EIA SCREENING (ENVIRONMENTAL) REPORT

In respect of

36-40 Dominick Street Upper, Broadstone, Dublin 7

Prepared by

John Spain Associates

On behalf of

Western Way Developments Ltd

December 2020

JSA John Spain Associates
Planning & Development Consultants
Chartered Town Planners & Chartered Surveyors

In conjunction with Openfield Ecological Services, Waterman Moylan Engineering Consultants, Historic Building Consultants, DCON, AWN, Carole Pollard and Brian Keeley

1.0 INTRODUCTION

1.1 On behalf of the applicant, Western Way Developments Ltd, 2 Washington Street, Dublin 8 we hereby submit this Environmental Impact Assessment Screening Report to assess the potential impacts on the environment of the proposed SHD shared living accommodation development at the Hendrons' Building and wider site, 36-40 Dominick Street Upper, Dublin 7, D07 X4HW.

1.2 The purpose of this report is to provide An Bord Pleanala with the information required under Schedule 7A of the Planning and Development Regulations 2001, as amended, to enable the Board (as the Competent Authority) to determine in light of the criteria set out under Schedule 7 of these regulations whether the proposed development is likely to have significant effects on the environment If not, the application can be determined without an Environmental Impact Assessment Report (EIAR) having being submitted.

1.3 The lands comprise a former industrial building (the Hendron's Building, a protected structure), warehouses, a dwelling house (no. 36 Dominick Street upper) and an unused surface carpark at nos. 36 – 40 Dominick Street Upper, Dublin 7.

1.4 The development will consist of the demolition of the existing warehouse buildings and no. 36 Dominick Street Upper on the site, while retaining and incorporating the Hendrons building (a protected structure) into the new development. The scheme includes the provision of 280 no. shared living units (281 no. bedspaces) and ancillary amenity facilities over The development, which ranges from 4 to 9 no. storeys across 2 no. buildings (described as Blocks, A, B, C, D and E [Blocks A and B over basement]) provides for the retention and re-use of the Hendrons Building, all on a c. 0.3285ha site.

1.5 The possible likely and significant effects on the environment has been examined through the process of an EIAR Screening which will be detailed below.

1.6 This document is submitted in response to Section 6 of the Pre-Application SHD form which requested that a statement be submitted identifying the potential impacts of the proposed development on the environment.

2.0 EIA SCREENING METHODOLOGY

Legislation & Guidance

2.1 This EIA Screening exercise has been carried out in accordance with the following legislation and guidance documents:

- Planning and Development Act 2000 (as amended);
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018;
- Planning and Development Regulations 2001 (as amended);
- Planning and Development (Housing) and Residential Tenancies Act 2016;
- Directive 2011/92/EU as amended by Directive 2014/52/EU;
- Environmental Impact Assessment of Projects – Guidance on Screening (EU Commission, 2017)
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licensing Systems – Key Issues Consultation Paper (2017:DoHPCLG)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports (draft) (EPA 2017);
- Environmental Impact Assessment – Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018; DoECLG);
- Preparation of guidance documents for the implementation of EIA directive (Directive 2011/92/EU as amended by 2014/52/EU) – Annex I to the Final Report (COWI, Milieu; April 2017);
- Guidance for Consent Authorities regarding Sub-threshold Development (2003; DoEHLG).

2.2 It is noted that Directive 2014/52/EU has been transposed into Irish Legislation through the Planning & Development Act 2000, as amended, and Planning and Development Regulations 2001, as amended. The methodology employed in this screening exercise is in accordance with the EIA Guidelines published in August 2018 by the DoHPLG and the contents of Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended. The requirement of Article 4(4) of the EIA Directive (information to be provided by the developer as set out in Annex IIA of the Directive) is consistent with the information indicated under Schedule 7A of the Planning Regulations 2001. Annex III information is provided in Schedule 7 of the Planning and Development Regulations 2001. The methodology employed in this screening exercise is in accordance with the EIA Guidelines published in August 2018 by the DoHPLG and the contents of Schedule 7 and 7A of the Planning and Development Regulations 2001, as amended most recently by the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 ("the 2018 Regulations").

Preliminary Screening for EIA

2.3 The Planning and Development Regulations 2001 (as amended) provide for preliminary screening for EIA. The Departmental Guidelines (August 2018) state as follows in relation to such a preliminary screening;

3.4. For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it

can be concluded that there is no real likelihood of significant effects on the environment . This is initiated by the competent authority following the receipt of a planning application or appeal.

3.5. A preliminary examination is undertaken, based on professional expertise and experience, and having regard to the 'Source – Pathway – Target' model , where appropriate.[1] The examination should have regard to the criteria set out in Schedule 7 to the 2001 Regulations.

2.4 We also refer to Section 299B of the Planning and Development Regulations 2001 (as amended) which state:

299B (1) (a) Paragraph (b) applies where—

(i) a planning application for a sub-threshold development is made and a request for a determination under section 7(1)(a)(i)(I) of the Act of 2016 was not made, and
(ii) (ii) such application is not accompanied by an EIAR.

(b) (i) The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

(ii) Where the Board 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 satisfy itself that the applicant has provided to the Board

(a) the information specified in Schedule 7A,
(b) any further relevant information on the characteristics of the proposed development and its Commented [IT746]: Inserted by article 94 of S.I. No. 296/2018 - European Union (Planning and Development)(Environmental Impact Assessment) Regulations 2018 330 likely significant effects on the environment, and
(c) a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.

[1] It should be noted that source – pathway – receptor (target) analysis for European sites has been carried out in the context of the AWN hydrological risk impact assessment and in the AA screening report by Openfield, both of which reports have informed and should be considered together with this EIA Screening report.

2.5 It is therefore noted that An Bord Pleanála will undertake a preliminary screening for the application.

2.6 We refer to the Hydrological and Hydrogeological Impact Assessment undertaken by AWN and the AA Screening Report by Openfield, both of which include the above source – pathway receptor model as required under the Departmental Guidelines (August 2018) referenced above.

2.7 We also note that mitigation measures for the proposed development during the construction phase are set out in various reports including, the Construction Environmental Management Plan (CEMP), the Construction and Demolition Waste Management Plan and the Operational Waste Management Plans by AWN, the Ecological Impact Assessment Report by Openfield, the Conservation Development Strategy by Carole Pollard and the Bat Assessment Report by Brian Keeley.

