

# Proposed Housing Development at Seatown Road, Swords, Co. Dublin

EIA SCREENING REPORT IN ACCORDANCE WITH ARTICLE  
120 OF THE PLANNING AND DEVELOPMENT REGULATIONS  
2001-2022

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## Environmental Assessment **Built Environment**

Client:

Fingal County Council

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# 1 Introduction

Fingal County Council (FCC) is seeking permission under Part 8<sup>1</sup> of the Planning and Development Regulations 2001-2022 (PDR 2001) for the development of social housing at two sites on either side of St. Columcille's Drive on Seatown Road, Swords, Co. Dublin ('the proposed development' hereafter). The proposed development will consist of the demolition of 12 dwellings and the construction of 36no. residential apartment units and associated infrastructure.

## 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 120<sup>2</sup> 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.

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<sup>1</sup> Provisions with respect to specified development by, or on behalf of, or in partnership with local authorities

<sup>2</sup> 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 2000-2022 and the Planning and Development Regulations 2001-2022.

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.

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'. In the case of Local Authority development (i.e. as in the case of the proposed development), this screening for the requirement for sub-threshold EIA is in accordance with Article 120 of the PDR 2001, which states that:

- (1) (a) *Where a local authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.*
- (b) *Where the local authority concludes, based on such preliminary examination, that—*
- (i) *there is **no real likelihood of significant effects** on the environment arising from the proposed development, it shall conclude that an EIA is not required,*
- (ii) *there is **significant and realistic doubt in regard to the likelihood of significant effects** on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or*
- (iii) *there is **a real likelihood of significant effects** on the environment arising from the proposed development, it shall—*
- (I) *conclude that the development would be likely to have such effects, and*
- (II) *prepare, or cause to be prepared, an EIAR in respect of the development.<sup>3</sup>*

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**).

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).

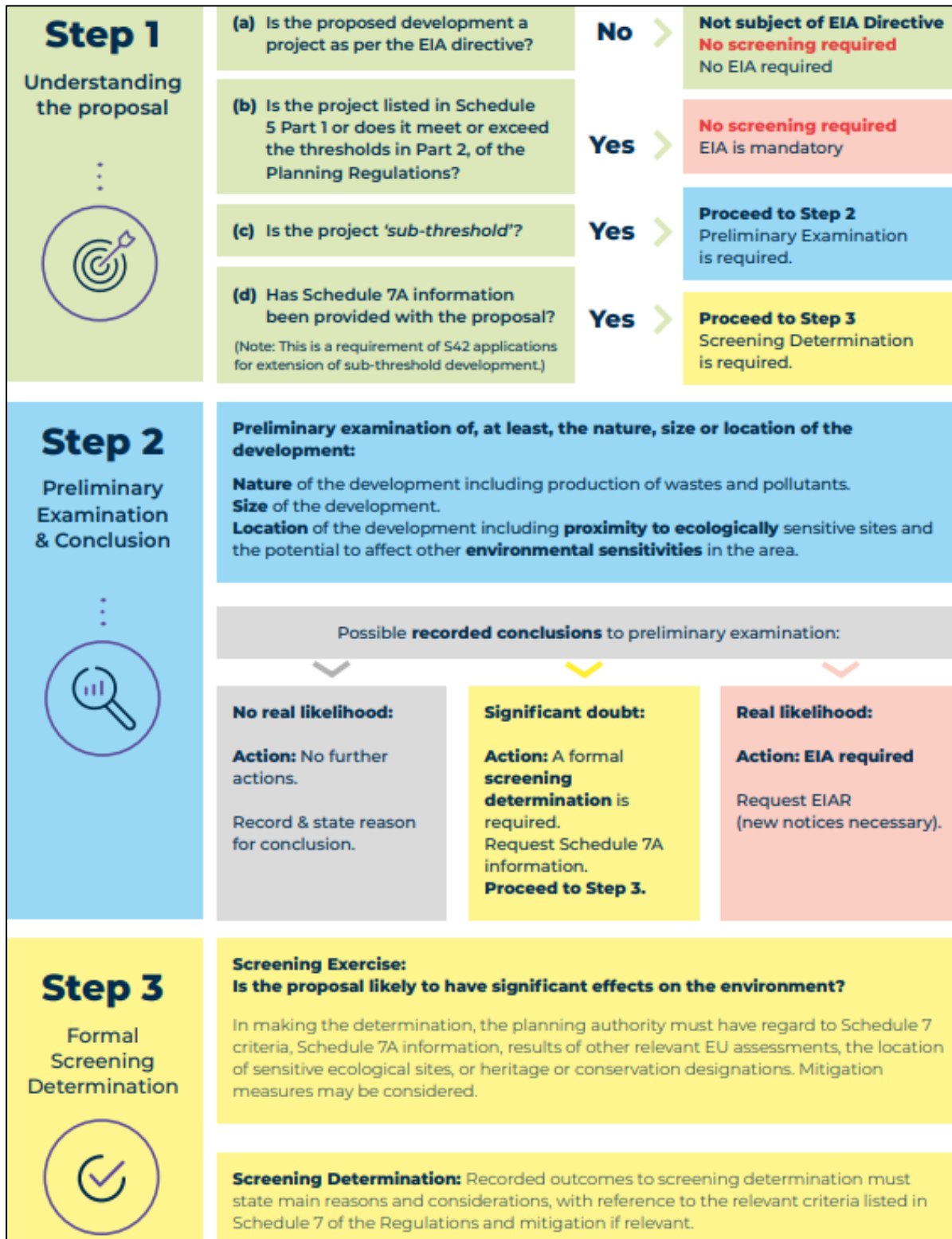
In order to assist the competent authority (Fingal County Council) to carry out the screening for EIA, this report provides the following information:

- 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;

<sup>3</sup> Emphasis added

- 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 Pre-Screening / Understanding the Proposal / Proposed Development

#### 3.1 Overall Description of the Proposed Development

The proposed development will comprise the demolition of total 12 no. existing 2-storey semi-detached dwellings on Site 1 (6 no.) & Site 2 (6 no.) and the proposed construction of two no. 4-storey apartment buildings (total 36 units), landscaping works for both sites including boundary walls, SUDS drainage, and all associated site works. Site 1 includes 20 no. 2 bed (4 person) apartments across 4 floors with stairs/lift and external walkway access, hard and soft landscaping, 10 no. car parking spaces, communal bin store, secure bike store and communal open space. Site 2 includes 8 no. 2 bed (4 person) apartments and 8 no. 2 bed (3 person) apartments across 4 floors with stairs/lift and external walkway access, hard and soft landscaping, 8 no. car parking spaces, bin store, secure bike stores and communal open space.

The new apartment blocks will be constructed on two sites, located either side of St. Columcille’s Drive in the Swords Village Centre, Co. Dublin (**Figure 3.1** below).

For further information refer to the Engineering Service Report and associated drawings prepared by Lohan and Donnelly Consulting Engineers (2022) and submitted as part of the application.

**Figure 3.1 Proposed site layout for development at Seatown Road, Swords, Dublin (Fingal County Council, 2022)**





### 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 therefore 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>	36 dwelling units	<b>Requirement for Mandatory EIA -</b> The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement.  <b>Requirement for Sub-threshold EIA -</b> 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>	0.39 Ha located within a business district	<b>Requirement for Mandatory EIA -</b> The proposed development does not meet or exceed the stated threshold. Therefore, EIA is not a mandatory requirement.  <b>Requirement for Sub-threshold EIA -</b> 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’
Schedule 5, Part 2, paragraph 14: Paragraph 14: <i>“Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant</i>	Demolition of 12 no. existing dwellings on Seatown Road	<b>Requirement for EIA -</b> The extent and scale of demolition is small to moderate in the context of the town centre location and, having regard to the criteria set out in Schedule 7, such works are unlikely to have significant effects on the environment.

Provision (Part 2 of Schedule 5 of PDR 2001)	Proposed Development	Pre-screening Assessment
<i>effects on the environment, having regard to the criteria set out in Schedule 7."</i>		However, given the location of the proposed development in the Swords centre 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' 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 should be screened for the requirement for 'sub-threshold EIA' in accordance with Article 120 of the PDR 2001, to determine whether there is a likelihood of significant effects and, therefore, whether EIA is required for the proposed development.

