

**Proposed Local Authority Own Housing
Development at Rathmore Road, Lusk, Co. Dublin**

EIA SCREENING REPORT IN ACCORDANCE WITH, INTER ALIA, THE
REQUIREMENTS OF THE PLANNING AND DEVELOPMENT ACT 2000,
AS AMENDED, AND THE PLANNING AND DEVELOPMENT
REGULATIONS 2001, AS AMENDED

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**Brady Shipman
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Environmental
Assessment
**Built
Environment**

Client:

Fingal County Council

Date:

06 December 2023

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Project No. 6970
Client: Fingal County Council
Project Name: Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin
Report Name: EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended
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Contents

1	Introduction	1	
1.1	Statement of Purpose	1	
1.2	Qualifications	1	
2	Background and Methodology	2	
2.1	Legislation	2	
2.2	Guidelines	2	
2.3	Legislative Context	2	
2.4	Approach to EIA Screening Process	4	
3	Understanding the Proposal / Proposed Development	6	
3.1	Overall Description of the Proposed Development.....	6	
3.2	Requirement for EIA or for Screening for ‘Sub-threshold EIA’	8	
4	Screening for requirement for Sub-threshold EIA.....	9	
4.1	Screening for ‘Sub-threshold EIA’	9	
4.2	Description of the Proposed Development.....	9	
4.2.1	Water Infrastructure	10	
4.2.2	Access and Parking.....	11	
4.2.3	Waste	12	
4.2.4	Energy	12	
4.2.5	Construction Phase	12	
4.2.6	Environmental Protection Measures	12	
4.2.7	Environmental Enhancement Measures Proposed.....	13	
4.3	Description of the aspects of the environment likely to be significantly affected	14	
4.4	Description of Likely Effects	23	
4.4.1	Overview.....	23	
4.4.2	Population & Human Health.....	24	
4.4.3	Biodiversity	24	
4.4.4	Land, Soil, Water, Air & Climate	26	
4.4.5	Material Assets, Cultural Heritage & the Landscape.....	27	
4.4.6	Interactions.....	28	
4.4.7	Cumulative Impacts	28	
4.5	Schedule 7 Criteria	29	
5	Conclusion.....	35	
6	References	37	



1 Introduction

Fingal County Council (FCC) proposes to develop new housing at Rathmore Road, Lusk, Co. Dublin. The proposed development will consist of the construction of 18 dwellings and associated infrastructure. It is proposed to carry out the said Local Authority Own Housing Development pursuant to s.179A of the Planning and Development Act 2000, as amended (*“the 2000 Act”*), and, *inter alia*, Art.81A of the Planning and Development Regulations 2001, as amended by the Planning and Development (Section 179A) Regulations 2023 (SI No.101/2023) (*“the 2001 Regulations”*) – the foregoing provides the statutory criteria and processes which apply to such housing developments.

1.1 Statement of Purpose

Brady Shipman Martin (BSM) was appointed by FCC to prepare a report to assist FCC in undertaking a Preliminary Examination and EIA Screening (for the purposes of Environmental Impact Assessment (EIA)) in accordance with Article 120¹ of the PDR 2001.

1.2 Qualifications

This EIA Screening Report has been prepared by Namrata Kaile, Ecologist and Environmental Consultant at Brady Shipman Martin. She holds a Bachelor’s Degree (BSc) in Life Sciences from University of Delhi and a Master’s Degree (MSc) with distinction in Environmental Sciences from Trinity College Dublin. She is a qualifying member of Chartered Institute of Ecology and Environmental Management (CIEEM) and has been working professionally in the field of environmental consultancy for the last three years. Namrata is experienced in drafting and reviewing EIA Screening Reports, AA Screening Reports as well as in coordination of EIARs.

A technical review of this document has been completed by Thomas Burns, B.Agr.Sc. (Land.), Dip. EIA Mgmt., Adv. Dip. Plan. & Env. Law. Thomas is a Landscape Architect and Environmental Planner. He is a Partner at Brady Shipman Martin. He is a member of the Irish Landscape Institute and the IELA. Thomas has over 30 years of experience in EIA.

¹ Sub-threshold EIAR

2 Background and Methodology

2.1 Legislation

The key legislative provisions of relevance to the EIA screening exercise are as follows:

- Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment;
- Planning and Development Act 2000, as amended ('PDA 2000'); and
- Planning and Development Regulations 2001, as amended ('PDR 2001').

2.2 Guidelines

In the preparation of this document, regard has been had to the following guidance documents:

- Department of Housing, Planning and Local Government (DoHPLG) (2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*;
- Environmental Protection Agency (EPA) (2022). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports*;
- European Commission (2017). *Environmental Impact Assessment of Projects – Guidance on Screening*; and
- Office of the Planning Regulator (OPR) (2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening*.

2.3 Legislative Context

The EIA Directive entered into force in 1985 (Directive 85/337/EEC). It was amended three times (in 1997, 2003 and 2009) and subsequently codified by Directive 2011/92/EU and amended by Directive 2014/52/EU. The EIA Directive is transposed into Irish legislation through the Planning and Development Act 2000-2023 and the Planning and Development Regulations 2001-2023.

The Directive aims to ensure a high level of protection for the environment and human health, through the establishment of minimum requirements for environmental impact assessment (EIA) for the purposes of development consent for public and private developments that are likely to have significant effects on the environment.

Section 179A(1)(d) of the 2000 Act provides that the section (s.179A), applies to housing development that is not subject to a requirement, in accordance with the EIA Directive, for an assessment with regard to its effects on the environment. In addition, Art.81A(5) of the 2001 Regulations, provides:

“(5) (a) Where a local authority proposes to undertake a housing development under Section 179A of the Act of a class standing specified in Part 2 of Schedule 5 and does not equal or exceed, as the case may be, the relevant quantity, area or other limit standing specified in that Part, it shall carry out in respect of the housing development a screening for environmental impact assessment.

(b) Prior to or when carrying out a screening under paragraph (a) the local authority may at its discretion request information from any person the authority considers necessary.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

(c) Before making a determination on the screening for environmental impact assessment of a proposed housing development under section 179A of the Act, the local authority shall –

(i) consider the criteria for determining whether a housing development would or would not be likely to have significant effects on the environment, as set out in Schedule 7,

(ii) take into account a description of the nature and extent of the proposed housing development, its characteristics, its likely significant effects on the environment (including the information specified in Schedule 7A) 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.

(d) A local authority shall include, or refer to, in its screening determination for environmental impact assessment made under this article the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7, on which such determination is based.

(e) (i) Where the local authority screening determination for environmental impact assessment made under this article is that the proposed housing development would not be likely to have significant effects on the environment, the proposed housing development complies with the requirements of section 179A(1) of the Act,

(ii) Where the local authority screening determination for environmental impact assessment made under this article is that the proposed housing development may have significant effects on the environment, the local authority shall determine that an Environmental Impact Assessment is required and that the housing development does not comply with the requirements of section 179A(1) of the Act.”

In respect of Art.81A(5)(a) of the 2001 Regulations, the proposed Housing Development comprises a sub-threshold class of development, noting the classes of development list in Schedule 5, Part 2 of the 2001 Regulations, including paragraph 10 of same.

Part 1 of Schedule 5 of the PDR 2001 lists the classes of development for which EIA is a mandatory requirement. Part 2 of Schedule 5 sets out specific thresholds for classes of development at or above which EIA is also a mandatory requirement. ‘Sub-threshold development’ refers to developments of a class listed in Part 2 of Schedule 5, which do not meet or exceed the stated threshold, and these developments are subject to screening for the requirement for ‘sub-threshold EIA’.

Schedule 7 of the PDR 2001 sets out the criteria that must be considered in determining whether a sub-threshold project should be subject to EIA. Schedule 7A lists the information that the applicant must submit to the competent authority for the purposes of an EIA screening determination, i.e. the information that must be contained in the EIA Screening Report. This is a step-by-step process known as ‘screening for EIA’ (refer to **Figure 2.1**).

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

- The objective of screening for EIA is to ascertain whether there is a real likelihood that a project's effects on the environment would be significant and, therefore, whether full EIA (and the preparation of an Environmental Impact Assessment Report (EIAR)) is required.

2.4 Approach to EIA Screening Process

EIA Screening follows a three-step process (DoHPLG, 2018; OPR, 2021) – refer to **Figure 2.1**:

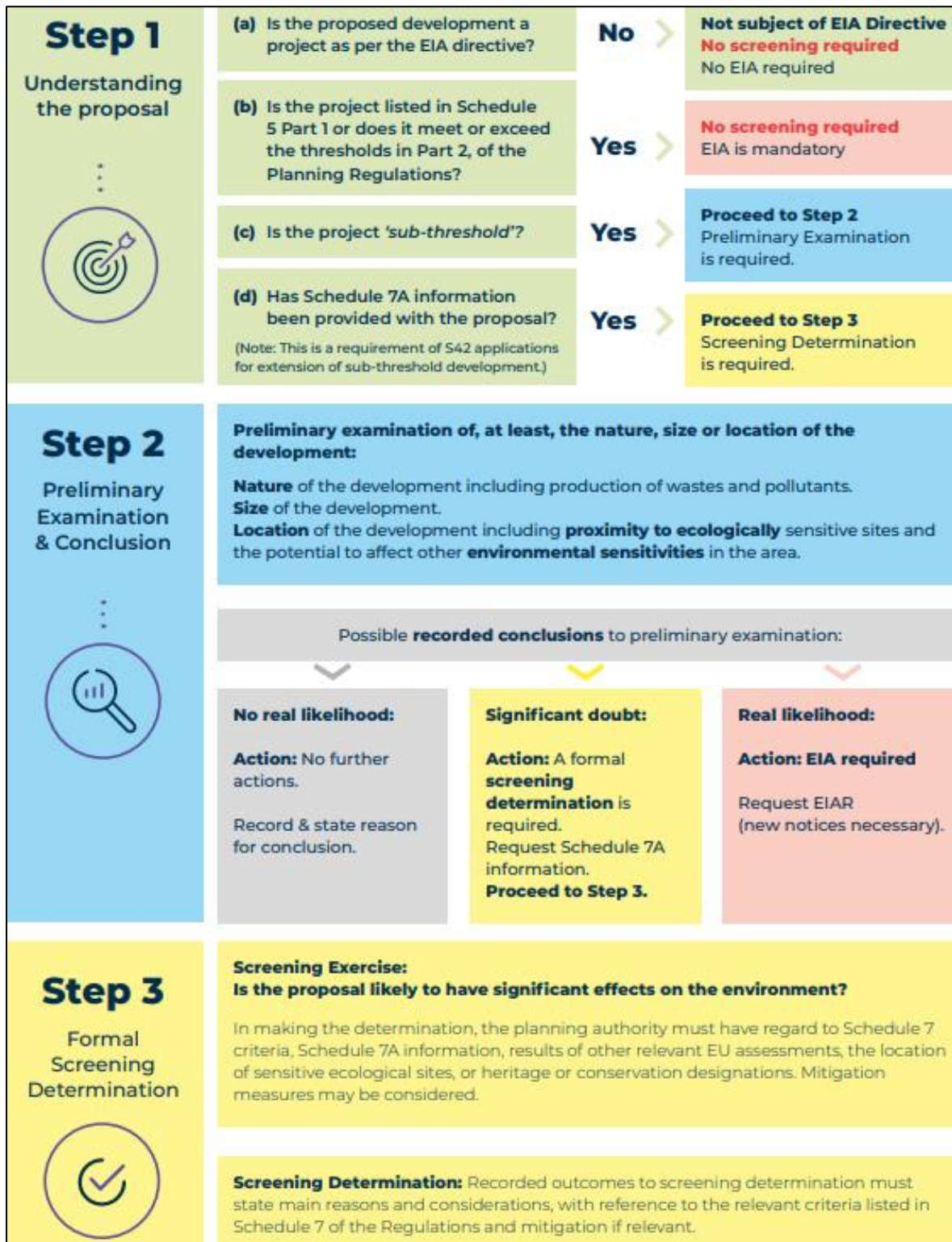
- Step 1: Pre-screening / Understanding the proposal / proposed development;
- Step 2: Preliminary examination and conclusion; and
- Step 3: Screening determination (by competent authority).

In order to assist the competent authority (Fingal County Council) to carry out the screening for EIA, this report provides the following information:

- A description of the Project for concluding, with reference to Part 1 and Part 2 of Schedule 5 of PDR 2001, if the proposal is a 'project', and if it is:
 - of a type where the requirement for EIA is mandatory, or
 - of a type and scale that meets or exceeds a stated threshold at or above which the requirement for EIA is mandatory;

Consideration for the requirement for the proposal / proposed development to be subject to sub-threshold EIA, including the provision of information required and as set out in Schedule 7A of PDR 2001.

Figure 2.1 Step-by-Step Approach to EIA Screening for Development Proposals (OPR, 2021)



3 Understanding the Proposal / Proposed Development

3.1 Overall Description of the Proposed Development

The proposed development will consist of the construction of 18 dwellings and associated infrastructure. Refer to **Figure 3.1** below.

The proposed development will consist of:

- Two blocks containing a total of 18no. dwellings representing a density of 44 dwellings/hectare;
- Both blocks range from single storey to 2.5 storeys in height;
- Construction of a one-way roadway around the perimeter of the site designed to the standards as set out in Design Manual for Urban Roads and Streets (DMURS 2013);
- On street parking for 15no. vehicles and parking for 72no. bicycles;
- Associated site development works including foul drainage, surface water (including SuDS), mains water, gas and telecommunication connections;
- The site will be serviced by Irish Water, ESB, EIR, GNI, VM utilities which are all available;
- Public lighting to pavements adjacent to and within the site will be designed and installed to the standards of the Public Lighting Section in Fingal County Council Operations Department;
- Private open space is provided to all dwellings in the form of back gardens to ground floor apartments and first floor terraces to duplexes;
- A 3.0m deep privacy strip between the public footpath and the ground floor apartments provides rainwater gardens, bin storage and bicycle storage.

For further information refer to the Engineering Report prepared by McMahon Associates and Architectural Report and associated drawings prepared by Fingal County Council and submitted as part of the application.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

Figure 3.1 Proposed site layout for development at Rathmore Road, Lusk, Co. Dublin (Fingal County Council, 2023)



3.2 Requirement for EIA or for Screening for ‘Sub-threshold EIA’

This stage establishes whether, with reference to Part 1 and Part 2 of Schedule 5 of PDR 2001, the proposal / proposed development, is a ‘project’ within the meaning of the EIA Directive and if it is of a type where the requirement for EIA is mandatory (Part 1 of Schedule 5), or of a type and scale that meets or exceeds a stated threshold at or above which the requirement for EIA is also mandatory (Part 2 of Schedule 5).

Classes of development listed in Part 1 of Schedule 5 of the PDR 2001 relate to major industrial and infrastructural projects (e.g. power stations, refineries, metal works, major pipelines and powerlines, and mines). The proposed development does not conform to any of the classes of development and is not a ‘project’ as set out in Part 1 of Schedule 5 of PDR 2001. Therefore, there is no requirement for mandatory EIA under this provision.

With reference to Part 2 of Schedule 5 of the PDR 2001, the proposal can be considered a ‘project’ within a class / type of development as set out in **Table 3.1**.

Table 3.1 Applicable classes of development for the purposes of EIA (from Part 2 Schedule 5 of PDR 2001)

Provision (Part 2 of Schedule 5 of PDR 2001)	Proposed Development	Pre-screening Assessment
Schedule 5, Part 2, paragraph 10(b)(i): <i>“Construction of more than 500 dwelling units.”</i>	18no. dwelling units	Requirement for Mandatory EIA - The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement. Requirement for Sub-threshold EIA - The proposed development is of a class / type listed in this provision but being significantly below the stated threshold is considered to be ‘sub-threshold’. The proposal should be screened for the requirement for ‘sub-threshold EIA’
Schedule 5, Part 2, paragraph 10(b)(iv): <i>“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.”</i> <i>“(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)”</i>	0.41 Ha located in other parts of a built-up area	Requirement for Mandatory EIA - The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement. Requirement for Sub-threshold EIA - The proposed development is of a class / type listed in this provision but is significantly below the stated threshold. The proposal should be screened for the requirement for ‘sub-threshold EIA’

The pre-screening exercise has concluded that the proposed development is ‘sub-threshold’. While below the thresholds, the proposed development is of a type in respect of development classes 10(b)(i) and 10(b)(iv) as listed in Part 2 of Schedule 5 of the PDR 2001, and therefore, in accordance with Art.81A(5)(c) of the PDR 2001, is screened for the requirement for a ‘sub-threshold EIA’ having regard to the requirements of Schedules 7 and 7A of the PDR 2001.

4 Screening for requirement for Sub-threshold EIA

4.1 Screening for 'Sub-threshold EIA'

This stage considers whether the proposal / proposed development should, or should not be, subject to the requirement for 'sub-threshold EIA' and the preparation of an EIAR.

It provides the information required of the applicant, as set out in Schedule 7A of the PDR 2001, to allow the Competent Authority to carry out a preliminary examination of, at least, the nature, size or location of the development, (including proximity to ecologically sensitive sites and the potential to affect other environmental sensitivities in the area) and to make a determination as to whether there is a real likelihood of significant effects on the environment, as specified in Schedule 7A of the PDR 2001, and with reference to the criteria in Schedule 7 of the PDR 2001.

Schedule 7A of the PDR 2001 requires the applicant to provide:

- “1. A description of the proposed development, including in particular—
 - (a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and*
 - (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.**
- 2. A description of the aspects of the environment likely to be significantly affected by the proposed development.*
- 3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
 - (a) the expected residues and emissions and the production of waste, where relevant, and*
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.**
- 4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.*

This information is provided in the following sections.

4.2 Description of the Proposed Development

An overview of the description of the proposed development is provided at **Section 3.1** of this report. In addition to planning drawings and other reports, the application is also accompanied by the following specific reports:

- Architectural Report (Fingal County Council, 2023);
- Engineering Report (McMahon Associates, 2023);
- Ground Investigation (Causeway Geotech, 2022);
- Utility Survey Report (Murphy Geospatial, 2022);
- Appropriate Assessment Screening Report (BSM, 2023).

Further detail on the proposal / proposed development is provided in the following sections.

4.2.1 Water Infrastructure

4.2.1.1 Supply

The Engineering Report (McMahon Associates, 2023) states that there is existing Irish Water watermain infrastructure available within Rathmore Road (as per the record mapping of Irish Water infrastructure located around the site). This is a 500mm diameter trunk main, however is not available for connection to the proposed site. A ground penetrating radar (GPR) survey confirmed the presence of an existing watermain north-east of the site within FCC owned Remount housing development.

The proposed development will be connected to the 100mm diameter watermain connection to the north-east of the proposed site via boundary box meters. From here each unit will be provided with a metered connection and distributed via 25mm diameter flexible pipes to the units. The supply arrangements will be carried out to the requirements of Irish Water. Further, 2 no. fire hydrants will be located within communal greenspace at a minimum 6m distance from all dwellings to ensure that each dwelling is within 46m of a fire hydrant as per Irish Water requirements.

4.2.1.2 Drainage

Surface Water

The Engineering Report (McMahon Associates, 2023) states that there is an existing 750mm storm diameter sewer which transverses the site to the south-west. This existing storm sewer discharges to a 1050mm diameter sewer within Rathmore Road. There is also an existing 1000mm diameter storm sewer which transverses the site along the south-eastern boundary and a 1000mm diameter storm sewer which is located north-east outside the boundary of the site.

The Engineering Report (McMahon Associates, 2023) notes that the proposed site is not located close to any watercourses or ditches. Therefore, the discharge from the site will be via an existing surface water sewer located to the south of the proposed development within the site boundary. Irish Water infrastructure record mapping along with the GPR survey confirmed the presence of the 750mm concrete storm water sewer that transverses the site.