2.8 In the event that the screening determination carried out by the Board reaches the conclusion that the proposed development is not likely to have significant effects on the environment, the Board's attention is specifically drawn to the requirement that the Board's screening determination must comply with the requirements of Article 299C(2) of the Planning and Development Regulations, as amended, which provides:

> *"(2) (a) Paragraph (b) applies where the screening determination is that the proposed development would not be likely to have significant effects on the environment and the applicant has provided, under article 299B(1)(c), a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.*
>
> *(b) The Board shall specify such features, if any, and such measures[2], if any, in the screening determination."*

2.9 This EIA Screening Statement and the proposed development has been informed by accompanying application documents including the following:

- Construction Environmental Management Plan prepared by DCON;
- Construction, Demolition and Operational Waste Management Plans prepared by AWN;
- Hydrological and Hydrogeological Quantitative Risk Assessment by AWN Consulting;
- Engineering Assessment Report & Drawings prepared by Waterman Moylan;
- Flood Risk Assessment by Waterman Moylan;
- Traffic and Transport Assessment prepared by Waterman Moylan;
- AA Screening and Ecological Impact Statement by Openfield Ecological Services;
- Architectural Heritage Impact Assessment by Rob Goodbody;
- Conservation Development Strategy by Carole Pollard;
- Archaeology Assessment by Courtney Deery;
- Bat Assessment by Brian Keeley;
- Landscape Masterplan by Parkhood;
- Landscape and Visual Impact Assessment by Kennett Consulting;

[2] Commonly referred to as mitigation measures.

- Verified Views by Digital Dimensions;
- Sunlight and Daylight Analysis by Digital Dimensions.

EIA Study Team and Guarantee of Competency and Independence

2.10 This *Environment Impact Assessment Screening Statement* was completed by John Spain Associates (JSA) with the assistance of a project team led by JSA. The project team are:

Topic	**Consultancy**
Population and Human Health	John Spain Associates and others
Biodiversity	Openfield Ecological Services Brian Keeley (Wildlife Surveys Ireland) Parkhood
Lands and soils	Waterman Moylan
Water	Waterman Moylan AWN DCON
Air and Climate, Microclimate	DCON Digital Dimensions
Landscape	John Fleming Architects Parkhood
Material Assets	DCON Waterman Moylan JSA
Archaeology, Architecture and Cultural Heritage	Rob Goodbody John Fleming Architects Courtney Deery
Vulnerability of the Project	DCON Waterman Moylan AWN
Interactions	John Spain Associates

2.11 This EIAR Screening Statement has been prepared by Meadhbh Nolan, Associate Director with John Spain Associates, a qualified town planner since 2010, with qualifications including BA (Hons) and MRUP (Hons). It has been reviewed and approved by John Spain, BBS, MRUP, MRTPI, MIPI, Managing Director, John Spain Associates. Both are experienced in the preparation of screening reports and EIARs in the context of large scale SHD projects, and approved by

EIA Thresholds

2.12 Schedule 5 of the Planning and Development Regulations 2001 (as amended) sets out the thresholds for which if a project exceeds, must be subject to an Environmental Impact Assessment.

2.13 Part 2 of Schedule 5 lists the following that may be relevant to the proposal:

10. Infrastructure projects –

(b) (i) ***Construction of more than 500 dwelling units****;*

(iv) ***Urban development which would involve an area greater than*** *2 hectares in the case of a business district, 1****0 hectares in the case of other parts of a built-up area*** *and 20 hectares elsewhere;*

(In this paragraph, 'business district' means a district within a city or town in which the predominant land use is retail or commercial use).'

14.Works of Demolition 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 effects on the environment, having regard to the criteria set out in Schedule 7.

15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.'

2.14 The threshold cited in the regulations is the '*construction of more than 500 dwellings'*. The proposed development involves the construction of 288 no. shared living units (281 no. bedspaces) in a series of 5 no. buildings. The proposed development is therefore substantially below the mandatory threshold of an EIAR requirement for the purposes of mandatory EIA comprising fewer than 500 dwellings.

2.15 The application site area is circa c. 0.33 hectares which is significantly below the threshold for an urban context of 10ha.

2.16 The application is accompanied by the series of reports noted in Paragraph 2.6. These reports consider the perceived environmental impact of the proposed 288 no. unit shared accommodation development.

2.17 Section No. 14 (demolition) and no. 15, above, relates to projects likely to have significant effects on the environment having regard to Schedule 7. The following section and basis of this screening is to screen for the requirement of EIAR on a sub-threshold project as the proposal does not exceed any other threshold in Schedule 5.

Sub Threshold Projects Requiring an Environmental Impact Assessment Report

2.18 An Environmental Impact Assessment Report (EIAR) is required to accompany an application for permission for strategic housing development of a class set out in Schedule 5 of the Planning and Development Regulations 2001 (as amended) which equals or exceeds, as the case may be, a limit, quantity or threshold set for that class of development. As seen above, the relevant thresholds have not been exceeded in the present case.

2.19 An EIAR will be required in respect of sub-threshold strategic housing development where the Board considers that the proposed development would be likely to have significant effects on the environment[3].

2.20 Sub-threshold development means '*development of a type set out in Part 2 of Schedule 5 [*in the Planning and Development Regulations, 2001 (as amended)] *which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development'.*

2.21 Schedule 7A of the Planning and Development Regulations 2001 (as amended) requires the information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment, where the requirement has not been screened out at the preliminary stage, , as set out below;

[3] See S172 (1)(b) of the Planning and Development Act, 2000, as amended.

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.

2.22 Schedule 7A (4) refers to Schedule 7 which provides a list of criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment.

2.23 The criteria under Schedule 7 is grouped under three broad headings:

- Characteristics of proposed development;
- Location of proposed development; and
- Types and characteristics of potential impacts.

2.24 Section 3 below provides the information required by Schedule 7A for the purposes of screening sub-threshold development for environmental impact assessment and takes into account, where relevant, the criteria outlined in Schedule 7.

2.25 The information to be provided by the applicant or developer for the purposes of screening sub-threshold development for environmental impact assessment is set out under Schedule 7A of the *Planning and Development Regulations* 2001, as amended (in particular by the 2018 *European Union (Planning and Development) (Environment Impact Assessment) Regulations for present purposes)*. Paragraph 4 of Schedule 7A requires that: `*The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7*.'