## 4 Preliminary Examination / Screening for requirement for Sub-threshold EIA

### 4.1 Preliminary Examination: 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 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, 2022);
- Engineering Service Report (Lohan and Donnelly Consulting Engineers, 2022);
- Flood Risk Assessment Report (Lohan and Donnelly Consulting Engineers, 2022);
- Daylight and Sunlight- Internal Daylight, Sunlight and Overshadowing Report (Gia Chartered Surveyors, 2022);
- Appropriate Assessment Screening Report (BSM, 2022).

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 Service Report (Lohan and Donnelly Consulting Engineers, 2022) that accompanies the Part 8 application states there is an existing public 6-inch watermain on Seatown Road and a public 4-inch watermain on St. Columcille's Drive. An underground survey has been undertaken to identify the watermain lines and is included in the Engineering Service Report.

It is proposed to provide watermain 80mm (internal diameter) HDPE service connections to the two new apartment blocks. These service connections will connect to the public 4-inch watermain on St. Columcille's Drive. A pre-connection inquiry form has been submitted to Irish Water for this development.

#### 4.2.1.2 Drainage

##### Surface Water

The Engineering Service Report (Lohan and Donnelly Consulting Engineers, 2022) states there is an existing public 150mm and 225mm surface water sewer and another 225mm surface water sewer on Seatown Road. An underground survey has been undertaken to identify the drainage lines and is included in the Engineering Service Report.

It is proposed to attenuate all surface water from the site to 2.0l/s via hydro-brake manholes and stormtech MC 3500 chambers will be used to provide the required attenuation storage volume. It is proposed to discharge attenuated surface water to the public surface water sewer. The surface water systems have been designed for the 1 in 100 year storm event and include for 20% increase in rainfall intensity to cater for climate change.

It is proposed to use a sustainable urban drainage system (SuDS) approach to stormwater management throughout the site. SuDS are a requirement of Fingal County Council and 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'. Interception storage of surface water will be provided by permeable paving to

external footpath and car space areas, green sedum surface finish to all the blue roof areas and vegetation external areas.

#### Foul Water

The Engineering Service Report (Lohan and Donnelly Consulting Engineers, 2022) states that there is a public 225mm concrete foul water sewer running down Seatown Road and on St. Columcille's Drive. An underground survey has been undertaken to identify the foul drainage lines and is included in the Engineering Service Report.

All sewers are designed in accordance with IS 752: 2008 and Building Regulations TGD Part H. All drainage works shall be in accordance with the requirements of Irish Water and Fingal County Council. It is proposed that wastewater from the development is to flow via gravity to the existing foul line on St. Columcille's Drive.

Foul water pipe sizing has been derived from wastewater loadings of 150 l/person/day and an allowance of 2.7 people per unit. It is proposed to provide a 150Ø pipe at a gradient of 1/60, a capacity of 21.3 l/s and a flow velocity of 1.21m/s for the proposed 36 apartment units which generates a dry weather flow (1DWF) of 0.168 l/s with a 6DWF of 1.01 l/s.

A pre-connection enquiry form has been submitted to Irish Water for this development.

#### 4.2.2 Access and Parking

The proposed site is located on Seatown Road in Swords. It is bound to the south by residential dwellings and to the north by Seatown Road. Fingal County Offices lie to the immediate west of the site.

The Architectural Report (Fingal County Council, 2022) notes that the site is within a 'Major Town Centre' zone and states that there is an aspiration to provide high quality bike storage facilities and to ensure good transport connections are in place to reduce the number of car parking bays in developments. Also, as per the *Draft Fingal Development Plan 2023-2029 (Table 14.19) Carparking Standards*, requires 1–2-bedroom residential homes to have a minimum of 0.5 parking spaces.

Site no.1 has 20 no. two-bedroom apartments, and 10 parking spaces are proposed. While, Site no.2 has 16 no. two-bedroom apartments, and 8 parking spaces are proposed. Both sites include at least one Part M (Access and Use) of the Building Regulations compliant accessible spaces. Access routes from parking spaces to the building entrances comply with Part M and provision by way of ducting will be made for electric charging points at each parking space.

Also, as per the *Draft Fingal Development Plan 2023-2029 (Table 14.19) Bicycle Parking Standards*, 3no. long stay bicycle parking bays per 2-bedroom apartment has been provided in secure stores with double-stacked gas-assisted bicycle racks (1 plus, 1 per bedroom). There is also provision for 0.5 bicycle bays / per unit for visitor parking. For Site no.1 this equates to 60 no. long stay bicycle bays and 10 no. short stay visitor bays. For Site no.2 this equates to 48 no. long stay bicycle bays and 8 no. short stay visitor bays.

#### 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. A Construction Environmental Management Plan (CEMP) will be prepared at detailed design stage and implemented during construction by the Contractor.

#### 4.2.4 Energy

The Architectural Report (Fingal County Council, 2022) notes that the proposal includes for green roofs on both buildings with photovoltaic panels for renewable energy as part of the strategy to achieve Nearly Zero Energy Building (NZEB) standards. Due to the linear nature of the plan the apartments are all dual aspect and therefore benefit from passive solar design and natural ventilation. It is also proposed that all dwellings will achieve high levels of occupant comfort, and compliance with the relevant parts of the building regulations as follows:

- Part F: Ventilation;
- Part J: Heat Producing Appliances;
- Part L: Conservation of Fuel and Energy.

#### 4.2.5 Construction Phase

The construction phase will involve the following generic sequencing:

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

The proposed development will require the demolition of a total of 12 existing 2-storey semi-detached dwellings (six on site 1 and six on site 2) and all associated structures.

#### 4.2.6 Mitigation Measures Proposed

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 mitigation measures will be adopted.

##### ***Demolition Works:***

- A Resource & Waste Management Plan shall be prepared for the construction and demolition phase of the proposed development, in accordance with the EPA *Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects* (2021), detailing the demolition method. This plan shall be implemented (and updated, as required) by the appointed contractors;
- Considering the nature of the site and the receiving environment, demolition works shall be executed, insofar as practicable, as a controlled deconstruction;
- Prior to the commencement of works, a pre-construction survey will be carried out of the existing structures on the site in order to identify materials and items to be separated for re-use or recycling as part of the deconstruction / demolition works. Such materials might include windows and glass; timber; metals such as copper wiring, piping and cylinders; waste electrical and electronic equipment (WEEE), plasterboard / gypsum products; soft furnishings; masonry;

concrete, including concrete roof tiles; and reinforcement bars in concrete. In accordance with the waste hierarchy, the contractor will endeavour to maximise the quantum of such materials being re-used or recycled, insofar as practicable;

- On commencement of works, the existing structures will be fully scaffolded and wrapped to control emissions of noise and dust from the site.

#### **Archaeology:**

- Should any archaeological material be identified in the course of the works, further mitigation, including monitoring and / or preservation by record (excavation) or *in situ*, may be recommended following discussion with the National Monuments Service and Fingal County Council.

#### **Asbestos:**

- Prior to the commencement of works, a pre-construction 'refurbishment/demolition asbestos survey' (previously called Type 3 asbestos survey) will be carried out of the existing structures on the site in order to determine the locations of asbestos-containing materials (ACMs);
- Any ACMs identified in the existing structures will be removed at an appropriate stage (e.g. prior to other deconstruction / demolition works, where there is a risk of disturbance of ACMs) by competent and suitably qualified contractors, under strictly controlled conditions, in accordance with the Health and Safety Authority (HSA) guidelines, *Asbestos-containing Materials (ACMs) in Workplaces: Practical Guidelines on ACM Management and Abatement* (2013). All ACMs must be disposed of in accordance with relevant waste legislation.