Currently, the site is greenfield and consisting of open space. It is proposed to restrict the runoff rate to 1.0l/s. Surface water attenuation storage will be provided for the 1 in 100 event plus 20% climate change and will be provided in the form of crates which has a 95% void ratio.

Sustainable urban Drainage Systems (SuDS) are a requirement of Fingal County Council. Surface water management for the proposed development will be designed to comply with the '*Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005*' and the 2009 OPW Guidelines '*The Planning System and Flood Risk Management*', however, the infiltration testing results suggest the site is not suitable for infiltration and therefore SuDS elements will be limited and the current design reflects that. As part of the surface water drainage strategy, it is proposed to provide the surface water attenuation in the south-west of the development in the form of underground crates. As the underground crates are not a preferred method of attenuation, the surface water will infiltrate through various SuDS components such as permeable paving, porous asphalt, filter drains, rainwater butts and rainwater gardens acting as source control and surface water treatment before entering the main storm line. The site is too small to consider any above ground storage features such as basins, swales or wetlands and

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended Fingal County Council have confirmed they cannot be constructed outside of the site boundary in the adjacent green space.

It is proposed to utilise permeable paving within the car parking spaces and porous asphalt on the carriageway to collect and treat surface water runoff. Filter drains will be used within the sub-base of the permeable paving and porous asphalt to collect and treat surface water runoff. Sump manholes will also be provided in manholes to ensure sediment is caught and collected prior to leaving the site.

Foul Water

The Engineering Report (McMahon Associates, 2023) states that there is an existing 225mm diameter foul sewer located within the site to the south-east which discharges to a 450mm foul sewer within Rathmore Road.

The foul water strategy for the development proposes that the foul water drainage network for the proposed apartment units will be separated from the surface water sewers, and will comply with the latest *"Technical Guidance Document H - Drainage and Waste Water Disposal"*. A proposed 225mm diameter foul gravity sewer will collect the wastewater via soil vent pipes and inspection chambers from the proposed dwellings and discharge into the existing 225mm concrete sewer within the site boundary to the south-east.

Once operational, foul water flows from the proposed development will be directed to Portrane Wastewater Treatment Plant (WwTP). The capacity available at Portrane Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of the Irish Sea.

4.2.2 Access and Parking

The proposed site is located on Rathmore Road in Lusk. The existing site consists of open space and can be accessed via pedestrian gates on Rathmore Road and Remount. There is no existing traffic management infrastructure in place.

The Engineering Report (McMahon Associates, 2023) states that it is proposed to construct a vehicular access point to the east of the site within Remount. The site will be provided with a one-way traffic management system to increase amenity space and traffic calming, the carriageway will be provided with a 6m kerb radius at the entrance and exit from Remount.

It is proposed that the entrance into the development will be with a horizontal alignment of 26m radius to provide for traffic calming measure as recommended by Design Manual for Urban Roads and Streets (DMURS) with a speed limit of 30km/h. A carriageway width of 3.7m has been provided to accommodate the manoeuvring of occasional large vehicles and widened to approximately 5.0m on the carriageway corners to the south and west of the site to allow circulation of fire and refuse vehicles. Pedestrian crossing points will be provided at the site entrance and exit. There will be pedestrian access surrounding the site via a concrete footway which also connects the site to Rathmore Road and the open space to the north of the site. A yield sign and road marking will be provided at the exit from the site onto the carriageway within Remount to ensure drivers minimise potential risk to pedestrians/drivers when leaving the site. It is also proposed to provide 3.7m wide round-top ramps as traffic calming measures.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

The proposed development will provide for 15no. vehicle parking along with parking for 72no. bicycles which aligns with the *Fingal Development Plan 2023-2029*. The parallel parking bays within the development comply with the minimum standards set out in DMURS i.e. spaces should be a minimum of 6m long x 2.4m wide. The disabled parking spaces will comply with the minimum standards set out in The Traffic Signs Manual i.e., spaces will be a minimum 7.0m long x 3.6m wide.

4.2.3 Waste

The site and proposed development are of a small scale and do not give rise to any unusual construction or operational arrangements or features. Measures will be implemented during the construction phase to reduce the amount of waste produced, manage the waste generated to minimise the effect on the environment. On-site segregation of non-hazardous and hazardous waste material into appropriate categories will be undertaken. The Architectural Report (Fingal County Council, 2023) states that a Construction Environmental Management Plan (CEMP), which also addresses Resource and Waste Management will be prepared and implemented by the Contractor during construction.

During the operational phase, all dwellings will be provided with dedicated bin stores capable of accommodating 3 bins (black, brown and green) positioned at their front entrances within the privacy strip.

4.2.4 Energy

The Architectural Report (Fingal County Council, 2023) states that the detailed design of the proposed development will ensure compliance with requirements expressed in current, relevant parts of the Building Regulations, Part F: Ventilation, Part J: Heat Producing Appliances and Part L: Conservation of Fuel and Energy. The requirement for nearly zero energy buildings and renewable sources of energy will be addressed in the detailed design and construction stages.

All dwellings proposed are dual aspect and all living areas are orientated to ensure adequate indoor light quality during the day.

4.2.5 Construction Phase

The construction phase will involve the following generic sequencing:

- Pre-construction surveys;
- Site establishment (e.g. scaffolding, site hoarding, protection of adjacent structures, etc.);
- Site clearance (e.g. vegetation clearance);
- Excavations for local foundations and drainage;
- Construction of proposed building; and
- Fit-out, landscaping and finishes.

The site is small and the extent of the development is of a similar small-scale and typical of a proposed development site in a built up area.

4.2.6 Environmental Protection Measures

While no likely significant effects on the environment have been identified (refer to Sections 4.3, 4.4 and 5.0 of this report) the following best practice environmental protection measures will be adopted.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

4.2.6.1 Construction Traffic Management Plan (CTMP)

- The contractor will prepare a Construction Traffic Management Plan (CTMP) to be agreed with Fingal County Council prior to commencement of construction. The CTMP will designate construction traffic routes, parking and storage areas. All activity is to be limited to designated areas to ensure minimum impact on surrounding areas.
- The Contractor will be required to ensure the safe access and egress of construction traffic from the site and public road. The Contractor will be responsible for ensuring that there is no conflict between road users and vehicles entering / exiting the site.
- Road and footpath cleaning will take place to ensure that there is no negative impact on road / footpath users.

4.2.6.2 Construction Environmental Management Plan (CEMP) and Resource and Waste Management Plan (RWMP)

A Resource and Waste Management Plan (RWMP) has been prepared for the construction stage of the propose development by McMahon Associates. This will be updated and a final RWMP will be agreed with Fingal County Council prior to commencement of construction.

Prior to commencement, the contractor will prepare a Construction Environmental Management Plan (CEMP) to be agreed with Fingal County Council prior to commencement of construction. The CEMP will address the following aspects:

- Establishing channels of communication between the contractor, Local Authority and local residents.
- Avoiding, reducing and / or remediating any environmental effects arising from construction activities.
- Site operating hours will be 8.00am to 6.00pm Monday to Friday and 8.00am to 2.00pm on Saturdays. The site will not operate on Sundays or Bank Holidays.
- A site compound will be established and maintained in good condition throughout the construction period. The compound will be decommissioned and fully reinstated at the end of the contract.
- The construction site will be fully enclosed and secured with solid hoarding minimum 2.4m high.
- Site lighting will not be directed towards the adjoining residential area.
- Noise, Dust Minimisation, Surface Water Management & Resource & Waste Management will be addressed prior to construction.

4.2.7 Environmental Enhancement Measures Proposed

The development will include the provision of nesting boxes to maximise nesting opportunities for Swift, House Sparrow, House Martin, Swallow, Bats and insects. The quantity, type and location of these nesting boxes will be determined in consultation with specialists during detail design.

The landscaping design will be carried out by a professional landscape architect and where appropriate will include biodiverse and pollinator friendly planting.

4.3 Description of the aspects of the environment likely to be significantly affected

This section provides a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected. The compilation of the information in this section has had regard to the criteria set out in Schedule 7 of the PDR 2001.

A site visit was carried out at the location of the proposed development by the author on 13 February 2023, with a view to identifying any environmental sensitivities or potential pathways to same.

The proposed development site (refer to **Figure 4.1** below) is located on Rathmore Road in Lusk. It is bounded to the north-east by existing housing, to the south-east by Rathmore Road, to the immediate north and west by public open space and further west by housing on Forge Avenue. The site is open residential zoned greenfield lands. The topography of the site is relatively flat with a slight fall from north-east to south-west with a level difference of c. 1.48m between north and south boundaries. The proposed development will consist of construction of two blocks containing 18no. dwellings with a density of 44 dwellings / hectare and associated infrastructure. The total area of the site is 0.41Ha.