3.0 EIA SCREENING STATEMENT – SITE DESCRIPTION AND PROPOSAL

3.1 The following sections provide the information required by Schedule 7A for the purposed of screening sub-threshold development for environmental impact assessment.

Site Description

3.2 The subject site comprises approximately c. 0.33ha of brownfield lands which are currently unused. The site is split into four key parts: the Hendrons Building a former industrial building, the adjacent warehouse buildings, a large informal gravel parking area and no. 36 Dominick Street Upper.

3.3 No. 36 Dominick Street Upper is a 3 storey, 19th century house, connected to the Hendrons buildings. The house is a former hotel and boarding house in disrepair.

3.4 The warehousing to the rear of the site are 1950's 2-storey 10-bay workshops which were formerly used in connection with the Hendrons Building. These have no architectural merit and are not currently in use.

3.5 The Hendrons building itself (a protected structure no. 8783) is a 1949, 4-storey over basement industrial structure with a large entrance foyer and glass block windows. It is currently vacant but was most recently used as a yoga studio and artist's studios. A full description of the building (including photographic record of the building and glass window opes) is contained within the Architectural Heritage Impact Assessment (AHIA) by Historic Building Consultants and Conservation Development Strategy by Carol Pollard.

3.6 To the west of the site, there is an informal, unused, gravel surface car park which accommodates advertising structures. The site is also entirely a hard surface area with very little existing planting with the exception of a small area of scrub adjacent to the stone boundary wall on Western Way within the informal carpark area.

3.7 The site is bound by a stone wall (protected structure no. 8483) which encloses the site at the boundary with Western Way, extending the length of the site to the north.

3.8 The site is located at the northern end of Dominick Street Upper, bound by Western Way to the north, Palmerston Place to the south and east and Dominick Street Upper to the west. Existing residential uses adjoin the site to the east, with other commercial uses on Dominick Street Upper to the south, and a pub and café located opposite the site.

3.9 The existing traditional red brick 3 no. storey homes located to the east of the site at Palmerstown Road include rear gardens extending to meet the site. Between the boundary of the site and these houses there is a laneway which includes a right of way.

3.10 To the south, green space at King's Inns Park separates the site from the King's Inn building. To the east, beyond the immediate green space at Broadstone Park and residential land along Phibsborough Road, the existing Broadstone bus depot is zoned Z10 '*to consolidate and facilitate the development of the inner city and inner suburban sites for mixed uses*', indicating the likelihood of significant change to the urban landscape of this area in the future.

3.11 The site is well served by high-frequency public transport, with the no. 4, 9, 83, 83a and 140 Dublin Bus routes linking the subject site to Harristown, Monkstown, Charlestown, Limekiln Ave, Stannaway Ave, Ikea, Rathmines and the Dublin City centre. The frequency of these is between 8 minutes and an hour. The bus stop is located 120m from the subject site.

3.12 The green-line Luas also serves the site with Broadstone Station located c. 110m (less than a 2 mintue walk from the site).

3.13 A wide variety of public services, retail and convenience needs are catered for within the local area, predominately located at the Key District Centre at Phibsborough, approximately 400m from the site. This provides a range of high street facilities including a supermarket, gym, pharmacy, hairdressers, restaurants, cafes, pubs and a post office. The locality is also well served in terms of healthcare, with the Mater hospital and medical practitioners within the surrounding area. The Ilac centre provides significant additional retail and service facilities, approximately 650m from the subject site (to the south-east).

3.14 The proposed development is at a strategically located brownfield, infill site which is considered to be highly suitable for a shared living scheme, having regard to its location in close proximity to Dublin City Centre and a variety of employment hubs; O'Connell Street (700m), the Mater Hospital (550m as the crow flies/direct line), Smithfield (700m) , TUD Grangegorman (300M), Phibsborough Key District Centre (400m), St. James Hospital (2km), St. James's Gate, Diageo and The Digital Hub (1.4km) Grafton Street (1.5km), Trinity College (1.4km), Temple Bar (1.2km), Henry Street (650m) and the IFSC (1.3KM).

3.15 Large employment hubs are located in close proximity to the site as outlined in Figure 2 below;

Figure 1 - Large Employment Hubs in proximity to the site

Employment Hub	Approx. No. of Employees	Distance	Mode of Transport
Technological University Dublin	3,000	300m	Walk
The Mater Public Hospital	3,000	800m	Walk
Trinity College Dublin	4,000	1.3km	Luas/bus
Rotunda Hospital	1,000	700m	Walk
IFSC	40,000	1.5km	Luas
The Four Courts (legal precinct)	c. 5,000	1km	Walk

3.16 Recreational and public facilities are also readily available nearby, with newly developed football pitches and tennis courts located at Grangegorman. The King's Inn Park and Hercules Gym are both also located within 500m of the subject site.

Figure 2 - Aerial photograph of application site outlined in red and surrounding area

(Google Maps)

Description of Proposed Development

3.17 The proposed development comprises of the construction of a mixed-use development comprising shared living accommodation (281 no. bed-spaces) and neighbourhood uses. A detailed development description is included below at section 4 of this report and within the Statement of Consistency and Planning Report prepared by John Spain Associates which accompanies this application.

3.18 Adaptive reuse of the Hendrons Building will provide for publicly accessible neighbourhood uses including a ground floor café/shop. This extends into proposed Block A and includes an outdoor seating area ensuring a fully active frontage adjacent to Dominick Street Upper. The upper levels of the building will comprise resident amenity spaces in the form of co-working spaces, a cinema room, games room, Living Kitchen Dining (LKD) space and a sky lounge.

3.19 A publicly accessible gym and yoga/pilates studio is proposed at ground floor level of Block A. This is accessed directly from Dominick Street Upper and adjacent to the Hendrons Building. An outdoor seating area is also proposed directly in front of the gym and adjacent to the ground floor café/shop. It is anticipated that these complementary uses will be used by both existing locals in the area and future residents of the site. Internal and external amenity space is also proposed throughout the scheme.

3.20 Street furniture is located at appropriate intervals throughout the site, in close proximity to building entrances. Outdoor seating is provided adjacent to Hendrons, activating the street. In addition, it is proposed that 175 no. bicycle spaces are provided.