#### **Biodiversity**

- If it is proposed to complete demolition works during the bird nesting season (1 March – 31 August, inclusive), a survey of the rooftops of the existing dwelling and vegetation on-site will be completed by a suitably qualified ecologist / ornithologist prior to the commencement of demolition works, to determine the presence / absence of nesting birds;
- Should nesting birds be present, no demolition works will be allowed to proceed until it is confirmed by the ecologist / ornithologist, that the rooftop and gardens has been vacated, with no evidence of active nests or fledglings being present;
- There are no mature trees with bat potential on the site, and the existing buildings are of no more than low suitability for roosting bats (protected under Article 12 of the Habitats Directive) and no bat roosts will be removed as part of the proposed development. It will not be necessary to apply for a derogation licence under Regulation 54 or 55 of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended). Nevertheless, bats are small, mobile creatures, and may occasionally occupy virtually any space. Therefore, as a precautionary measure, prior to demolition a bat survey shall be undertaken by a suitably experienced bat specialist. The discovery of a bat roost shall necessitate a derogation from NPWS and implementation of additional mitigation, as specified by a suitably qualified ecologist;
- The detailed lighting design for the proposed development will be developed with reference to the following guidance documents:
  - Bat Conservation Ireland (2010). *Bats & Lighting: Guidance Notes for Planners, Engineers, Architects and Developers*; and

- Institution of Lighting Professionals & Bat Conservation Trust (2018). *Bats and Artificial Lighting in the UK (Guidance Note 08/18)*.
- An invasive alien plant species survey shall be completed on the site of the proposed development and immediate environs prior to the commencement of on-site works. The survey will target species listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 and other invasive alien plant species of high and medium impact, as identified by the National Biodiversity Data Centre (NBDC);
- Any invasive alien plant species listed in the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 identified on the site will be removed in accordance with best practice and all applicable legislation by a suitably qualified contractor;
- The proposed landscape planting schedule shall incorporate pollinator-friendly species, with regard to the *Pollinator friendly planting code* from the *All-Ireland Pollinator Plan 2021 – 2025*;
- No invasive plant species will be used in the planting schedule.

***Construction Compound:***

- All plant, materials and operatives' vehicles shall be stored in dedicated compound areas within the proposed development site;
- Fuel-containing plant and machinery and hazardous substances (hydrocarbons, solvents, paints, etc.) to be stored on-site shall be kept in a secure dedicated area with mobile bunded units, drip trays and impermeable storage units. This area shall be inspected by the Site Manager on a daily basis, with prompt remedial action being taken, where required;
- Refuelling and servicing of construction machinery shall take place in a designated hardstand area which is also remote from any surface water inlets (when not possible to carry out such activities off site).

***Construction Works Hours:***

The proposed construction operating hours will comply with Fingal County Council requirements.

Any deviation from these working hours will require prior consent from Fingal County Council. Subject to the agreement of the local authority, out of hours working may be required for water main connections, foul drainage connections etc.

***Construction Environmental Management Plan:***

A Construction Environmental Management Plan (CEMP) shall be prepared, in agreement with Fingal County Council, in advance of the commencement of the proposed works, and shall be implemented by the appointed contractor(s) throughout the proposed works in order to control the environmental effects of the construction phase, e.g. in relation to noise, vibration, dust, surface water pollution and waste management. The CEMP shall be a live document that is kept up-to-date, e.g. to reflect the publication of relevant guidelines, in order to ensure best practice in site environmental management.

**4.2.7 Enhancement Measures Proposed**

- It is recommended that c. 4no. bat boxes suitable for use by bats be incorporated into the landscaping at the proposed development site;
- It is recommended that c. 4no. wooden bird boxes suitable for use by house sparrows, robins, blue tits and / or tree creepers (e.g. as available on BirdWatch Ireland website) be incorporated into the landscaping at the proposed development site.

- The bat and bird boxes may be incorporated into the fabric of the buildings if isn't possible to located them in the landscape of the proposed site.

### 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 7 September 2022, with a view to identifying any environmental sensitivities or potential pathways to the same.

The proposed development is comprised of two sites (refer to **Figure 4.1**), located either side of St. Columcille's Drive in the Swords Village Centre. The proposed development sites are bound to the south by residential dwellings and to the north by Seatown Road. The proposed Site no.1 is bounded to the east by 'Aldi' retail store and the proposed Site no.2 is bounded to west by Fingal County Council County Hall.

The proposed development site is brownfield and is currently occupied by 12no. residential dwellings. The total area of the site is 0.39 Ha, where Site 1 is 0.21 Ha and Site 2 is 0.18 Ha.

The site of the proposed development is situated in a densely developed, urban area in Swords across the road from the Fingal Community College. Swords Castle is located c. 50m north-west to the site and the Swords Town Park and Ward River are c.140m to the north-west and c.170m to the west, respectively. There are shopping centre, retail, health care facilities, schools, GAA clubs etc in Swords Town centre close proximity to the proposed development.

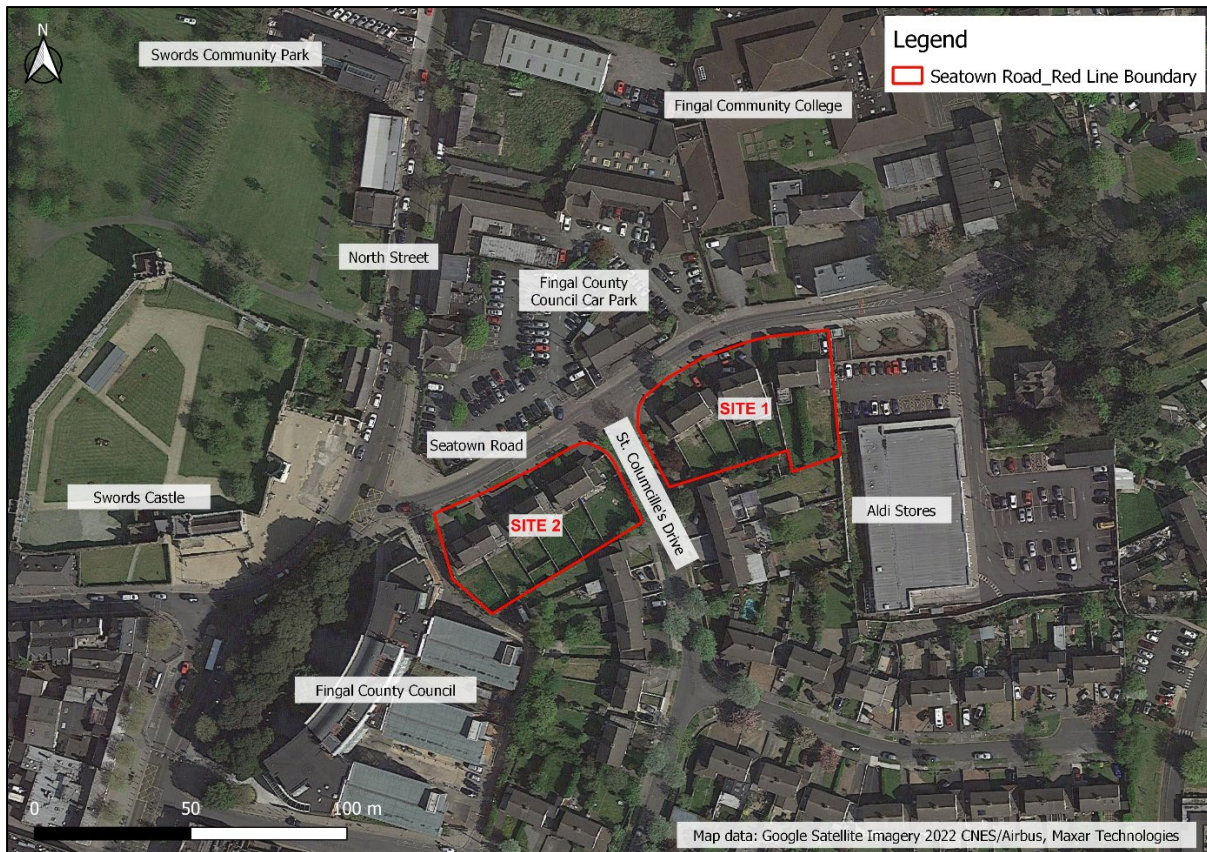
The site of the proposed development is situated adjacent to the existing road network, namely the Seatown Road which links the R386 and R132. The area is well served by public transport infrastructure or services, including bus services, providing access to-and-from Dublin city centre and Dublin Airport. There is a concentration of industry in the local area, with a number of industrial estates / business parks; including Swords Business Park, Swords Business Campus, Swords / Feltrim Business Park and Airside Business Park. The proposed site is c. 200m south-east (linear distance) to the nearest SEVESO III site SK Biotek Ireland Ltd, Watery Lane, Swords (lower tier) and is within the seveso site consultation distance.