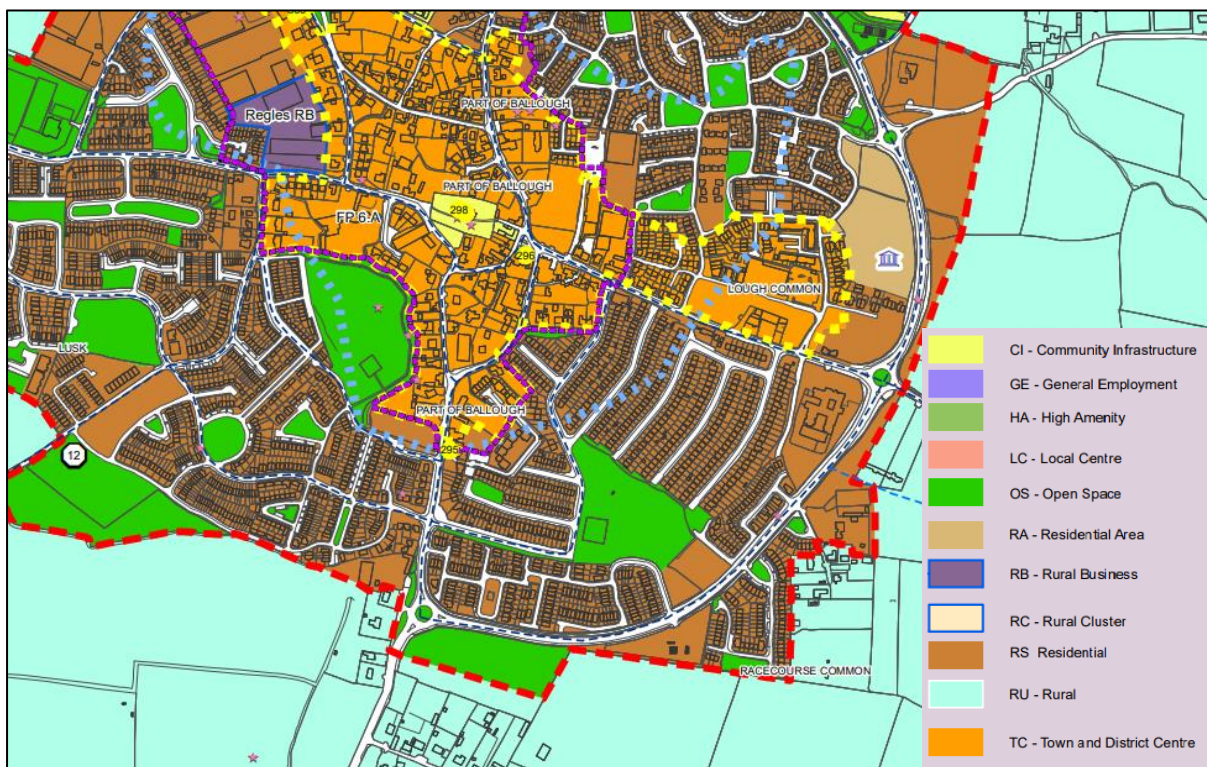
As per the *Fingal Development Plan 2023-2029*, the proposed development site is zoned as RS-Residential – ‘Provide for residential development and protect and improve residential amenity’. The Development Plan earmarks the land immediately north of the proposed development as ‘OS-Open Space’ and lands immediately to the east and west and south of Rathmore Road as ‘RS-Residential’. Refer to **Figure 4.2**.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin
 EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000,
 as amended, and the Planning and Development Regulations 2001, as amended

Figure 4.1 The location of the proposed development site at Rathmore Road, Lusk



Figure 4.2 Land use zoning at the proposed development site (Fingal County Development Plan 2023-2029)



Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

The site of the proposed development is situated in the Local Electoral Area (LEA) of Rush-Lusk and the Electoral Division (ED) of 'Lusk'. The CSO provides data on population and socio-economic aspects of the population at different levels from the State, county level, Local Electoral Area (LEA), individual Electoral Districts (ED) to Small Areas (SA) within each County. The 2016 Census undertaken by CSO provides detailed results and reports.

The most recent census was undertaken in April 2022. CSO published preliminary results for 'Census of Population 2022' on 23 June 2022 (updated September 2022) which have been superseded by the summary results published on 30 May 2023. A series of themed reports, Small Area Population Statistics (SAPS) and Place of Work, School, College - Census of Anonymised Records (POWSCAR) and their detailed statistical tables will be provided as per the schedule set by CSO for May 2023 to December 2023.

The CSO data illustrates that the population of the Irish State increased between 2011 and 2016 by 3.8%, and further increased by 7.6% between 2016 and 2022, bringing the total population of the Irish State to c. 5.1 million in April 2022 (see **Table 4.1**, below), which is the highest population recorded in a census since 1841. In the period between 2016 and 2022, the population in the administrative area of Fingal County Council (FCC) increased by 11% as compared to the previous increase of 8% between 2011 and 2016. The population statistics indicate that growth at the level of the ED between 2016 and 2022 was more than the growth between 2011 and 2016.

Table 4.1 Population change: State, LA and ED level: 2011 – 2022 (CSO, 2012; 2017; 2022)

Area	Number of persons			
	2011	2016	2022	Change
Ireland (State)	4,588,252	4,761,865	5,123,536	+3.8% (2011-2016) +7.6% (2016-2022)
Fingal County Council Administrative Area	273,991	296,020	329,218	+8.0% (2011-2016) +11% (2016-2022)
Lusk ED	8,814	9,623	10,646	+9.2% (2011-2016) +10.6% (2016-2022)

The site of the proposed development is situated adjacent to the existing road network, namely the Rathmore Road (R127). The area is served by public transport infrastructure or services, including bus services, providing access to-and-from Dublin city centre and Dublin Airport. The proposed site is c. 7.5km north-east (linear distance) to the nearest SEVESO III site SK Biotek Ireland Ltd, Watery Lane, Swords (lower tier) and is outside the Seveso site consultation distance.

The Lusk Community Unit, Lusk Community College and Lusk Sports Hubs are c. 250m, c. 950m and c. 970m to the north-east, respectively. There are retail, health care facilities, schools, GAA clubs etc in close proximity to the proposed development.

Owing to the urban context, the site of the proposed development and the majority of the surrounding areas are on hardstanding underlain by artificial surfaces. The bedrock geology in the area is of the Lucan Formation and comprises of dark limestone and shale, with no karst features present. The site is underlain by 'locally important aquifer' that is '*bedrock which is moderately productive only in local zones*'. The groundwater vulnerability is classed as 'low', indicating that site is underlain by 10m depth of low permeability till (boulder clay) (GS1, 2022).

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

No watercourses are present within or connected to the proposed development site at Rathmore Road, Lusk. A review of the Environmental Protection Agency (EPA) web-tool indicates that the Regles Stream (IE_EA_08P030930) and Rathmooney Stream (IE_EA_08P030930) run c. 520m to the west and c. 1.1km to the east of the proposed development site, respectively. Both the Regles and Rathmooney streams flow southwards and enter Rogerstown Estuary approximately 2km and 2.5km downstream, respectively. The proposed development site is located within the Nanny-Delvin catchment, Palmerstown_SC_010 sub-catchment and Palmerstown_010 river sub-basin. Refer to **Figure 4.3**. The proposed development site is located within the Nanny-Delvin catchment, Palmerstown_SC_010 sub-catchment and Palmerstown_010 river sub-basin.

Given the location of the site in relation to the Regles and Rathmooney streams there is no more than a theoretical surface water pathway between the proposed development site and the two European sites associated with Rogerstown Estuary (i.e. Rogerstown Estuary SAC and Rogerstown Estuary SPA).

Considering the distance to the Regles and Rathmooney streams, there is no possibility that polluted surface water could be emitted directly to either. There is a possibility that contaminated surface water from the site could enter the municipal surface water drainage network adjacent to the site and be indirectly discharged to surface waters via the drainage network (e.g. during extreme rainfall events and / or high tides), thereby creating an indirect hydrological pathway linking the proposed development site with European Sites downstream. There is also a potential groundwater pathway between the proposed development site and these European sites should indirect discharges (i.e. spillages to ground) occur, or should any contamination on the site enter the ground water.

A second potential link to coastal European sites is via the emission point of the Portrane Wastewater Treatment Plant (WwTP), which will receive foul water flows from the proposed development during its operation. The capacity available at Portrane Wastewater Treatment Works is sufficient to accommodate the inflow arising from the proposed development and it will therefore be possible to maintain the unpolluted status of the waters of Irish Sea.

As per the WFD 2016-2021 status, the Regles and Rathmooney streams are of 'Poor' status and are 'Under Review' for river waterbodies risk. As per the WFD 2016-2021 status, the Rogerstown Estuary (IE_EA_050_0100) is 'Poor' and it is 'At risk' of failing to achieve its WFD objective / good status by 2027. As per the WFD 2016-2021 status, the Rogerstown Estuary (IE_EA_050_0100) is 'Poor' and it is 'At risk' of failing to achieve its WFD objective / good status by 2027. The WFD ground waterbody (GWB) status of the Lusk-Bog of the Ring GWB is rated as 'good' and the risk status is 'under review' (2016 – 2021 cycle).

There are no European sites within the immediate vicinity of the proposed development site at Rathmore Road, Lusk, Co. Dublin. The nearest European site is the Rogerstown Estuary SAC / SPA, c. 1.6km south-east. There are 15no. European sites located within the potential Zone of Influence (**Figure 4.4**):

- Rogerstown Estuary SAC (site code 000208), c. 1.6km to the south-east;
- Rogerstown Estuary SPA (site code 004015), c. 1.6km to the south-east;
- Malahide Estuary SAC (site code 000205), c. 5.1km to the south;
- Malahide Estuary SPA (site code 004025), c. 5.1km to the south-east;
- North-West Irish Sea SPA (site code 004236), c. 5.15km to the east;
- Rockabill to Dalkey Island SAC (site code 003000), c. 6.2km to the east;
- Rockabill SPA (site code 004014), c. 8.6km to the north-east;

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

- Baldoyle Bay SAC (site code 000199), c. 11.8km to the south-east;
- Baldoyle Bay SPA (site code 004016), c. 11.5km to the south-east;
- Lambay Island SAC (site code 000204), c. 9.2km to the south-east;
- Lambay Island SPA (site code 004069), c. 9.3km to the east;
- Skerries Island SPA (site code 004122), c. 7.2km to the north-east;
- Ireland's Eye SAC (site code 002193), c. 14km to the south-east;
- Ireland's Eye SPA (site code 004117), c. 13.8km to the south-east;
- Howth Head Coast SPA (site code 004113), c. 16.2km to the south-east;
- Howth Head Coast SAC (site code 000202), c. 16.5km to the south-east.

Note that the above-listed distances are linear (i.e. 'as the crow flies'). The conservation objectives of these sites are to maintain the favourable conservation condition of the Qualifying Interests / Special Conservation Interests in question. For further information, refer to the standalone AA Screening Report.