3.21 The site's current point of access is retained. However, this will be used as a cycle and pedestrian route, with vehicular access for emergency vehicles only. This will contribute to a clearly identifiable path for pedestrians entering and exiting the site and enhance the safe operation of the development.

3.22 The proposals will make optimal use of the urban land resource and are fully compatible with neighbouring residential development. In this regard, it constitutes a superior neighbouring use compared with the existing situation on the site.

3.23 There is an identified need for additional housing within Dublin, as recognised by the Dublin City Development Plan 2016-2022. The proposed development at this site possesses the excellent geographical attributes to make a positive contribution to meeting this need through the sustainable redevelopment of the site.

3.24 This application is accompanied by detailed drawings and a design statement, prepared by John Fleming Architects, which provides a rationale for the design of the proposed scheme. The proposed shared living units are considered to be of a high quality contemporary design, with an appropriate palette of materials for this location, which will ensure that the scheme makes a positive contribution to the area.

3.25 For further detail on the design rationale, please refer to the architectural drawings, design statement and the landscape drawings which accompany this application.

3.26 The development makes provision for the implementation of a new 225mm connection to the existing 300mm diameter sewer on Palmerston Place, which discharges to the existing 1,020mm brick combined sewer on Dominick Street Upper. There is an existing connection to the disused Hendrons building from Dominick Street Upper, which is proposed to be decommissioned within the boundary of the application site.

3.27 The proposed strategy implements permeable surfaces throughout the site and replaces hard surfaces, increasing the site's capability to retain surface water and delivering an improvement on the existing situation on site.

3.28 A letter of Confirmation of Feasibility and of Design Acceptance from Irish Water is included at Appendix A of the Engineering Assessment Report prepared by Waterman Moylan.

4.0 EIA SCREENING STATEMENT

Introduction

4.1 The following sections provide a summary of the information as required by Schedule 7A for the purposes of screening sub-threshold development for environmental impact assessment. The reports by the design team provides further detail for the Board, if required, in this respect

"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."

Physical Characteristics of the Proposed Development

4.2 A full description of the proposed development is provided at Section 3 above and within the Statement of Consistency and Planning Report. The development, which ranges from 4 to 9 no. storeys across across 2 no. buildings (described as Blocks, A, B, C, D and E [Blocks A and B over basement]) provides for the retention and re-use of the Hendrons Building, to include the addition of an extra storey and adaptive works and the extension of the building to provide a development of c. 11,384sqm, including 10,951sq.m of Build-to-Rent Shared Living Accommodation (inclusive of amenity space), 280 no. units [281no. bedspaces], c. 433sq.m of other uses including a gym, café/shop and yoga studio. The development will consist of:

- Demolition of the existing vacant warehouses and boundary wall fronting Palmerston Place and the existing dwelling at no. 36 Dominick Street Upper (c. 2,362.8sqm) and the construction of Build-to-Rent Shared Living accommodation on site the including; Block A fronting Palmerston Place (4 – 5 no. storeys), Block B, the Hendrons Building (5 no. storeys including 5th floor setback), Block C on the corner of Dominick Street Upper and Western Way (9 no. storeys), Block D fronting Western Way (7 – 8 no. storeys) and Block E fronting Western Way (5-6 no. storeys);
- Adaptive re-use of and related works to the existing Hendrons building, a protected structure under RPS Ref.: 8783; for use for shared living accommodation and a café/shop; including retention of existing '*Hendrons*' signage, the construction of an additional storey (resulting in a 5 no. storey building [Block B]), involving alterations and additions, including removal of original and non-original internal dividing walls, construction of openings within the original walls on the north-west, south-east and rear elevations to accommode new doors and windows; removal of 2 no. external emergency exit stairs, reinstatement and restoration of original window openings on all façades and retention and repair of the existing glass blocks, original railings, stairs and lift shaft;
- Block C will accommodate a gym, yoga/pilates studio and changing rooms (c.260 sqm) at lower ground floor level; Block B will include café/shop (c. 173sqm) upper ground floor;
- Resident internal amenity space is provided within the upper levels of the Hendrons Building (Block B) and throughout the scheme including; living, kitchen dining areas, co-working spaces, a sky lounge, laundry, cinema room, games room, waste management facilities, bicycle repair station, storage and lounge areas (2,186sqm), bicycle spaces (175), 3 no. motorcycle spaces and plant at basement level;
- External amenity space (total c. 1267.1sqm) is provided in the form of 2 no. roof terraces at Block A (fourth floor level – Palmerstown Place 303.7 sq. m) and Block D (seventh floor level – Western Way 93.2 sq.m) [levels include upper and lower ground floor] and within a central courtyard and outdoor seating areas (870.2 sqm);
- Provision of an ancillary single storey ESB substation and switch-station including access via Western Way (and removal of a section (c. 2m) of the boundary wall (protected structure no. 8483) to accommodate this;
- Provision of site wide landscaping including pathways, lighting, sedum roofs and all ancillary site development works including boundary treatments.