**Figure 4.1 The location of the proposed development site at Seatown Road, Swords (red line is indicative, for full details refer to the accompanying documentation)**



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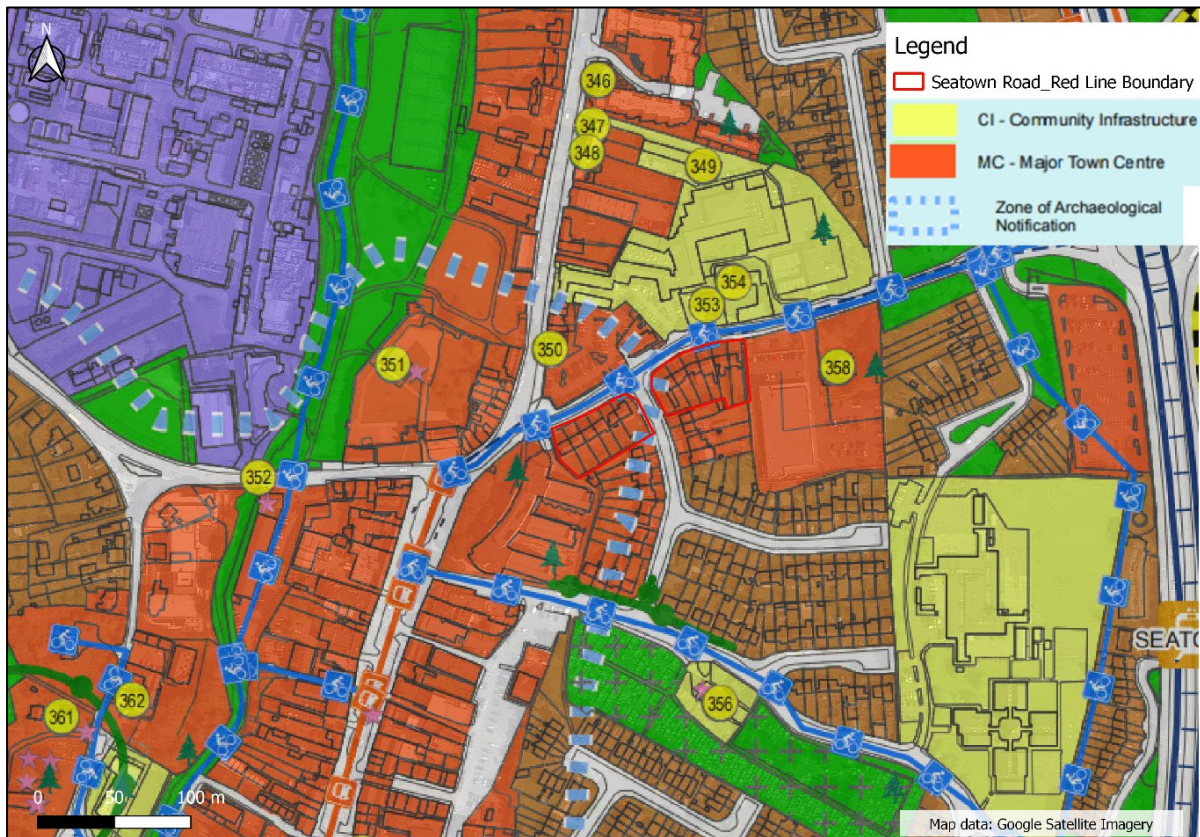


As per the *Fingal Development Plan 2017-2023* and the *Draft Fingal Development Plan 2023-2029*, the proposed site is zoned as MC- Major Town Centre- 'Protect, provide for and/or improve major town centre facilities.' The stated vision for the MC zoning is to: 'Consolidate the existing Major Towns in the County, (Blanchardstown, Swords and Balbriggan). The aim is to further develop these centres by densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, civic, cultural, leisure, residential uses, and urban streets, while delivering a quality urban environment which will enhance the quality of life of resident, visitor and workers alike. [..]'

Further, the Housing Strategy of the Development Plan notes that demand for social housing in the Capital is increasing, with a waiting list of 9,103 households in late-2015. The *Fingal Development Plan 2017-2023* states that 'This results in a need for 11,016 social housing units over the period 2016 – 2023.'

The proposed Site no.2 and western corner of Site no.1 are located within the 'Zone of Archaeological Notification'. Objective CH07 of the *Fingal Development Plan 2017-2023* states- 'Ensure that development within the vicinity of a Recorded Monument or Zone of Archaeological Notification does not seriously detract from the setting of the feature, and is sited and designed appropriately.' Refer to **Figure 4.2**.

Figure 4.2 Land use zoning at the proposed development site (*Fingal County Development Plan 2017-2023*)



The site of the proposed development is situated in the Local Electoral Area (LEA) of Swords and the Electoral Division (ED) of ‘Swords Village’. The CSO census population statistics indicate that growth at the level of the ED has been approximately half of that at the level of the LEA and Local Authority administrative area, and approximately same as the rate of growth that occurred at the national level (Table 4.1). The most recent national census was completed on 3 April 2022, but the data have not been published to date.

Table 4.1 Population change: State, LEA and ED level: 2011 – 2016 (CSO, 2012; 2017)

Area	Number of persons		
	2011	2016	Change
Ireland (State)	4,588,252	4,757,976	+3.7%
Fingal County Council Administrative Area	273,991	296,020	+8.0%
Swords LEA	60,583	64,486	+6.44%
Swords Village ED	2,581	2,674	+3.6%

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 Malahide Estuary and comprises of argillaceous bioclastic 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 ‘high’, indicating that site is underlain by 10m depth of highly permeable sands and gravels in a locally important sand and gravel aquifer (GSI, 2022).

No watercourses are present within or connected to the proposed development site at Seatown Road, Swords. A review of the Environmental Protection Agency (EPA) web-tool indicates that the Ward River (IE\_EA\_08W010610) runs c. 170m to the west of the proposed development site (refer to **Figure 4.3**). The Ward River flows northwards and joins Broadmeadow River (IE\_EA\_08B020800) near Lissenhall before entering the Broadmeadow / Malahide Estuary near the M1 motorway, approximately 1.1km to the north-east of the proposed site. The proposed development site is located within the Nanny-Delvin Catchment, Broadmeadow\_SC\_010 sub-catchment and Ward\_040 sub-basin.

Given the location of the site in relation to the Ward River a theoretical potential surface water pathway exists between the proposed development site and the two European sites associated with Malahide Estuary (i.e. Malahide Estuary SAC and Malahide Estuary SPA). Considering the distance to the Ward River, there is no possibility that polluted surface water could be emitted directly to it. 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 Swords Wastewater Treatment Plant (WwTP), which will receive foul water flows from the proposed development during its operation. The capacity available at Swords 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 2013-2018 status, the Ward River and Broadmeadow\_040 River is of 'Poor' status and is 'At risk' of failing to achieve its WFD objective / good status by 2027. The third WFD cycle report for the Nanny Delvin catchment notes that the River Ward has 'Poor' ecological status and there is significant pressure on the Ward River due to hydromorphology (due to channelisation), urban run-off and urban waste water. The associated identified significant pressures on the Broadmeadow\_040 River (IE\_EA\_08B020800) are due to agriculture and hydromorphology. As per the EPA maps, the Broadmeadow Estuary (Inner) is classified as a nutrient sensitive estuary (WFD code EA\_060\_0100) and is 'At risk' of failing to achieve its WFD objective / good status by 2027. The ecological status of the Estuary has degraded from 'Moderate' in WFD 2010-2015 cycle to 'Poor' in the WFD 2013-2018 cycle. The WFD ground waterbody (GWB) status of the Swords GWB is rated as 'good' and 'not at risk' (2013 – 2018 cycle).