There are no fully designated Natural Heritage Areas (NHA) within the potential Zone of Influence. The pNHAs within the ZoI are as follows (note that the distances are linear):

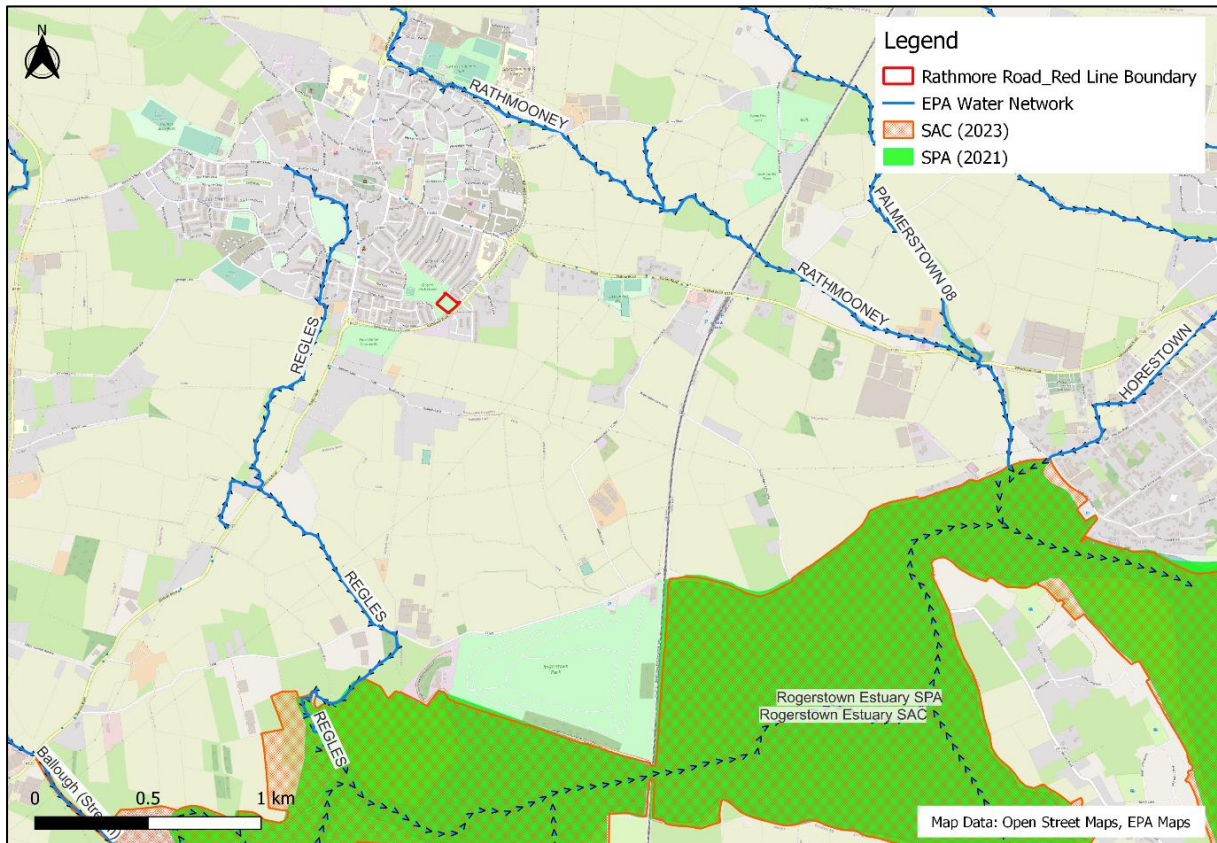
- Natural Heritage Area (NHA):
 - Skerries Island NHA (site code 001218), c. 7.2km to the north-east.
- Proposed Natural Heritage Areas (pNHA):
 - Rogerstown Estuary pNHA (site code 000208), c. 1.6km south-east;
 - Malahide Estuary pNHA (site code 000205), c. 5.1km south-east;
 - Portraine Shore pNHA (site code 001215), c. 4.8km south-east;
 - Loughshinny Coast pNHA (site code 002000), c. 6.6km north-east;
 - Lambay Island pNHA (site code 000204), c. 9.2km east;
 - Bog of the Ring pNHA (site code 001204), c. 6.8km north-west
 - Knock Lane pNHA (site code 001203), c. 7.3km north-west;
 - Feltrim Hill pNHA (site code 001208), c. 9.4km south-east.

Rogerstown Estuary Ramsar site (412) is located c. 1.6km to the south-east of the site. The site includes a small tidal embayment sheltered from the sea by a broad sand and shingle spit. Extensive areas of mud, sand and gravel are exposed at low tide. The mudflats support beds of green algae (*Enteromorpha*) and *Spartina anglica* (common cordgrass). Large numbers of wintering water birds use the tidal flats and the site is internationally important for Brent Geese. Rogerstown Estuary is also classified as a Nature Reserve and Wildfowl Sanctuary.

Malahide Shellfish area is c. 6.4km to the south-east of the site and 'All Beds' are classified for bivalve mollusc and species of interest include razor clams. The site has seasonal classification and is classified as Class A (August to January) and then reverts to Class B at other times.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin
EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000,
as amended, and the Planning and Development Regulations 2001, as amended

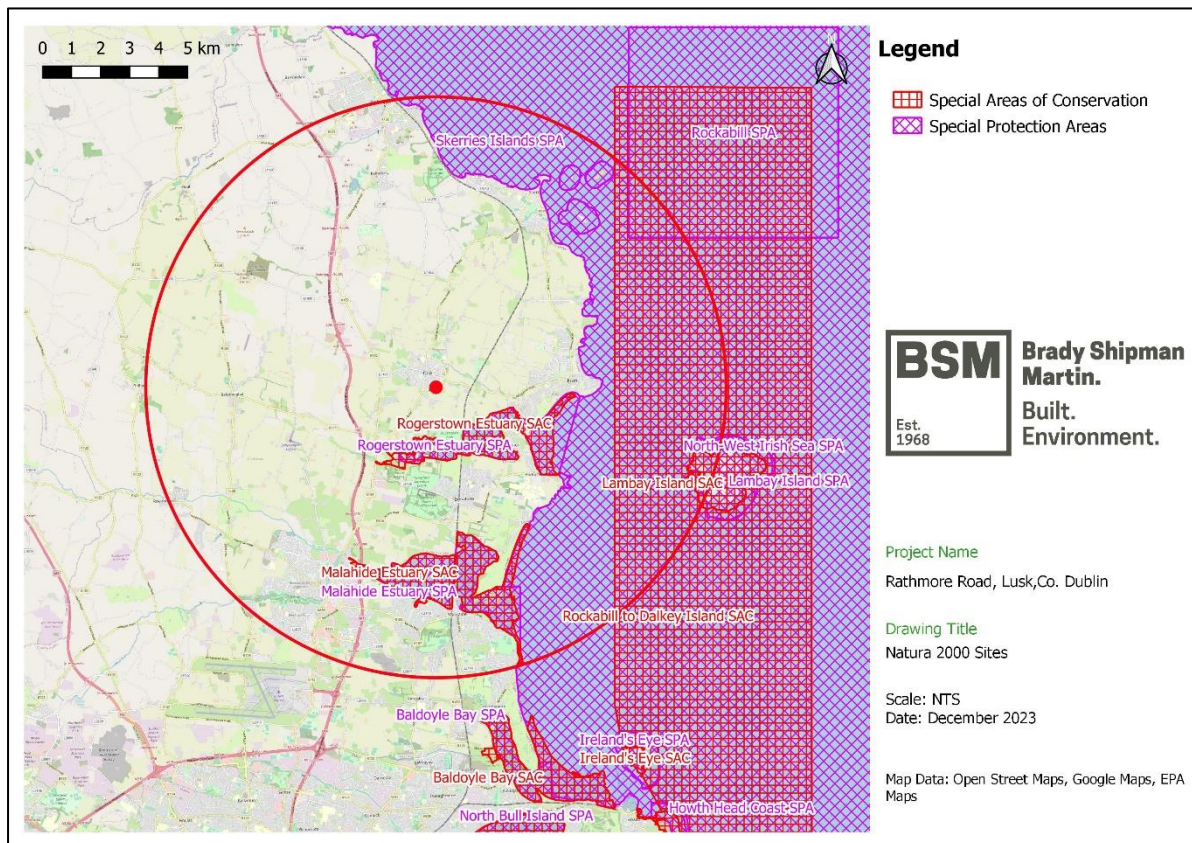
Figure 4.3 EPA waterbodies in the proximity of the proposed development



Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

Figure 4.4 European sites within zone of influence of the proposed development. A 10km radius is shown for scale.



In order to provide comprehensive baseline on the local ecological environment, biodiversity surveys were undertaken at the proposed development site by the authors on 7 September 2022 and 13 February 2023. The surveys undertaken comprised habitat, invasive species, rare and/or protected species, mammals, birds and day-time bat survey. Day-time appraisals of potential bat roost sites were undertaken in accordance with best practice guidelines *Bat Mitigation Guidelines for Ireland v2* (Irish Wildlife Manuals No. 134, Kelleher and Marnell 2022), *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016) and *Best Practice Guidelines for the Conservation of Bats in the Planning of National Road Schemes* (NRA, 2006).

No ecologically significant habitats were recorded on the proposed development site, which comprises of existing public open space (Fossitt code **GA2** amenity grassland (improved)) between the residential development of Remount and Forge Avenue on the Rathmore Road (R127). There is an existing footpath on the east side of the site (Fossitt code **BL3** buildings and artificial surfaces) which provides access to the site from Rathmore Road. Between the footpath and the site boundary on the east is an evergreen Cherry Laurel (*Prunus laurocerasus*) hedge (Fossitt code **WL1** hedgerows) interplanted with 11no. small trees and a metal railing. Refer to **Figure 4.5** and **Figure 4.6**.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

Figure 4.5 Existing public open space between the residential development of Remount and Forge Avenue on the Rathmore Road (R127)



Figure 4.6 Existing footpath and boundary hedgerow on the east side of the proposed site



Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

No badgers or other protected mammal species are known to be present and no evidence of such species was recorded or in the immediate vicinity. The site is entirely unsuited to be used by badgers or otters (protected under Article 12 of the Habitats Directive).