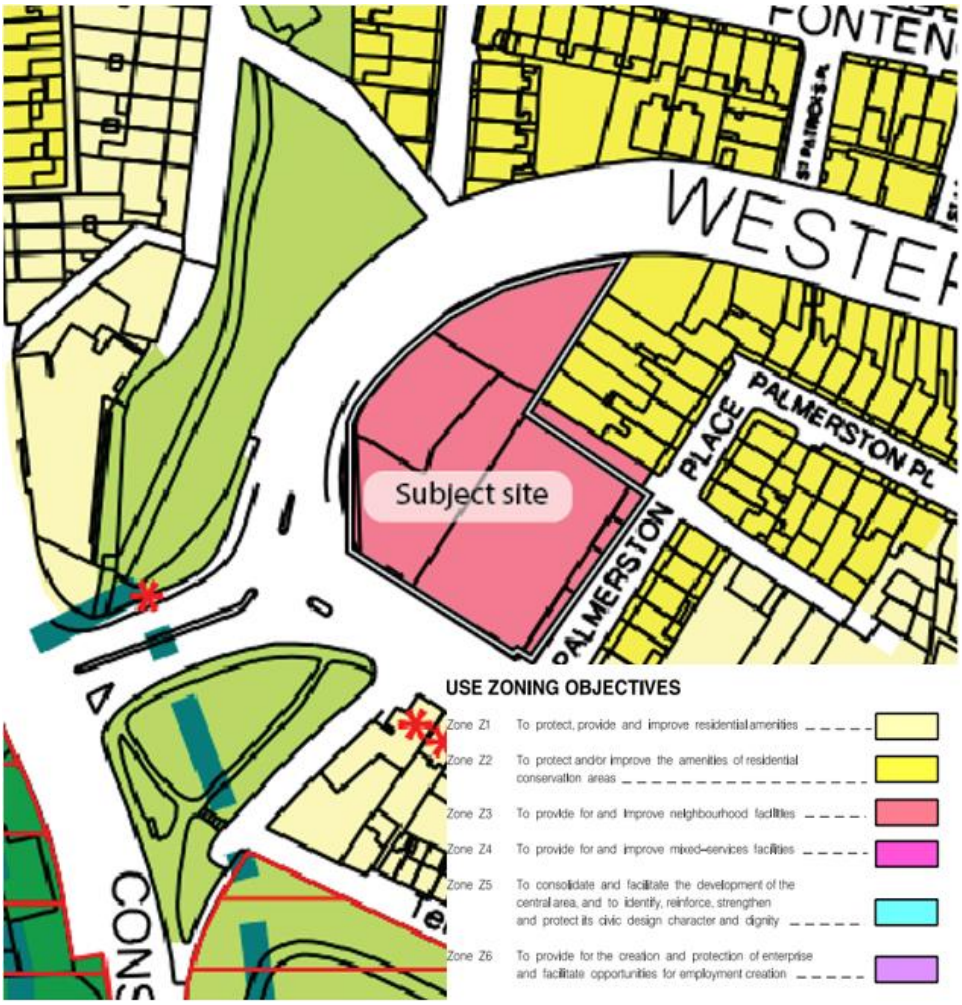
4.3 The proposed development on an infill, brownfield site, is compatible with its surrounding land uses and compliant with the site's zoning 'Z3', with an objective *'To provide for and improve neighbourhood facilities*' under the provisions of Dublin City Development Plan 2016-2022. The proposed uses are permissible in the zone in accordance with the land use matrix.

4.4 In zoning the site, the Planning Authority will have thoroughly assessed the nature of the site to ascertain its capacity to accommodate such development A Strategic Environmental Assessment (SEA) was carried out in relation to the Development Plan. The zoning was unchanged following the SEA review and can therefore be considered acceptable for the intended residential use.

4.5 The development makes provision for the implementation of a new 225mm connection to the existing 300mm diameter sewer on Palmerston Place, which discharges to the existing 1,020mm brick combined sewer on Dominick Street Upper.

Figure 3 - Proposed Site layout plan

Figure 4 - Dublin City Council Land Zoning Map



Demolition and Excavation

4.6 Demolition of the existing vacant warehouses and dwelling at no. 36 Dominick Street Upper (c. 2363sqm) is proposed to facilitate the proposed development. There will be c. 3,000m^3 soil, stones and made ground excavated to facilitate construction of new foundations, underground services, and the installation of the proposed basement.

4.7 This will give rise to circa 1,416.6 tonnes of waste from the site of which 260.8 tonnes will be re-used, 981.7 tonnes will be recycled and 171 tonnes will be disposed of at licensed facilities.

Use of natural resources

4.8 An estimation of the soil to be removed from the site has been calculated in the Construction and Demolition Waste Management Plan prepared by AWN. Some c. 3,000 m^3 of excavated material will be removed from the site to a licenced disposal site.

4.9 The proposed development will generate a peak demand for water of 3.554 litres/second. Irish Water have issued Confirmation of Feasibility and a Statement of Design Acceptance for the proposal is included at Appendix A of the Engineering Assessment Report by Waterman Moylan confirming capacity to accommodate the proposed development.

Pollution and Nuisances

4.10 The risk of pollution has been considered in Section 5 of the Construction Environmental Management Plan by DCON and under the *Assessment of Significance of Effects* of the AA Screening Report by Openfield and both are submitted with this SHD application.

4.11 For further detail on the physical characteristics of the proposed development please refer to the architectural drawings, design statement and the landscape drawings which accompany this planning application. Figure 2, above, notes the proposed layout of the scheme. Please see the Proposed Site Layout Plan for details.

Location of Proposed Development

4.12 The subject site is located on lands at nos. 36 – 40 Dominick Street Upper, Broadstone, Dublin 7 and falls within the administrative area of Dublin City Council. The subject lands comprise an unused, brownfield, infill site at strategic location, proximate to a range of public transport, amenity and employment options.

4.13 Sections 3.2 to 3.10 above provides a detailed description of the site location. This is also detailed in the Architectural Design Report prepared by John Fleming Architects, the Traffic and Transport Assessment (including Travel Plan) prepared by Waterman Moylan and within the Statement of Consistency prepared by John Spain Associates. The scheme is in line with DCC's aims to promote sustainable transport within the region.

4.14 The proposed development is in an urban environment on appropriately zoned lands, under which residential development and neighbourhood uses are permissible. In this regard the proposed uses are considered wholly appropriate with adjoining existing development.

4.15 The development has been carefully designed to respect the heritage nature of the protected structures onsite.

Biodiversity

4.16 The subject site is entirely comprised of buildings and artificial surfaces. As such there is minimal presence of vegetation. There are no areas of green space and this is a habitat of negligible biodiversity value. No alien invasive species listed under Schedule 3 of SI No. 477 are present on this site and there was no indication that it is growing in the immediate vicinity. Some ruderal vegetation is present and includes Brambles Rubus fruticosus agg., Canadian Fleabane Conyza canadiensis, Sycamore Acer pseudoplatanus and the non-native Butterfly-bush Buddleja davidii.

4.17 Although a number of mammals are known to be present in Dublin city, most notably Fox Vulpes vulpes, there are no habitats on the site which are suitable for the majority of these species. The industrial building on the subject site is of low roosting potential due to the lack of semi-natural vegetation in the immediate vicinity (Hundt, 2013).

4.18 A bat survey was carried out by Brian Keeley of Wildlife Surveys Ireland during the optimal flight period in 2019. This report is presented separately but its findings are incorporated here. Two bat species were noted: Soprano Pipistrelle and Leisler's Bat. "*There is no evidence in any of the buildings (elements of the same building) and it is very improbable that this building has recently or ever served as a roost."*

2(A) A description of the aspects of the environment likely to be significantly affected by the proposed development.