There are no European sites within the immediate vicinity of the proposed development site at Seatown Road, Swords. The nearest European site is the Malahide Estuary SAC/SPA, c. 1.0km north-east. There are 17no. European sites located within the potential Zone of Influence (**Figure 4.4**):

- Malahide Estuary SAC (site code 000205), c. 1.0km to the north-east;
- Malahide Estuary SPA (site code 004025), c. 1.0km to the north-east;
- Rogerstown Estuary SAC (site code 000208), c. 4.7km to the north-east;
- Rogerstown Estuary SPA (site code 004015), c. 5km to the north-east;
- Baldoyle Bay SAC (site code 000199), c. 6.8km to the south-east;
- Baldoyle Bay SPA (site code 004016), c. 6.9km to the south-east;

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- Rockabill to Dalkey Island SAC (site code 003000), c. 9.7km to the east;
- North Bull Island SPA (site code 004006), c. 9.8km to the south;
- North Dublin Bay SAC (site code 000206), c. 10.3km to the south-east;
- Ireland's Eye SPA (site code 004117), c. 11.0km to the south-east;
- Ireland's Eye SAC (site code 002193), c. 11.5km to the south-east;
- Lambay Island SAC (site code 000204), c. 12.6km to the east;
- Lambay Island SPA (site code 004069), c. 13.2km to the north-east;
- Howth Head Coast SAC (site code 000202), c. 13.2km to the south-east;
- Howth Head Coast SPA (site code 004113), c. 13.3km to the south-east;
- South Dublin Bay and River Tolka Estuary SPA (site code 004024), c. 13.6km to the south;
- South Dublin Bay SAC (site code 000210), c. 14.2km 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):

- Malahide Estuary pNHA (site code 000205), c. 1.0km north-east;
- Rogerstown Estuary pNHA (site code 000208), c. 4.7km north-east;
- Portrane Shore pNHA (site code 001215), c. 7.1km north-east;
- Feltrim Hill pNHA (site code 001208), c. 2.6km south-east;
- Lambay Island pNHA (site code 000204), c. 12.6km east;
- Sluice River Marsh pNHA (site code 001763), c. 5.8km south-east;
- Baldoyle Bay pNHA (site code 000199), c. 6.8km south-east;
- Ireland's Eye pNHA (site code 000203), c. 11.5km south-east;
- Howth Head pNHA (site code 000202), c. 13.2km south-east;
- Santry Demesne pNHA (site code 000178), c. 6.4km south-west;
- North Dublin Bay pNHA (site code 000206), c. 10.3km south;
- Dolphins Dublin Docks pNHA (site code 000201), c. 13.1km south;
- South Dublin Bay pNHA (site code 000210), c. 14.2km south.

Broadmeadow Estuary Ramsar site (833) is located c. 1.5km to the east of the site. The site includes an estuary cut off the sea by a large sand spit. The site includes well-developed saltmarshes, salt meadows, rocky shores, a well-developed outer dune ridge and sand mudflats exposed at low tide. Vegetation consists of a large bed of eelgrass (*Zostera noltii* and *Zostera angustifolium*) and extensive mats of green algae (*Enteromorpha* spp., *Ulva lactuca*). The estuary is an important wintering site for numerous species of waterbirds. Malahide Shellfish area is c. 7km to the east of the LAP boundary 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.

Figure 4.3 EPA waterbodies in the proximity of the proposed development

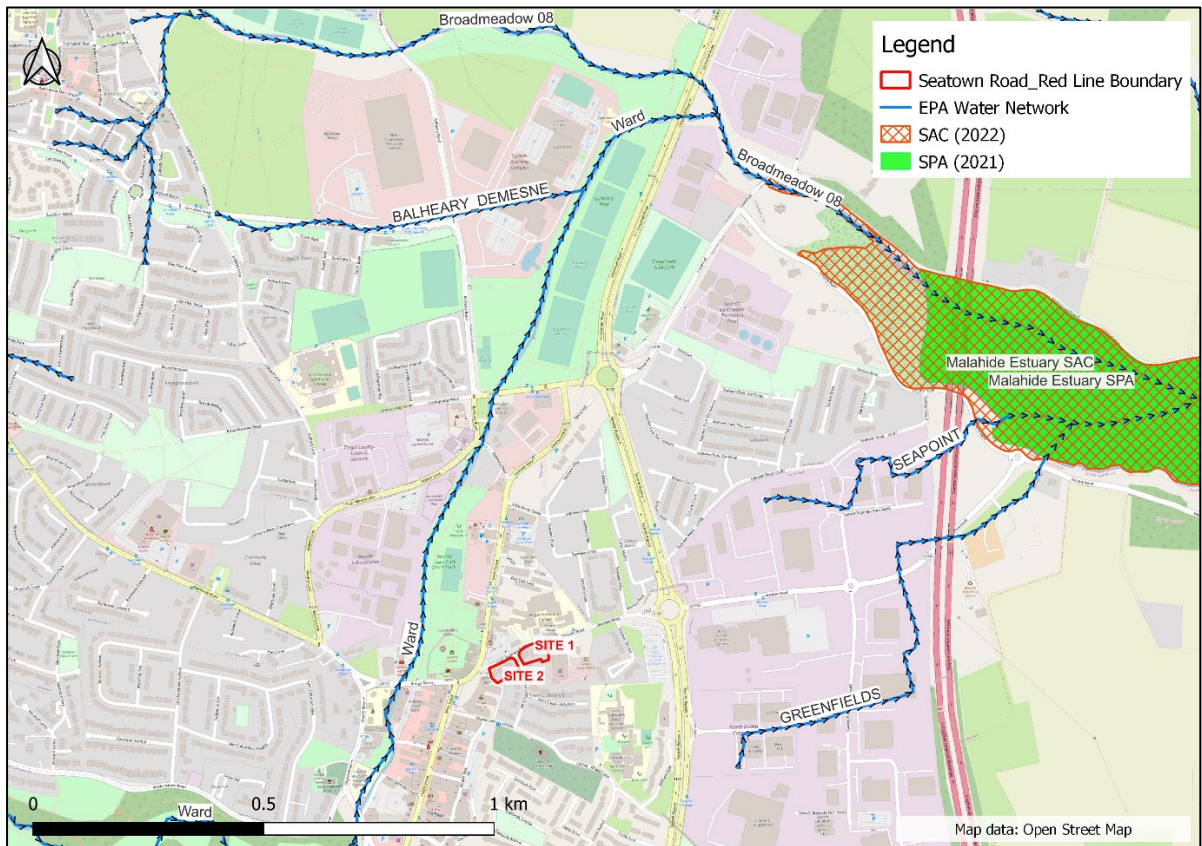
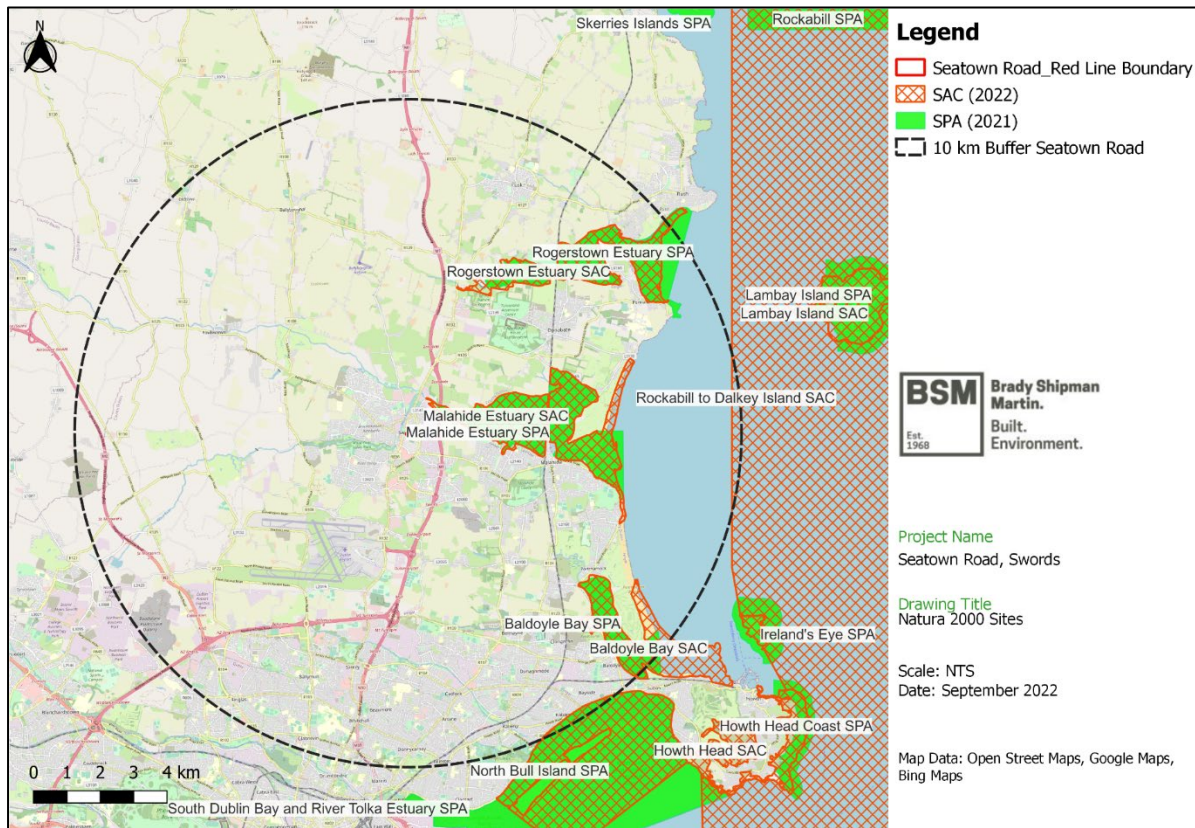


Figure 4.4 European sites within zone of influence of the proposed development. A 10km radius is shown for scale.