The day-time bat roost survey identified no potential for bat roost or activity (including bats themselves, or carcasses, droppings, staining or feeding remains) anywhere on the site. No evidence of bird nesting was recorded anywhere on the site.

No species listed on the Third Schedule of the Habitats Regulations, such as giant hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Reynoutria japonica*), Himalayan balsam (*Impatiens glandulifera*) or three-cornered leek (*Allium triquetrum*) were recorded at the proposed development site during the surveys undertaken in the preparation of this report.

The proposed development site is not under any wildlife or conservation designation. The National Biodiversity Data Centre (NBDC) database was consulted with regard to rare species (Curtis & McGough, 1988) and species protected under the *Flora Protection Order* (2022). There are no records of any protected plant species within the 2km grid square (O25B) that covers the proposed development area. Further no protected plants were recorded during any of the field surveys undertaken.

Overall the development site has **no ecological value** as defined by the ecological resource valuations presented in the National Roads Authority / Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

No evidence of any habitats or species with links to European sites was recorded during either the field survey or desk study undertaken and no 'reservoir' type habitats (habitats which have the potential to support Qualifying Interest / Special Conservation Interest species in any European site) are present. The site is entirely unsuited to use by any bird species listed as Special Conservation Interests in any of the European sites within the potential Zone of Influence.

The NBDC databases were queried for the species records in the 1km grid square (O2153) overlapping with the site of the proposed development. Only one protected terrestrial mammal West European Hedgehog (*Erinaceus europaeus*) was recorded in the 1km square. It should be noted that the 1km grid square takes in a wider area than the proposed development site, and the presence of a species in the grid square is not necessarily indicative of its presence on the proposed development site.

There are no recorded archaeological or architectural heritage sites on the site of the proposed development. Fulacht fia (DU008-112) archaeological record is c. 110m to the east. The proposed site is located c. 250m to the south of the 'Zone of Archaeological Notification'.

The *Fingal Development Plan 2023 – 2029* provides a Landscape Character Assessment of the Local Authority administrative area. It classifies six 'Landscape Character Types'. The site of the proposed development is located within the 'Low Lying' Character Type, which is categorised as having modest value and low sensitivity to development. There are no protected views identified in the Development Plan in the vicinity of the proposed development or that could be affected by the proposed development.

4.4 Description of Likely Effects

This section provides a description of the likely effects of the proposed development, with reference to the above-listed environmental aspects, and under the headings of the environmental factors as specified in paragraph (b)(i)(I) to (V) of Section 171A of the PDA 2000:

- Population and human health;
- Biodiversity, with particular attention to species and habitats protected under the Habitats and Birds Directives;
- Land, soil, water, air and climate;
- Material assets, cultural heritage and the landscape; and
- The interaction between the foregoing factors.

4.4.1 Overview

The proposed development is a public residential project. The proposed development will consist of the construction of 18 residential units and associated infrastructure.

The proposed site is situated in the urbanised surrounds of Lusk and is not an area with a high sensitivity to the environmental effects of development of this nature and scale. The site of the proposed development predominantly comprises existing buildings and artificial surfaces. The site of the proposed development is not under any ecological designation. There are no significant ecological sensitivities in the immediate environs.

As part of the proposed works, sections of hedge and trees on the north-east and east side will be removed to facilitate for vehicular entrance, exit, car and bicycle parking. The trees fronting on Rathmore Road will be removed as their roots have the potential to damage the stormwater and foul sewer at this location. However, to compensate for the loss, mix of native hedge and shrub species will be planted along the north, west and south boundaries. Refer to the accompanying Architectural Report and drawings for further information.

During the construction phase, typical environmental effects associated with urban construction and demolition works of this nature and scale are predicted, including elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, impacts on visual amenity, effects associated with construction traffic, etc. These effects will be short-term in duration, at most, and reversible. There will also be environmental risks associated with the presence of potential pollutants (e.g. hydrocarbons, solvents, cementitious materials) and human health risks associated with typical site safety risks.

During the operational phase, typical environmental effects associated with the presence and operation of apartment buildings are also predicted, including water consumption, surface and foul water loading to the municipal network, additional traffic volumes and direct and indirect greenhouse gas emissions. Operational phase effects are expected to be permanent in duration.

The following sections present the results of an assessment of potential impacts, specifically with regard to the environmental factors as specified in paragraph (b)(i)(I) to (V) of Section 171A of the PDA 2000, identifying in each case, the types and characteristics of potential impacts.

4.4.2 Population & Human Health

As stated above, the construction phase of the proposed development may be expected to give rise to typical environmental effects associated with urban construction activities of this nature and scale, including generation of dust, noise and vibration effects associated with construction traffic, and negative impacts on visual amenity.

The proposed development site is situated in the built up area of Lusk. It is surrounded by existing residential development that may be affected by the environmental aspects of the proposed construction works. All such effects are predicted to be localised, short-term in duration and reversible. Nevertheless, best practice measures will be implemented during the proposed works (as detailed in **Section 4.2.6**, above), in order to avoid and minimise impacts on local residents insofar as possible.

The proposed development will replace the existing greenfield site with 18no. residential apartments, open space, parking and associated infrastructure. The proposed development presents an opportunity to provide additional residential units in a strategic location, utilising existing services and infrastructure, and providing sustainable places to live, close to work and public transport link.

The proposed development comprises of two blocks (Block A and Block B) and the blocks turn the corners so that apartments front onto each of the four boundaries and this avoids expanses of blank walls, provides element supervision and reduces the likelihood of anti-social behaviour. The blocks are also setback 3m from public footpath to provide a privacy strip to the ground floor dwellings.

All ground floor dwellings are wheelchair accessible and meet Universal Design standards. Each unit is provided with private amenity space in the form of a large back garden for ground floor dwellings and recessed first floor terraces for duplexes. The proposed units are dual aspect achieving optimal levels of daylight, and all ground floor units will have a ceiling height of at least 2.7m and upper floors are minimum 2.45m. The proposed dwellings will provide acoustic privacy and will be in accordance with Part E, Sound, of the Building Regulations.

The development will also provide for 15no. on street vehicle parking and 72no. bicycle parking.

Currently, the feasibility of a number of options to evaluate the development's Nearly Zero Energy Building (NZEB) requirements are being considered and a detailed proposal will be submitted at detail design stage. The proposed development will fully be in compliance with Building Regulations Part F: Ventilation, Part J: Heat Producing Appliances and Part L: Conservation of Fuel and Energy.

Also, given the site's proximity to a variety of retail, educational, recreational, and healthcare facilities located close-by and to Public Transport, the development of the site for social housing would contribute to the creation of sustainable mixed communities in accordance with national and local statutory planning policy.

Hence, no likely significant effects are predicted in relation to population and human health.

4.4.3 Biodiversity²

There are no European sites within the immediate vicinity of the proposed development site at Rathmore Road, Lusk.

² With particular attention to species and habitats protected under the Habitats and the Birds Directives

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

Overall the development site has **no ecological value** as defined by the ecological resource valuations presented in the National Roads Authority / Transport Infrastructure Ireland Guidelines for Assessment of Ecological Impacts of National Road Schemes (NRA/TII, 2009 (Rev. 2)).

As part of the proposed works, sections of hedge and trees on the north-east and east side will be removed to facilitate the vehicular entrance, exit, car and bicycle parking. The trees fronting on Rathmore Road will be removed as their roots have the potential to damage the stormwater and foul sewer at this location. The loss of these features will not constitute a significant ecological impact. However, to address this loss, the proposed landscape design will increase the quantum of vegetation on the site. It will incorporate planting of trees and shrubs that may be expected to offset the aforementioned losses.

The day-time bat roost survey identified no potential for bat roost or activity (including bats themselves, or carcasses, droppings, staining or feeding remains) anywhere on the site. No evidence of bird nesting was recorded anywhere on the site. The site is entirely unsuited to use by badgers, otters (protected under Article 12 of the Habitats Directive).

The site clearance will be carried out outside of the bird nesting season (1st March – 31st August, inclusive) unless where strictly necessary – in which case, a survey for nesting birds will be carried out to ensure no impacts on breeding birds (refer to **Section 4.2.6**).

No species listed on the Third Schedule of the Habitats Regulations, such as giant hogweed (*Heracleum mantegazzianum*), Japanese knotweed (*Reynoutria japonica*), Himalayan balsam (*Impatiens glandulifera*) or three-cornered leek (*Allium triquetrum*) were recorded at the proposed development site during the surveys undertaken in the preparation of this report.

Biosecurity measures will be implemented during the proposed works to prevent the introduction of invasive species. To avoid the introduction of invasive species any material imported to the site should be screened for invasive species and all machinery should be thoroughly cleaned down prior to arriving on site.

The construction phase of the proposed development will result in typical construction phase effects such as elevated noise levels and lighting that could potentially result in disturbance of wildlife in the surrounding environment. However, considering the high urbanised and disturbed context at present, the proposed works are only expected to result in marginal change in this regard – with no significant ecological impacts likely to occur.

The AA Screening Report for the proposed development, submitted as part of the planning application under separate cover, has arrived at the following conclusion:

'In view of best scientific knowledge, this report concludes that the proposed residential development at Rathmore Road, Lusk, Co. Dublin; individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.'

Therefore, for the purposes of this EIA screening determination, significant effects on European sites can also be excluded. This conclusion has been arrived at having consideration of the nature, scale and location of the proposed development, and the potential for significant effects on the Qualifying Interests of the above-listed European sites, with regard to their conservation objectives, and in

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended in accordance with the source-pathway-receptor model for impact assessment. For further detail, please refer to the separate AA Screening Report.

No likely significant effects are predicted in relation to biodiversity, including to species and habitats protected under the Habitats and Birds Directives.