4.19 This section is intended to provide a clear statement on the aspects of the environment likely to be significantly affected by the proposed development under the environmental topics prescribed by Directive 2014/52/EU.

Population & Human Health

4.20 European Commission guidance relating to the implementation of the 2014 Directive, in reference to Human Health, states, '*Human health is a very broad factor that would be highly project dependent. The notion of human health should be considered in the context of other factors in Article 3(1) of the EIA Directive and thus environmentally related health issues (such as health effects caused by the release of toxic substances to the environment, health risks arising from major hazards associated with the project, effects caused by changes in disease vectors caused by the project, changes in living conditions, effects on vulnerable groups, exposure to traffic noise or air pollutants) are obvious aspects to study*.[4]'

4.21 The Draft EPA Guidelines on the information to be contained in environmental impact assessment reports states that '*in an EIAR, the assessment of impacts on population and human health should refer to the assessments of those factors under which human health effects might occur, as addressed elsewhere in the EIAR e.g. under the environmental factors of air, water, soil etc*[5].'

4.22 The subject site is located in an area zoned for neighbourhood uses and residential development, proximate to high quality public transport services (100m from the Broadstone green line Luas stop) as set out in the *Dublin City Development Plan, 2016-2022*.

4.23 In terms of Core Strategy, the site comes within inner city Dublin. The plan notes that housing supply has failed to meet targets set in the Regional Planning Guidelines. While a key strand of the overall Settlement Strategy focuses on the continued promotion of sustainable development through positively encouraging infill development thereby maximizing efficiencies from already established physical and social infrastructure.

4.24 There may be possible short-term nuisances to human beings from noise, vibration and dust during construction and from construction related traffic. The construction works include ground preparation works, development of site infrastructure, construction of buildings and hardstanding areas and landscaping of the site including open soft landscaped areas. There will be a minor increase in traffic arising from the proposed development. This may adversely affect the road network in the area.

4.25 There will be a short-term increase on construction employment during the construction period. There will employment associated with the management of the site in the long term.

Biodiversity

[4] Environmental Impact Assessment of Projects: Guidance on the preparation of the Environmental Impact Assessment Report, European Commission, 2017 http:/ec.europa.eu/environment/eia/ria-support.htm

[5] Guidelines on the information to be contained in environmental impact assessment reports, EPA, 2017 (draft)

4.26 An Ecological Impact Assessment, AA Screening Report and Bat Assessment Report have been prepared to accompany this application. There are no habitats present on the site that are listed under Annex 1 of the Habitats Directive.

4.27 The AA Screening Report states that, the site is not located within or directly adjacent to any Natura Site. South Dublin Bay SAC, South Dublin Bay and Tolka Estuary SPA, North Dublin Bay pNHA and the Royal Canal pNHA are considered to fall within the zone of influence of this project. There is no direct pathway to the North Dublin Bay SAC and the North Bull Island SPA. There is an indirect pathway from the site via surface and wastewater flows to Dublin Bay via the River Liffey and the Ringsend wastewater treatment plant respectively.

4.28 In addition, the separate AA Screening report prepared by Openfield, Ecological Consultants states:

> *"The site is not located within or directly adjacent to any Natura 2000 area (SAC or SPA). This part of north Dublin is a built-up business, residential and commercial zone and is predominantly composed of surfaces that are sealed with tar macadam and concrete. Site visits have shown that the site is disused with buildings and minimal vegetation. It is located approximately 1km from the River Liffey, the banks of which are composed of artificial quay walls at this location.*
>
> *The site is currently composed of buildings and hard surfaces. The site is surrounded on all sides by either roads or other residential properties. This was confirmed during site visits which were carried out on November 28th 2019 and August 19th 2020.*
>
> *The habitats are entirely artificial in nature. There is no suitable habitat for wetland, wading or wintering birds which may be associated with Natura 2000 sites in Dublin Bay."*

4.29 In relation to potential birds on the site, the AA Screening report concludes:

> *'The subject site is located in a heavily urbanised environment close to significant noise and artificial light sources such as roads. This development cannot contribute to potential disturbance impacts to species or habitats for which Natura 2000 sites have been designated.*
>
> *The development site provides no suitable habitat for wintering wetland or wading birds which may be associated with the North Bull Island SPA or the South Dublin Bay and River Tolka Estuary SPA. No ex-situ impacts to Natura 2000 sites can arise.'*

4.30 The accompanying Ecological Impact Assessment prepared by Openfield states that:

> *'The building is used by nesting Feral Pigeon Columba livia. This is a bird of low conservation concern (Coulhoun & Cummins, 2013). No other nesting birds were recorded during the August 2020 survey, which lies within the nesting season. The habitats on the development site are not suitable for wintering/wetland/wading birds which may be associated with Natura 2000 sites.'*

4.31 In relation to the potential for bats at the site, the Bat Assessment states:

'There is no evidence in any of the buildings (elements of the same building) and it is very improbable that this building has recently or ever served as a roost.'

Lands and Soils

4.32 The subject lands are considered brownfield on what is typically made ground. A Ground Investigation Report was carried out by Ground Investigations Ireland in relation to the proposal to ascertain the quality and content of the land on site. The report states:

4.33

"The ground conditions encountered during the investigation are summarised below with reference to insitu and laboratory test results. The full details of the strata encountered during the ground investigation are provided in the exploratory hole logs included in the appendices of this report. The sequence of strata encountered were consistent across the site and are generally comprised;

- *Surfacing*
- *Fill*
- *Made Ground*
- *Cohesive Deposits*

Surfacing*: Tarmac surfacing was present in SA02, FP01, FP02 and FP03 typically to a depth of 0.10m BGL. Concrete surfacing was present in SA01, TP04 and TP05 typically to a depth of 0.10m BGL.*

Fill: *Fill deposits were encountered beneath the surfacing and in all exploratory holes to a consistent between 0.10m to 1.10m BGL. These deposits were described in SA01 as brown grey sandy gravelly Clay with occasional rounded to sub angular cobbles. In SA02, FP01, FP02, FP03, TP04 and TP05 the deposits were described as Grey slightly clayey sandy fine to coarse sub angular to sub rounded Gravel with frequent angular to sub angular cobbles.*