No significant habitats were recorded on the proposed development site. The proposed site mainly comprises of existing occupied houses (Fossitt code BL3 buildings and artificial surfaces) and accompanying rear and front gardens/ open spaces (Fossitt code BC4 flower beds and borders).

No evidence of badgers, otters (protected under Article 12 of the Habitats Directive), amphibians or reptiles has been recorded within the proposed development area. There are no mature trees with bat potential on the site, and the existing buildings are of no more than low suitability for roosting bats. Nevertheless, as bats are very small and highly mobile creatures, as a precautionary measure, prior to demolition a bat survey shall be undertaken by a suitably experienced bat specialist.

No rare, threatened or legally protected plant species, as listed in the *Ireland Red List No. 10: Vascular Plants* (Wyse Jackson *et al.*, 2016); the Flora Protection Order, 2015; or the Annexes of the Habitats Directive; are known to occur within the site. Overall the development site has **no ecological importance** 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)) ('NRA Guidelines' hereafter).

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 1 km grid square overlapping with the site of the proposed development (O1846 and O1847). Of these, the rare and protected species

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recorded in the 1 km square are listed in **Table 4.2**; while the invasive alien species recorded are listed in **Table 4.3**. It should be noted that the 1 km 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.

**Table 4.2 Rare and protected species recorded in 1 km grid square O1846 and O1847 (NBDC, 2022)**

Group	Species	Date <sup>4</sup>	Grid Square	Designation & Status <sup>5</sup>
Terrestrial Mammal	European Otter <i>Lutra lutra</i>	13/01/2014	O1847	HD, Annex IV
	West European Hedgehog <i>Erinaceus europaeus</i>	12/06/2020	O1847	WA
		02/10/2013	O1846	
	Pine Marten <i>Martes martes</i>	22/06/2020	O1846	HD, Annex IV
Bird	Barn Swallow <i>Hirundo rustica</i>	15/08/2010	O1847	WA, amber list
	Common Swift <i>Apus apus</i>	15/08/2010	O1847	WA, amber list
	House Martin <i>Delichon urbicum</i>	15/08/2010	O1847	WA, amber list

**Table 4.3 Invasive alien species recorded in 1 km grid square O1846 and O1847 (NBDC, 2022)**

Group	Species	Date <sup>6</sup>	Grid Square	Designation & Status
Plants	Butterfly-bush, <i>Buddleja davidii</i>	11/12/2017	O1847/ O1846	Medium impact
	Giant Hogweed, <i>Heracleum mantegazzianum</i>	31/12/2017	O1847/ O1846	Third Schedule <sup>7</sup> ; high impact
	Cherry Laurel, <i>Prunus laurocerasus</i>	11/12/2017	O1847	High impact
	Evergreen Oak <i>Quercus ilex</i>	07/05/2020	O1846	Medium impact
	Himalayan Honeysuckle <i>Leycesteria formosa</i>	11/12/2017	O1846	Medium impact
	Japanese Knotweed <i>Reynoutria japonica</i>	11/12/2017	O1846	Third Schedule <sup>8</sup> ; high impact
Mollusc	Jenkins' Spire Snail <i>Potamopyrgus antipodarum</i>	22/06/2017	O1847	Medium impact
Terrestrial Mammal	Eastern Grey Squirrel <i>Sciurus carolinensis</i>	31/12/2012	O1847/ O1846	Third Schedule <sup>8</sup> ; high impact
Bird	Ruddy Duck <i>Oxyura jamaicensis</i>	31/12/2014	O1846	Third Schedule <sup>8</sup> ; high impact
Flatworm	<i>Australoplana sanguinea</i>	06/02/2020	O1846	Medium impact

There are no recorded archaeological or architectural heritage sites on the site of the proposed development. Swords castle (DU011-034001) archaeological site is c. 50m to the north-west and Swords courthouse (Reg. No. 11335002) architectural site is c. 45m to the north of the proposed site. As stated previously, the proposed Site no.2 and western corner of Site no.1 are located within the 'Zone of Archaeological Notification'.

<sup>4</sup> Most recent record

<sup>5</sup> 'WA' = Wildlife Acts; 'HD' = Habitats Directive (Annex II, IV or V); 'BoCCI' = Birds of Conservation Concern in Ireland 2020 – 2026 (Amber- or Red-listed); 'BD' = Birds Directive (Annex I, II or III)

<sup>6</sup> Most recent record

<sup>7</sup> Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477/2011)

The *Fingal Development Plan 2017 – 2023* 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 36no. residential apartment units and associated infrastructure. As part of the proposed works, the existing 12no. dwellings that is 6no. on either side of St. Columille’s Drive will be demolished.

The proposed site is situated in the urban surrounds of Swords village centre 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.

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 the presence of asbestos-containing materials and other 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 dense area of Swords village centre. It is surrounded on all sides by existing residential and commercial development that may be affected by the environmental aspects of the proposed demolition and 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. Tenants of the existing dwellings will be re-housed prior to commencement of any works on site.

There is a risk of encountering asbestos containing materials (ACMs) during demolition works at Seatown Road. Asbestos is a Category 1 carcinogen, and the presence of ACMs would, therefore, pose a health risk to construction site personnel, and potentially to residents and passers-by in immediate environs. In order to rule out the likelihood of significant human health impacts associated with the potential presence of ACMs, a pre-construction refurbishment/demolition asbestos survey will be carried out, and any ACMs identified will be removed by suitably qualified contractors, under strictly controlled conditions, in accordance with the HSA guidelines (refer to mitigation measures in **Section 4.2.6**).

The proposed development will replace the existing 12no. residential dwellings with 36no. 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 units are dual aspect achieving optimal levels of daylight and ventilation, and all ground floor units will have a ceiling height of at least 2.7m. The daylight and sunlight assessment (GIA Chartered Surveyors, 2022) states that all proposed units are well daylit and sunlit as well as receive sunlight within the proposed open space throughout the year. Also, public lighting within the site will be designed and installed to the standards of the 'Public Lighting Section' in Fingal County Council Operations Department. Moreover, the main habitable spaces of the apartments have proposed orientation towards Seatown Road, which assists with passive surveillance of the public realm.

Both buildings are set back from the road to create a green buffer between the road and the new apartments. Each dwelling is provided with private amenity space in the form of private balconies.

As stated in Section 4.2.2, Site no.1 will include 10 parking spaces and Site no.2 will provide for 8 parking spaces. Both sites include a minimum of 1no. Part M compliant accessible spaces.

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 Biodiversity<sup>8</sup>

There are no European sites within the immediate vicinity of the proposed development site at Seatown Road, Swords, Dublin.

Overall the development site has **no ecological importance** as defined by the ecological resource valuations presented in the NRA Guidelines. The site, is made up of, mainly existing residential dwellings. The construction phase of the proposed development will involve demolition and site clearance works that will result in the removal of all existing habitats on the site. The loss of these features will not constitute a significant ecological impact. The proposed landscape design will increase the quantum of vegetation on the site. It will incorporate planting of trees that may be expected to offset the aforementioned losses.

There are no mature trees with bat potential on the site, and the existing buildings are of no more than low suitability for roosting bats. The site is entirely unsuited to use by badgers, otters (protected under Article 12 of the Habitats Directive).

