor or significant effects, including the effects of other projects, to create larger more significant effects.
Do Nothing Scenario	In order to provide a qualitative and equitable assessment of the proposed development, this section considers the proposed development in the context of the likely impacts upon the receiving environment should the proposed development not take place
Risks to Human Health	This section will consider of human health effects resulting from the construction and operation of a project and will concern the commissioning, operation and decommissioning of the project. The assessment of impacts on population and human health will refer to assessments of those factors under which human health might occur, as addressed elsewhere in the EIAR e.g under the environmental factors of air, water, soil etc.
Mitigation Measures	Avoidance, remedial and mitigation measures describe any corrective or mitigative measures that are either practicable or reasonable, having regard to the potential impacts of the scheme. This includes avoidance, reduction and remedy measures as set out in Section 4.7 of the Development Management Guidelines 2007 to reduce or eliminate any significant adverse impacts identified.
Residual / Predicted Impacts of the Proposed Development	This section allows for a qualitative description of the resultant specific direct, indirect, secondary, cumulative, short, medium and long-term, temporary, permanent, continuous, or intermittent, positive and negative effects as well as impact interactions which the proposed development may have, assuming all mitigation measures are fully and successfully applied
Monitoring	This involves a description of monitoring in a post-development phase, if required. This section addresses the effects that require monitoring, along with the methods and the agencies that are responsible for such monitoring.
Reinstatement	While not applicable to every aspect of the environment considered within the EIAR, certain measures may need to be proposed to ensure that in the event of the proposal being discontinued, there will be minimal impact to the environment
Interactions	This section provides a description of impact interactions together with potential indirect, secondary and cumulative impacts
Difficulties Encountered in Compiling	This section provides an indication of any difficulties encountered by the environmental specialist in compiling the required information.
References	This section will include the list of sources used to complete the assessment.

Table 1.3 - Methodology for Evaluation

1.9 EIAR Project Team

Environmental specialist consultants were commissioned for the various technical chapters of the EIAR document which are mandatorily required as per the EIA Directive and Regulations.

Each environmental specialist was commissioned having regard to their previous experience in EIA; their knowledge of relevant environmental legislation relevant to their topic; familiarity with the

relevant standards and criteria for evaluation relevant to their topic; ability to interpret the specialised documentation of the construction sector and to understand and anticipate how their topic will be affected during construction and operation phases of development; ability to arrive at practicable and reliable measures to mitigate or avoid adverse environmental impacts; and to clearly and comprehensively present their findings.

Each environmental specialist was required to characterise the receiving baseline environment; evaluate its significance and sensitivity; predict how the receiving environment will interact with the proposed development and to work with the EIAR project design team to devise measures to mitigate any adverse environmental impacts identified.

The relevant consultants who contributed to the EIAR, their qualifications and expertise is detailed in Chapter 21 of this EIAR.

1.10 Appropriate Assessment

We confirm that a Natura impact Statement prepared by Scott Cawley accompanies this planning application and its findings and conclusions are considered in this EIAR.

1.11 Availability of EIAR Documentation

A copy of this EIAR the relevant Non-Technical Summary of the EIAR document is available for purchase at the office of An Bord Pleanála and Dún Laoghaire Rathdown County Council at a fee not exceeding the reasonable cost of making a copy of the document. The EIAR is also available on the SHD website for this application www.grangeshd.ie

1.12 EIAR Quality Control & Review

Brock McClure are committed to consistently monitoring the quality of EIAR documents prepared both in draft form and before they are finalised, published and submitted to the appropriate competent authority taking into account latest best-practice procedure, legislation and policy.

The DHPLG have recently published draft guidelines on Environmental Impact Assessment for Planning Authorities and the Board (published August 2018), and the EPA have published draft guidelines on the information to be contained in an Environmental Impact Assessment Report⁵ which have been consulted in the preparation of this EIAR.

1.13 Errors

While every effort has been made to ensure that the content of this EIAR document is error free and consistent there may be instances in this document where typographical errors and/or minor inconsistencies do occur. These typographical errors and/or minor inconsistencies are unlikely to have any material impact on the overall findings and assessment contained in this EIAR.