Made Ground*: Made Ground deposits were encountered beneath the Fill deposits in FP02, FP03 and TP04 and was present to a relatively consistent depth of between 0.20m and 3.00m BGL. These deposits were described generally as brown sandy gravelly CLAY with frequent cobbles and boulders and contained occasional fragments of concrete, red brick, wire, aluminium, glass and plastic.*

Cohesive Deposits: *Cohesive deposits were encountered beneath the Made Ground and were described typically as brown grey sandy gravelly CLAY with occasional cobbles and boulders overlying a stiff black sandy gravelly CLAY with occasional cobbles and boulders. The secondary sand and gravel constituents varied across the site and with depth, with granular lenses occasionally present in the glacial till matrix. These deposits had some, occasional or frequent cobble and boulder content where noted on the exploratory hole logs."*

Water

4.34 The subject lands are brownfield in nature and are small within an urban context, extending to c. 0.33ha. The construction or operation of the scheme would not use

such a quantity of water to cause concern in relation to significant effects on the environment. Water supply will be taken from available mains supply, as per the current situation at the site. This notes the sustainable nature of the development in utilising existing resources.

4.35 The site lies within an area of low subsoil permeability (Source: Waterman Moylan Flood Risk Assessment). The proposed development is located an appropriate distance from any significant waterways that may cause concern (c. 1km from the Liffey and separated by a high-density built environment). The AA Screening Report states;

> *'The site is approximately 3km from the boundary of the South Dublin Bay and River Tolka estuary SPA/SAC as the crow flies but following the flow of the River Liffey this distance is over 6km. Because of this significant distance separating the two areas there is no pathway for loss or disturbance of habitats listed in table 2 or other semi-natural habitats that may act as ecological corridors for important species associated with the qualifying interests of the Natura 2000 sites.'*

4.36 A Hydrological and Hydrogeological Quantitative Risk Assessment has been carried out by AWN Consulting

> *"The nearest surface water receptor is Dublin Bay Coastal Water Body (WFD code: IE_EA_090_0000), which is located c. 3 Km to the east of the Proposed Development site (refer to Figure 1.1 above). The River Liffey (Transitional Waterbody code IE_EA_090_0400, EPA code: 09L01) is the nearest river to the site and it also discharges into the Dublin Bay coastal water which hosts SAC, SPA and NHA habitats.*
>
> *The subject site is currently drained to the public sewer network. There is an existing surface water sewer located on Dominick Street Upper which in turn eventually discharges to the River Liffey. Therefore, the site is hydraulically connected to the Dublin Bay.*
>
> *The Ringsend WWTP received planning permission for upgrading works in 2012. Works commenced on this upgrade in February 2018, and are due to be completed in 2021. This upgrade involves the provision of a long sea outfall and ancillary elements to improve the functionality and operability of the facility. This upgrade will deliver a 25% increase in capacity.*
>
> *Planning is also underway for a new wastewater treatment plant in North Dublin which will give greater treatment capacity for the catchment. The 2019 planning permission facilitated upgrading works to meet nitrogen and phosphorus standards set out in the licence and which are temporarily exceeded currently. The design includes aerobic granular sludge which will result in treatment of sewage to a higher quality than current thereby ensuring effluent discharge to Dublin Bay will comply with the Water Framework Directive, Urban Wastewater Treatment Directive and Bathing water Directive. It is understood at this point in time that the upgrade to use of aerobic granular sludge and other phased upgrades will achieve a population equivalent of 2.4 million and are to be completed between by 2027 to 2028. As outlined in the EIAR provided with the 2018 planning submission, modelling has shown that the upgrades which are currently underway will result in improved water quality within Dublin Bay. The 2018 EIAR predicts that the improvement in effluent*

quality achieved by the upgrade will compensate for the increase in flow through the plant.

Even without treatment at the Ringsend WWTP, the peak effluent discharge, calculated for the Proposed Development as 1.68 litres/sec which would equate to 0.015% of the licensed discharge at Ringsend WWTP [peak hydraulic capacity]), would not have a measurable impact on the overall water quality within Dublin Bay and therefore would not have an impact on the current Water Body Status (as defined within the Water Framework Directive). This assessment is supported by hydrodynamic and chemical modelling within Dublin Bay which has shown that there is significant dilution for contaminants of concern (DIN and MRP: DIN and MRP represent the soluble inorganic fraction of Total Nitrogen and Total Phosphorus present in water, which is available for biological uptake) available quite close to the outfall for the treatment plant (Ringsend WWTP 2012 EIS, Ringsend WWTP 2018 EIAR). The modelling shows that the future Total Nitrogen and Total Phosphorus levels are expected to be at or below the licence levels as a direct result of the improved treatment works (Chapter 5 Figure 5-16 Chapter 5 of the 2018 EIAR plots the extent of the zone of influence of the effluent from the Ringsend WWTP on the predicted modelled output for winter depth averages for DIN. The zone of influence is shown to be largely confined to the area between the Great South Wall on the south side to the Bull Wall on the north side but it also extends into a small area in the inner part of Dublin Bay at Clontarf, a lagoon west of Bull Island and a small section of open sea to the south east of Bull Island). The modelling also shows that enrichment is also occurring from run-off from the Tolka and Liffey.

Recent water quality assessment for Dublin Bay also shows that Dublin Bay on the whole, currently continues to meet the criteria for 'Unpolluted' water quality status (EPA, 2020)."

Air & Climate

4.37 There will be potential for dust and noise produced during the construction phases. This will be managed by ensuring construction work largely operates within the approved hours of construction and in accordance with the accompanying CEMP.

4.38 Standard dust and noise prevention mitigations measures as set out in the CEMP will be employed and monitored. As such, pollution and nuisances are not considered to likely have the potential to cause significant effects on the environment.

4.39 There is no impact on air pollution expected from the development beyond that arising rom the potential dust impact.

Noise & Vibration

4.40 It is not anticipated that the proposed development will impose significant environment effects in terms of noise and vibration. There may be noise and vibration during the construction phase. The CEMP states;

"The construction phase will involve site clearance, excavation and the construction of buildings and structures associated with the proposed development. All non protected structures will be demolished in compliance with the controls set out in the Construction & Demolition Waste Management Plan. A variety of items of mobile plant will be in use, such as excavators, lifting equipment, dumper trucks, compressors, generators and pile drivers. There

will be vehicular movements to and from the site that will make use of the existing roads and site access points."