The demolition of buildings will be carried out outside of the bird nesting season (1<sup>st</sup> March – 31<sup>st</sup> 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**).

A pre-construction survey for invasive alien plant species (IAPS) will be carried out prior to works. Any IAPS listed in the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 identified on the site will be removed in accordance with best practice and all applicable legislation by a suitably qualified contractor. Refer to **Section 4.2.6**.

Biosecurity measures implemented during the proposed works will 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 apartment development at Seatown Road, Swords, 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

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<sup>8</sup> With particular attention to species and habitats protected under the Habitats and the Birds Directives

Interests of the above-listed European sites, with regard to their conservation objectives, and 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 previously built site, dominated 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. However, both systems will discharge to the existing Irish Water combined sewers underlying the adjacent roads.

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

A Flood Risk Assessment Report has been prepared by Lohan and Donnelly Consulting Engineers (2022) and submitted as part of this application. The assessment identifies no recorded historic flood events in the vicinity of the site and states that there is no envisaged risk from coastal, tidal, fluvial, pluvial or groundwater flooding at the proposed site. Due to this low probability of flooding, the proposed site is within Flood Zone Type C region.

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.

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 detailed 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. The proposed development design includes green roofs to both buildings with photovoltaic panels for renewable energy as part of the strategy to achieve Nearly Zero Energy Building (NZEB) standards. Due to the proposed linear plan the apartments are all dual aspect, therefore will benefit from passive solar design and natural ventilation. The proposal has been designed to be climate-friendly with high levels of insulation, high performance windows and doors, solar panels, and SUDs drainage throughout.

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 that access routes from parking spaces to the building entrances comply with Part M (Access and Use) of the Building Regulations and provision by way of ducting will be made for electric charging points at each parking space.

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. As the site is partly within the 'Zone of Archaeological Notification', there is some potential for subsurface archaeological remains to be encountered during groundworks, and 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.

The Fingal Development Plan (2023-2029) recommends a height of three to five storeys for the sites and the proposal of 2 no. 4-storey buildings is in line with this. The proposed development of 36 apartments across 4 storeys reinforce the existing building line and streetscape while creating an urban scale, stepping up in height to both County Hall and the proposed Swords Cultural Quarter building. This is in line with the *Urban Development and Building heights– Guidelines for Planning Authorities 2018* Specific Planning Policy Requirements. The space standards within dwellings and provision of private and shared open space meet the requirements of the *Draft Fingal Development Plan (2023-2029)* and *Sustainable Urban Housing: Design Standards for New Apartments* (DHPLG, 2020).

The building has been designed to have a strong visual presence with a high-quality brick façades and integrated balconies fronting onto Seatown road. Due to the prominence of the sites at the edge of the proposed new Swords Cultural Quarter, the residential buildings will, along with the new proposed cultural centre, define a reimagined public realm for Swords at this location. Refer to **Figure 4.5** and **Figure 4.6** for the proposed ground floor plan for Site no.1 and Site no.2.

The site will be serviced by ESB, EIR, GNI utilities which are available on public roads adjacent to the site.

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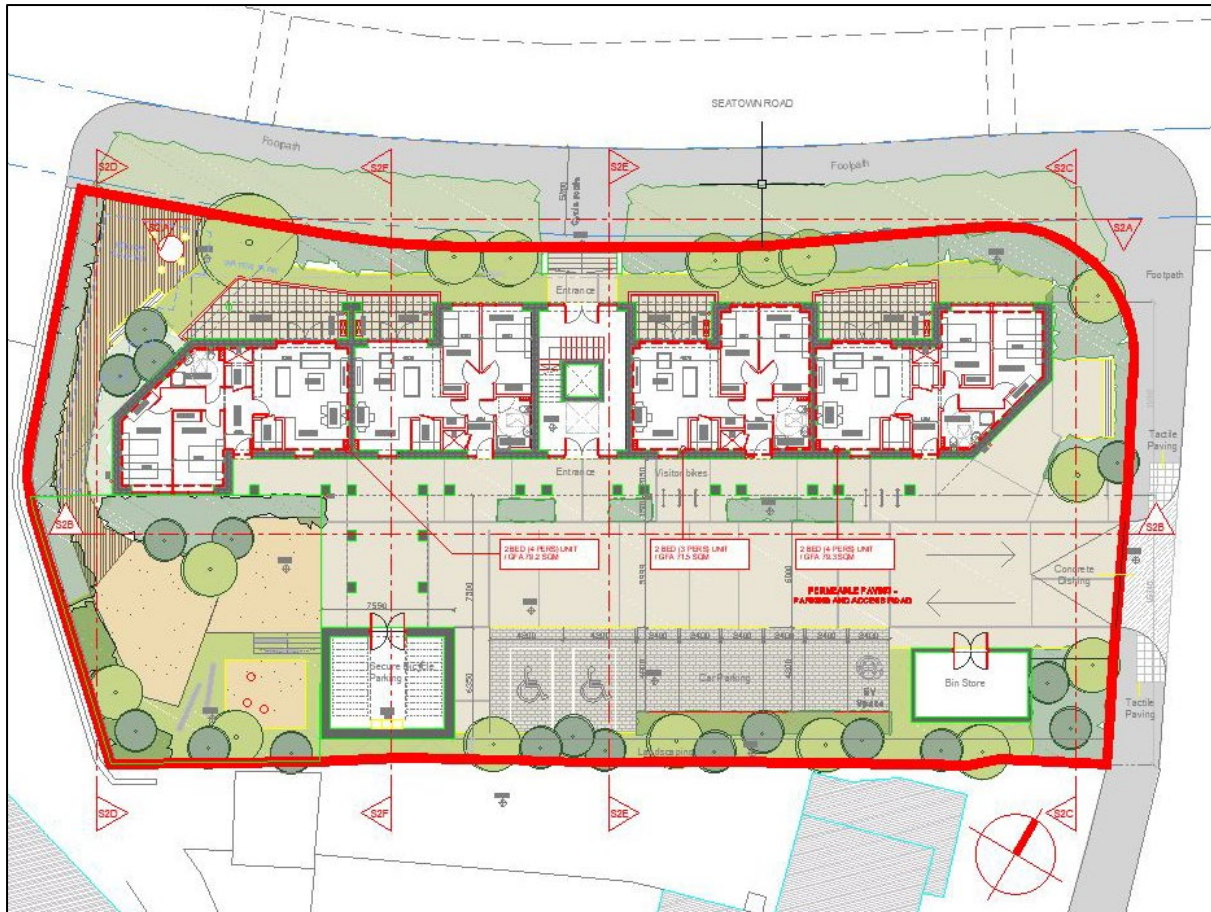
During the operational phase, the proposed development may alter visual amenity due to the new features within the streetscape, changes in traffic flows, lighting, signage, new boundaries and landscape planting treatments. There is also the potential for permanent significant positive effects on public realm through proposed changes to the streetscape.

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

Figure 4.5 Proposed Ground Floor Plan for Site no.1 (Fingal County Council, 2022)



Figure 4.6 Proposed Ground Floor Plan for Site no.2 (Fingal County Council, 2022)



#### 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 2017-2023 (FCC, 2017);
- Draft Fingal Development Plan 2023-2029 (FCC, 2022);
- The National Planning Application database ([www.myplan.ie](http://www.myplan.ie) - accessed September 2022);
- An Bord Pleanála database ([www.pleanala.ie](http://www.pleanala.ie) - accessed September 2022); and
- EIA Portal ([www.housinggovie.maps.arcgis.com](http://www.housinggovie.maps.arcgis.com) - accessed September 2022).