4.4.4 Land, Soil, Water, Air & Climate

The site of the proposed development is situated on a greenfield site, surrounded by buildings and hardstanding. There are no watercourses on the site of the proposed development or in the immediate vicinity, and it is not feasible that pollutants could be directly discharged from the site of the proposed development to the surface water network. The proposed development includes a comprehensive surface water drainage infrastructure through which the rate of discharge of surface water will be carefully controlled.

During the construction phase, standard good practice pollution control measures will be implemented, preventing the emissions of pollutants to the municipal drainage network. During its operation, the proposed development will feature segregated foul and surface water drainage networks. Both systems will discharge to the existing Irish Water surface and foul water infrastructure underlying the adjacent roads.

The proposed development is not expected to increase flood risk on the site or elsewhere. The inclusion of on-site surface water attenuation measures and soft landscaping is expected to attenuate surface water run-off and, therefore, reduce overall flood risk.

The Engineering Report prepared by McMahon Associates and submitted separately, has considered the flood risk associated with the proposed development, including under future climate change scenarios. It has concluded that-

'Given the extensive modelling of the CFRAM Flood studies mapping and that there is no historical flooding at the site on the OPW website it is considered that flood risk is minimal for this site.'

Groundworks are likely to be required (e.g. to facilitate the construction of foundations and drainage services) and it may be required to export a certain volume of excavated material for off-site disposal (in accordance with the applicable legislation). Significant impacts on land, soil or groundwater are not likely to occur as a result of these works, which will be carried out in accordance with best practice measures.

The Ground Investigation Report (Causeway Geotech, 2022) states that the site investigation works were undertaken in September 2022 and comprised of six boreholes, six trial pits, an infiltration test performed in two trial pits and indirect CBR test at two locations. The general ground type at the proposed site includes a topsoil layer (100-300mm thick) followed by made ground (reworked sandy gravelly clay fill with fragments of metal) and glacial till (sandy gravelly clay). No groundwater was recorded in any of the borehole locations. The ground investigation works noted that the low-permeability fine-grained soils provide a poor infiltration media and would be deemed unsuitable for implementation of drainage systems.

The Waste Classification Report (Causeway Geotech, 2022, Appendix J) noted that the material tested as part of the works could be classified as non-hazardous material. Following waste classification, a

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended. Waste Acceptance Criteria (WAC) of the samples was completed. The samples from two of the boreholes were classified as inert. However, sample from a third borehole showed increased Total Dissolved Solids (TDS) and could not be classified as inert. Any potential contamination identified during site development works by visual or olfactory means shall be further investigated, including further laboratory testing and appropriate health and safety, waste disposal and remediation measures adopted. The waste will then be sent to appropriate licensed facility for disposal.

In relation to air quality, minor emissions of dust may be expected to occur during the proposed works. Dust management measures will be implemented under the scope of the CEMP. No significant impacts are anticipated in this regard.

As noted in Section 4.2.4, the detailed design of the proposed development will ensure compliance with requirements expressed in current, relevant parts of the Building Regulations. Further, the requirement for nearly zero energy buildings and renewable sources of energy will be addressed in the detailed design and construction stages.

The proposed reduced numbers of on-site car parking, coupled with the generous provision of on-site bicycle parking, is consistent with national and municipal objectives to promote a modal shift away from private car use in favour of low-carbon and active alternatives.

No likely significant effects are predicted in relation to land, soil, water, air or climate.

4.4.5 Material Assets, Cultural Heritage & the Landscape

The proposed development is not expected to give rise to any significant effects in relation to material assets, i.e. roads or other built services / infrastructure. As discussed in **Section 4.2.2**, it is proposed to reconfigure the existing pedestrian access gate to align with new pedestrian crossing point. It is proposed to construct a vehicular access point at the east of the site within Remount housing development. The proposed works will provide opportunities for pedestrians and cyclists and promote sustainable modes of transport.

During construction, the proposed development has the potential for significant (both temporary and permanent) negative effects on major public utilities due to the requirement to divert or modify existing infrastructure. During the operational phase, the proposed development is unlikely to have a significant effect on material assets such as major public utilities.

There are no recorded archaeological or architectural heritage sites on the site of the proposed development. The proposed site is c. 250m to the south of the Architectural Conservation Area. If any subsurface archaeological remains are to be encountered during groundworks, these elements of the works will be supervised by a competent and suitably qualified archaeologist, in order to ensure that no significant impacts arise in relation to subsurface archaeological remains. Impacts on architectural or archaeological heritage outside of the site are not expected to occur.

There are no protected views or prospects in this area. There is the potential for temporary significant negative townscape and visual effects during construction due to general construction activity, impacts on property boundaries, traffic diversions and streetscape disturbance. Indirect impacts include the visible and landscape impact of construction activities and hoarding, changes to traffic patterns and diversions and the increased movement of HGV.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

During the operational phase, the proposed development may alter visual amenity due to the new features within the streetscape, changes in traffic flows, lighting, signage, new boundaries and landscape planting treatments.

No likely significant effects are predicted in relation to material assets, cultural heritage or the landscape.

4.4.6 Interactions

The key interactions may be summarised as follows:

- Negative water quality effects have the potential to negatively affect aquatic ecology;
- Negative effects in relation to noise, air quality, traffic and material assets have the potential to negatively affect population and human health.

Interactions between environmental topics have been comprehensively addressed herein.

No likely significant effects are predicted in relation to the interaction between environmental topics.

4.4.7 Cumulative Impacts

The following sources were consulted to identify relevant other plans or projects:

- Fingal Development Plan 2023-2029 (FCC, 2022);
- The National Planning Application database (www.myplan.ie - accessed December 2023);
- An Bord Pleanála database (www.pleanala.ie – accessed December 2023); and
- EIA Portal (www.housinggovie.maps.arcgis.com – accessed December 2023).

No developments are proposed within the immediate vicinity of the site that would, in combination with the development under appraisal in this report, give rise to significant effects. This includes projects that are currently under construction, have recently been granted planning permission or are awaiting a decision.

The Fingal County Development Plan 2023-2029 has a series of objectives intended to protect and enhance the natural environment. For example the plan includes policies for the protection of the county's flood plains, to prevent development in flood plains without satisfying the appropriate justification test and to require the use of sustainable drainage systems (SuDS) to minimise and limit the extent of hard surfacing and paving in order to reduce the potential impact of existing and predicted flooding risks.

The proposed development will not impact on the flow of water through the area, nor increase potential flood impacts. It is in compliance with all of the relevant Plan objectives.

A number of other plans were considered when assessing in-combination effects, but it was determined that there would be no in-combination effects with these:

- The National Planning Framework (Project Ireland 2040);
- The Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019 – 2031 (The Eastern and Midland Regional Assembly);
- The Greater Dublin Strategic Drainage Study;
- Greater Dublin Area Transport Strategy 2022-2042;
- Climate Action Plan 2023 (CAP 23 – Changing Ireland for the Better);
- Fingal County Council Draft Fingal Climate Action Plan 2024 – 2029 (public consultation documentation);

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

- National Biodiversity Action Plan 2017 – 2021.

As concluded in the Appropriate Assessment (AA) Screening Report (BSM, 2023), the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites.

4.5 Schedule 7 Criteria

Schedule 7A of the PDR 2001 requires the Applicant to have regard to the criteria set out in Schedule 7 of the PDR 2001. These criteria have been considered as set out in **Table 4.2**.

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended

Table 4.2 Criteria set out in Schedule 7 of the PDR 2001 and corresponding information in respect of the proposed development

Criteria	Information in respect of the proposed development
1. Characteristics of proposed development <i>The characteristics of proposed development, in particular—</i>	
<i>(a) the size and design of the whole of the proposed development,</i>	The proposed development comprises 18 social housing units on a site of c. 0.41 Ha. The size and design of the proposed development are detailed in Section 3.1 and Section 4.2 , above.
<i>(b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,</i>	As per Section 4.4.7 above, it is considered that significant in-combination effects on European sites are not likely to occur as a result of the proposed development in combination with other plans or projects.
<i>(c) the nature of any associated demolition works,</i>	As part of the proposed works, the existing greenfield site will be cleared for construction of the proposed residential complex. No demolition works are proposed as part of the development.
<i>(d) the use of natural resources, in particular land, soil, water and biodiversity,</i>	<p>The site of the proposed development in Lusk is dominated by buildings and hardstanding. The proposed site is a greenfield site. Therefore, there will be new consumption of 'land' required to facilitate the build. Local excavations for foundations and services are envisaged, and it may be necessary to export excavated material for off-site disposal. This will be executed in accordance with the relevant legislative provisions.</p> <p>During the operational phase, potable water from the municipal supply network will be consumed by residents. In this regard, the proposed development is not expected to be significantly different to the existing operational scenario.</p> <p>The site of the proposed development comprises of existing greenfield site and is currently used as public open space. Between the footpath and the site boundary on the east is an evergreen hedge interplanted with 11no. small trees and a metal railing. There is also a planted treeline fronting Rathmore Road on the southern side. The proposed works will result in the removal of all existing habitats on the site. The loss of these features will not constitute a significant ecological impact.</p>

Criteria	Information in respect of the proposed development
	<p>There are no unusual aspects of the proposed development in this regard. Use of natural resources will be limited to standard / typical levels for development of this nature, scale and location.</p>
<p>(e) <i>the production of waste,</i></p>	<p>During the construction phase, waste material will be generated, requiring off-site disposal. Waste materials are likely to include construction waste and excavated material. Waste material will be managed in accordance with the applicable legislative provisions.</p> <p>As detailed in Section 4.2.6, a CEMP, which will address Resource & Waste Management, will be prepared for the construction and demolition phase of the proposed development, in accordance with the EPA <i>Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects</i> (2021).</p> <p>During the operational phase, municipal solid waste will be generated by residents. The proposed development provides all dwellings with dedicated bin stores capable of accommodating 3 bins (black, brown and green) positioned at their front entrances within the privacy strip.</p> <p>There are no unusual aspects of the proposed development in this regard. Volumes of waste generated during the construction and operational phases will be commensurate of development of this nature, scale and location.</p>
<p>(f) <i>pollution and nuisances,</i></p>	<p>As detailed above, during the construction phase, there will be typical construction related pollution risks and effects, e.g. generation of dust, elevated levels of noise, potential pollution risk associated with presence of hazardous substances (hydrocarbons, cementitious material, etc.). Standard good practice construction pollution control measures will be implemented (as detailed in Section 4.2.6), and no significant environmental effects are predicted in this regard. Works will be limited to normal working hours in order to avoid / minimise potential nuisance.</p> <p>During the operational phase, potential sources of pollution associated with the proposed development are principally (i) generation of municipal solid waste (addressed above) and (ii) generation of foul water. As detailed above, foul water will be discharged to the municipal wastewater drainage network, which contains overflow arrangements and which conveys wastewater to Portrane WwTP for treatment prior to discharge at Irish Sea. For the reasons detailed, no significant environmental effects are predicted in this regard.</p>