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, such as:

- F22A/0200, Carnegie Court Hotel, North Street, Swords, Co Dublin: Permission was granted in August 2022 for revisions to approved development consisting of internal alterations for the provision of 35 no. bedrooms (Planning F15A/0584). The revised total number of additional guest rooms to the proposed conversion is to be reduced from 35 no. to 8 no. in total. Planning permission was also sought as in previously approved for minor external elevational changes to the northern elevation southern courtyard elevation to premises;
- SHD/002/20, Fostertown North, Dublin Road/R132, Swords, Co Dublin: A decision is pending for Strategic Housing Development of 645 no. residential units (comprising 208 no. 1 bedroom units, 410 no. 2 bedroom units, and 27 no. 3 bedroom units), in 10 no. apartment buildings, with heights ranging from 4 no. storeys to 10 no. storeys, including undercroft / basement levels (for 6 no. of the buildings). The proposals include 1 no. community facility in Block 1, 1 no. childcare facility in Block 3, and 5 no. commercial units (for Class 1-Shop, or Class 2- Office / Professional Services or Class 11- Gym or Restaurant / Café use, including ancillary takeaway use) in Blocks 4 and 8;
- Swords Cultural Centre: Fingal County Council has prepared a Part 8 plan to develop a Cultural Quarter in the centre of Swords, County Dublin, in proximity to the offices of Fingal County Hall and Swords Castle. The application was approved by the Members of Fingal County Council on 12 September 2022;
- A further Part 8 submission for 13no. residential apartments at North Street, Swords, c. 100m north to the proposed site is being brought forward at the same time as this application.

The Fingal County Development Plan 2017-2023 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:

- National Planning Framework;
- Regional Spatial and Economic Strategy;
- Greater Dublin Strategic Drainage Study;
- Greater Dublin Transport Strategy;
- Climate Action and Mitigation Plan;
- National Biodiversity Plan; and
- River Basin Management Plan.

As concluded in the Appropriate Assessment (AA) Screening Report (BSM, 2022), 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 4.4**.

Table 4.4 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
<p><b>1. Characteristics of proposed development</b>  <i>The characteristics of proposed development, in particular—</i></p>	
<p>(a) <i>the size and design of the whole of the proposed development,</i></p>	<p>The proposed development comprises 36no. social housing units on a site of c. 0.39 Ha. The size and design of the proposed development are detailed in <b>Section 3.1 and Section 4.2</b>, above.</p>
<p>(b) <i>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></p>	<p>As per <b>Section 4.4.7</b> 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.</p>
<p>(c) <i>the nature of any associated demolition works,</i></p>	<p>As part of the proposed works, the existing 12no. residential dwellings will be demolished. The proposed demolition works are detailed in <b>Section 3.1 and Section 4.2.6</b>, above.</p>
<p>(d) <i>the use of natural resources, in particular land, soil, water and biodiversity,</i></p>	<p>The site of the proposed development in Swords village centre is dominated by buildings and hardstanding, with limited pockets of landscaping. This is not a greenfield site. Therefore, there will no 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 contains areas of hardstanding of limited biodiversity value. 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> <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 demolition and construction phase, waste material will be generated, requiring off-site disposal. Waste materials</p>



Criteria	Information in respect of the proposed development
	<p>are likely to include demolition waste and excavated material. Waste material will be managed in accordance with the applicable legislative provisions.</p> <p>As detailed in <b>Section 4.2.6</b>, a Resource &amp; Waste Management Plan shall 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 &amp; Waste Management Plans for Construction &amp; Demolition Projects</i> (2021). Additionally, the demolition of the existing buildings on the site will be executed, insofar as practicable, as a controlled deconstruction, in order to minimise the volume of waste generated.</p> <p>During the operational phase, municipal solid waste will be generated by residents. The proposed development incorporates centralised, secure bin stores with a three-bin system, allowing for the segregation and secure storage of household waste, to be collected, recycled or disposed of in accordance with the applicable legislative provisions.</p> <p>There are no unusual aspects of the proposed development in this regard. Volumes of waste generated during the demolition, 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 and demolition-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 <b>Section 4.2.6</b>), 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 Swords 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) 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</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. 200m south-east (linear distance) to the nearest SEVESO III site SK Biotek Ireland Ltd, Watery Lane, Swords (lower tier) and is within the Seveso site consultation distance.</p> <p>As detailed in <b>Section 4.4</b>, above, a flood risk assessment has been prepared by Lohan and Donnelly Consulting Engineers (2022), which has considered the flood risk associated with the proposed development, including under future climate change scenarios. The assessment identifies no recorded historic flood events in the vicinity of the site and states that there is no envisaged risk from costal, tidal, fluvial, pluvial or groundwater flooding at the proposed site. Due to this low probability of flooding, the proposed site is within Flood Zone Type C region.</p>
<p>(h) the risks to human health (for example, due to water contamination or air pollution).</p>	<p>The potential impacts of the proposed development in relation to human health have been assessed above (refer to <b>Section 4.4.2</b>, 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 mitigation measures will be implemented (refer to <b>Section 4.2.6</b>) in order to avoid / minimise impacts on the local population insofar as possible.</p>
<p><b>2. Location of proposed development</b> The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—</p>	
<p>(a) the existing and approved land use,</p>	<p>The development site consist of 12no. existing dwellings at Seatown Road, Swords on either side of St. Columcilles Drive. As per the <i>Fingal Development Plan 2017-2023</i> and the <i>Draft Fingal Development Plan 2023-2029</i>, the proposed site is zoned as MC- Major Town Centre- ‘Protect, provide for and/or improve major town centre facilities.’ For further details in relation to existing and approved land use, refer to <b>Section 4.3</b>, above.</p>
<p>(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,</p>	<p>The site of the proposed development is a previously developed site, dominated by existing buildings and hardstanding (i.e. artificial surfaces) and underlain by made ground. 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</p>

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Criteria	Information in respect of the proposed development
	<p>site. There are no surface water bodies or designated sites on the site or in the immediate vicinity. For further details, refer to <b>Sections 4.3</b> and <b>4.4.3</b>, above. The site of the proposed development and wider area is densely developed and urban in nature, having low sensitivity to the effects of development, and a relatively high regenerative capacity (given the absence of sensitive habitats).</p>
<p>(c) <i>the absorption capacity of the natural environment, paying particular attention to the following areas:</i></p>	
<p>a. <i>wetlands, riparian areas, river mouths;</i></p>	<p>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, Broadmeadow Estuary Ramsar site (833) is located c. 1.5km to the east of the site. Indirect hydrological connections, e.g. via the wastewater drainage and treatment system, are detailed in <b>Section 4.4.4</b>, above.</p>
<p>b. <i>coastal zones and the marine environment;</i></p>	<p>The site of the proposed development is situated a c. 1.1 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 <b>Section 4.4.4</b>, above.</p>
<p>c. <i>mountain and forest areas;</i></p>	<p>There are no mountains or forest areas at the proposed development site or in the immediate vicinity that could be affected.</p>
<p>d. <i>nature reserves and parks;</i></p>	<p>The nearest statutory Nature Reserve to the proposed development site is at Baldoyle Estuary, 7.7km to the south-east. There are a number of parks in the vicinity, including Swords Town Park, c. 140 m north-west and Ward River Valley Park c. 550m south-west. There is no real likelihood of significant effects on any Nature Reserve or park resulting from the proposed development.</p>
<p>e. <i>areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;</i></p>	<p>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 <b>Sections 4.3</b> and <b>4.4.3</b>, above.</p>
<p>f. <i>areas in which there has already been a failure to meet the</i></p>	<p>There are no such areas connected to the site that could be significantly affected by the proposed development.</p>

Criteria	Information in respect of the proposed development
<p><i>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></p>	
<p><i>g. densely populated areas;</i></p>	<p>As discussed above (refer to <b>Sections 4.3</b> and <b>4.4.2</b>), the proposed development is situated in densely populated Swords village centre, 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 mitigation measures, has been proposed, in order to avoid / minimise impacts on the local population insofar as possible.</p>
<p><i>h. landscapes and sites of historical, cultural or archaeological significance.</i></p>	<p>The proposed Site no.2 and western corner of Site no.1 are located within the 'Zone of Archaeological Notification'. There are no recorded archaeological or architectural heritage assets on the site. Nevertheless, a schedule of mitigation measures is proposed in order to avoid potential adverse impacts on unrecorded subsurface cultural heritage features.</p>
<p><b>3. Types and characteristics of potential impacts</b>  <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>	
<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>	<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>

Criteria	Information in respect of the proposed development
<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. 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 <b>Section 4.4.7</b> 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 mitigation measures is proposed in order to avoid / minimise potential environmental impacts, where appropriate. Refer to <b>Section 4.2.6</b> .

## 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 scale 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 2001-2022 at or above which there is a mandatory requirement for EIA;

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- The nature of the proposed demolition and construction works and of the proposed development itself are not unusual in the context of the receiving environment. The construction phase of the proposed 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 mitigation 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 green buffer space, 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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