Criteria	Information in respect of the proposed development
<p>(g) <i>the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and</i></p>	<p>The proposed development is neither especially susceptible to the risk of major accidents and / or disasters, nor is it likely to cause or exacerbate such an event. No particular risks have been identified in this regard.</p> <p>The proposed site is c. 7.5m north-east (linear distance) to the nearest SEVESO III site SK Biotek Ireland Ltd, Watery Lane, Swords (lower tier) and is outside the Seveso site consultation distance.</p> <p>As detailed in Section 4.4, above, a flood risk assessment has been carried out as part of the Engineering Report prepared by McMahon Associates, which has considered the flood risk associated with the proposed development, including under future climate change scenarios. It has concluded that- ‘Given the extensive modelling of the CFRAM Flood studies mapping and that there is no historical flooding at the site on the OPW website it is considered that flood risk is minimal for this site.’</p>
<p>(h) <i>the risks to human health (for example, due to water contamination or air pollution).</i></p>	<p>The potential impacts of the proposed development in relation to human health have been assessed above (refer to Section 4.4.2, above). The site of the proposed development is situated in a densely populated urban area, with numerous residential receptors present in the immediate vicinity. However, having regard to the nature and scale of the proposed development, no likely significant effects are predicted in this regard. A range of best practice environmental protection measures will be implemented (refer to Section 4.2.6) in order to avoid / minimise impacts on the local population insofar as possible.</p>
<p>2. Location of proposed development <i>The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—</i></p>	
<p>(a) <i>the existing and approved land use,</i></p>	<p>The development site consist of greenfield site at Rathmore Road, Lusk, Co. Dublin and is currently used as public open space. As per the <i>Fingal Development Plan 2023-2029</i>, the proposed site is zoned as <i>RS-Residential – ‘Provide for residential development and protect and improve residential amenity’</i>. For further details in relation to existing and approved land use, refer to Section 4.3, above.</p>
<p>(b) <i>the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,</i></p>	<p>The site of the proposed development is a greenfield site and currently used as public open space. Overall the development site has no ecological importance as defined by the ecological resource valuations presented in the NRA Guidelines. There are no protected habitats or rare / protected species of flora present on the site. There are no surface water bodies or designated sites on the site or in the immediate vicinity. For further details, refer to Sections 4.3 and 4.4.3, above. The site of the proposed development and wider area is developed and</p>

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin
 EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000,
 as amended, and the Planning and Development Regulations 2001, as amended

Criteria	Information in respect of the proposed development
	urban in nature, having low sensitivity to the effects of development, and a relatively high regenerative capacity (given the absence of sensitive habitats).
<i>(c) the absorption capacity of the natural environment, paying particular attention to the following areas:</i>	
<i>a. wetlands, riparian areas, river mouths;</i>	There are no wetlands, riparian areas or river mouths at the site of the proposed development or in the immediate vicinity that could be directly affected by the proposed development. At closest, Rogerstown Estuary Ramsar site (412) is located c. 1.6km to the south-east of the site. Indirect hydrological connections, e.g. via the wastewater drainage and treatment system, are detailed in Section 4.4.4 , above.
<i>b. coastal zones and the marine environment;</i>	The site of the proposed development is situated a c. 3.5 km linear distance from the coast. There are no direct impact pathways between the proposed development site and coastal zones or the marine environment. Indirect hydrological connections, e.g. via the wastewater drainage and treatment system, are detailed in Section 4.4.4 , above.
<i>c. mountain and forest areas;</i>	There are no mountains or forest areas at the proposed development site or in the immediate vicinity that could be affected.
<i>d. nature reserves and parks;</i>	The nearest statutory Nature Reserve to the proposed development site is at Rogerstown Estuary, 1.6km to the south-east. There is Rathmore Park Lusk, c. 920m to the north. There is no real likelihood of significant effects on any Nature Reserve or park resulting from the proposed development.
<i>e. areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;</i>	An Appropriate Assessment (AA) Screening Report has been prepared by Brady Shipman Martin in respect of the proposed development (refer to document submitted under separate cover). It has concluded that the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites. This assessment was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites. This assessment has also taken account of the potential for significant effects on nationally designated sites (NHA / pNHA). For details, refer to the AA Screening Report, submitted under separate cover. Refer also to Sections 4.3 and 4.4.3 , above.
<i>f. areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;</i>	There are no such areas connected to the site that could be significantly affected by the proposed development.

Criteria	Information in respect of the proposed development
<i>g. densely populated areas;</i>	As discussed above (refer to Sections 4.3 and 4.4.2), the proposed development is situated in populated centre of Lusk, and there are numerous residential receptors in the immediate area that could be affected by the environmental aspects of the proposed development. However, having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects in this regard. A schedule of good practice environmental protection measures, has been proposed, in order to avoid / minimise impacts on the local population insofar as possible.
<i>h. landscapes and sites of historical, cultural or archaeological significance.</i>	The proposed site is located c. 250m to the south of the 'Zone of Archaeological Notification'. There are no recorded archaeological or architectural heritage assets on the site. Nevertheless, a schedule of environmental protection measures is proposed in order to avoid potential adverse impacts on unrecorded subsurface cultural heritage features.
<p>3. Types and characteristics of potential impacts <i>The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the [PDA 2000], taking into account—</i></p>	
<i>(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),</i>	<p>Regard has been had, in the preparation of this report, to the likely magnitude and spatial extent of impacts arising from the proposed development during the construction and operational phases. The likely impacts of the proposed development will not be unusual in these respects.</p> <p>The spatial extent of the direct impacts of the proposed development (e.g. habitat loss, dust generation, elevated noise, etc.) will be limited to the site and / or the immediate environs (i.e. typically within 50 m). This is a densely populated area, with numerous residential receptors in the immediate area.</p> <p>Additionally, as detailed above, there is the potential for indirect impacts further afield, e.g. due to the generation of greenhouse gas emissions, waste materials, wastewater and surface water.</p> <p>This is a small sized development that, during the operational phase, will entail only a marginal change, in terms of environmental aspects and impacts, relative to the baseline.</p>
<i>(b) the nature of the impact,</i>	Regard has been had, in the preparation of this report, to the likely nature of impacts arising from the proposed development during the construction and operational phases.

Criteria	Information in respect of the proposed development
	The likely impacts of the proposed development will not be unusual in this respect.
<i>(c) the transboundary nature of the impact,</i>	The site of the proposed development is not proximate to any boundaries of relevance (e.g. Local Authority administrative areas, County boundaries or the boundary with Northern Ireland), and no transboundary impacts are likely to arise.
<i>(d) the intensity and complexity of the impact,</i>	Regard has been had, in the preparation of this report, to the likely intensity and complexity of impacts arising from the proposed development during the construction and operational phases. No impacts of unusual intensity or complexity are likely to arise.
<i>(e) the probability of the impact,</i>	In accordance with the EPA (2022) criteria, regard has been had to the probability of impacts arising from the proposed development.
<i>(f) the expected onset, duration, frequency and reversibility of the impact,</i>	In accordance with the EPA (2022) criteria, regard has been had to the likely onset, duration, frequency and reversibility of impacts arising from the proposed development. Generally speaking, construction phase impacts are predicted to be short-term in duration (lasting as long as the proposed works) and reversible; while effects of the operational phase are assumed to be permanent in duration.
<i>(g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and</i>	Cumulative impacts addressed above in Section 4.4.7 relation to paragraph 1(b). No likely significant cumulative impacts are predicted to occur.
<i>(h) the possibility of effectively reducing the impact.</i>	A schedule of environmental protection measures are proposed in order to avoid / minimise potential environmental impacts, where appropriate. Refer to Section 4.2.6 .

5 Conclusion

It is considered that the proposed development would not be likely to have significant negative effects on the environment. The main reasons for this conclusion are as follows:

- The size of the site and the extent of the proposed development are of a small scale and significantly below the stated thresholds of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended at or above which there is a mandatory requirement for EIA.
- The nature of the proposed construction works and of the proposed development itself are not unusual in the context of the receiving environment. The construction phase of the proposed

Proposed Local Authority Own Housing Development at Rathmore Road, Lusk, Co. Dublin

EIA Screening Report in accordance with, inter alia, the requirements of the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended development is expected to give rise to minor, localised environmental effects that are typical of urban construction projects of this nature;

- The location of the proposed development is a previously developed site in an existing urbanised location, which is not particularly sensitive to the environmental effects of development of this nature and scale. There are no designated sites or surface water bodies on the site or in the immediate vicinity. The receiving environment is densely populated, with residential and commercial receptors situated in close proximity; however, appropriate best practise environmental protection measures have been incorporated into the proposal in order to avoid / minimise impacts insofar as possible;
- The provision of landscaping on-site, in the form of open space, the inclusion of tree planting and shrub planting, bat and bird boxes will result in a positive biodiversity impact.

Therefore, it is recommended that, having regard to the information set out above, the Competent Authority (Fingal County Council) may reach a screening determination that ***there is no real likelihood of significant effects arising as a result of the proposed development; and, therefore, that environmental impact assessment and the preparation of an environmental impact assessment report is not required.***

6 References

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