4.41 In relation to the ongoing operation of the development, the accompanying Management Plan prepared by City Living states;

'On the 4th floor on the southern side & 6th floor on the Northern side there is an external social terrace available for residents to use. Suitable furniture will be provided in these spaces so that the residents can enjoy the panoramic views of Kings Inn and Royal Canal Bank park. Use of this area will be managed to ensure use by Hendrons residents doesn't negatively impact upon the building's neighbours. The property manager will closely monitor and control these areas. Availability being restricted to pre-agreed times'

Landscape

4.42 There are no landscape designations on the subject site. The site will not impact on any designated views or prospects within the Dublin City Development Plan 2016-2022. There is some sparse growth (scrub) on the western section on the site. The reminder of the site is built upon. It is not considered that there will be likely significant effects on the environment in relation to landscape. The application is accompanied by Landscape plans and a design report prepared by Park Hood Landscape Architects. The scheme involves additional planting onsite and will be an improvement on the current situation.

4.43 The visual impact of the proposed development on the surrounding area has been separately assessed in a Landscape and Visual Impact Report prepared by Kennett Consulting which accompanies this application.

Material Assets

4.44 Material Assets are defined in the 'Advice Guidelines on the Information to be contained in Environmental Impact Assessment Reports DRAFT' (EPA, 2017) as 'built services and infrastructure'. This would appear to include roads and traffic, electricity, telecommunications, gas, water supply infrastructure and sewerage (built infrastructure).

4.45 We refer to the Energy Statement by Waterman Moylan which demonstrates that the site is well served by gas, electricity and other utilities. The Engineering Assessment Report demonstrates that the site is served by sewer and water infrastructure. No vehicle parking is proposed on the site. The TTA by Waterman Moylan concludes;

'The proposed development will not generate any car-based trips to/from the proposed development except those that already exist on the network.'

4.46 The land on which the site is situated is a material asset. It has been zoned for neighbourhood uses and residential development through the appropriate process, and as such, the use of this material asset in a manner compatible with the zoning designation, is entirely appropriate.

4.47 The main use of natural resources will be land. The land is located in a built-up urban area on a brownfield site, thus has been previously been developed. The nature of the proposed development and the landscaping proposed throughout will improve the quality of the local environment and in comparison with the site's existing use. It will

reduce areas of hard standing and ensure the sustainable disposal of water, operational waste which will comply with current regulations.

Archaeology, Architecture and Cultural Heritage

4.48 The Hendrons building located on the subject lands has recently been included as a protected structure by Dublin City Council (no. 8783). The address is given as 37-40 Dominick Street Upper, Dublin 7 and the description is "Hendron's main building and original historic western railings only". It is noted that this description excludes the warehouses attached to the main building and the house at 36 Dominick Street Upper.

4.49 The boundary wall of the application site on Western Way is a protected structure, reference no. 8483. The description is "stone walls enclosing Western Way from the Black Church to Broadstone, and also the railings, plinth walls and gate piers at the eastern end of Western Way".

4.50 The subject proposal includes the retention and re-use of the Hendrons Building as part of the scheme. This will include interventions/material alterations to the original fabric of the building to provide for the proposed re-use of the building. This may be considered partial demolition (although only minor sections will be removed). The stone wall will also be retained as part of the scheme, however a small section of the wall (c. 2metres will be removed to facilitate access to the proposed ESB substation).

4.51 The application includes an Architectural Heritage Impact Assessment prepared by Rob Goodbody and a Conservation Development Strategy prepared by Carole Pollard. Both reports demonstrate that the retention of the Hendrons Building is a significant benefit to the local area.

4.52 There are no known recorded archaeological monuments within the site boundary or indeed for several hundred metres. The application site lies outside of the Zone of Archaeological Potential for the City of Dublin. This is detailed further within the Archaeological Assessment prepared by Courtney Deery which accompanies this submission.

Vulnerability of the project to risks of major accidents and/ or disasters

4.53 The subject lands are not proximate to any Seveso/COMAH designated sites or within a Flood Zone. A Flood Risk Assessment has been undertaken by Waterman Moylan and states;

> *'The subject lands have been analysed for risks from tidal flooding from Dublin Bay and from the River Liffey, fluvial flooding from the River Liffey, pluvial flooding, ground water and failures of mechanical systems….*
>
> *the various sources of flooding have been reviewed, and the risk of flooding from each source has been assessed. Where necessary, mitigation measures have been proposed. As a result of the proposed mitigation measures, the residual risk of flooding from any source is low.'*

4.54 Taking cognisance of the other sections contained within this EIA Screening Statement and the accompanying plans and particulars, it is not considered that the proposed development site or the existing context presents risks of major accidents or disasters, including external man made or natural disasters.

4.55 Having regard to the foregoing it is considered that no significant impacts arise in terms of the vulnerability of the project to major accidents or disasters.

The inter-relationship between the above factors.

4.56 The above demonstrates that the interrelationship between different aspects of the environment have been considered in assessing the proposed development. The relationship between construction, dust, noise, and threat of pollution has been considered in terms of biodiversity and human health. The issue of flooding, climate change and human health has been considered. The interrelationship between architectural heritage, landscape assessment and retention of trees have been assessed. Traffic safety and human health has been considered. No cumulative impacts are likely to exacerbate the impacts on the environment from this proposed development.

(A) 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**.

4.57 The EPA *Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports* 2017 require that the direct, indirect, cumulative and residual impacts of the proposed development for both the construction and operational stages are described. The identified quality, significance and duration of effects for each aspect are categorised, as set out below. Quality refers to the nature of the impact, significance of effects refers to the degree that these will impact on the site and surrounding area and duration refers to how long the effects are likely to last for. A direct impact is an impact the development will give rise to. An indirect impact is similar to a secondary impact – it may result in consequences not in the immediate vicinity of the site. Cumulative impacts are impacts that arise in conjunction with other consented developments (although they may also be within the project itself.). Residual impacts are those which remain after mitigation measures have been applied. Where relevant, impacts arising from the proposed development will assessed on this basis.

Table 1.1 Quality of Potential Effects

Quality of Effects	Definition
Negative	A change which reduces the quality of the environment
Neutral	No effects or effects that are imperceptible, within the normal bounds of variation or within the margin of forecasting error.
Positive	A change that improves the quality of the environment

The significance of an effect on the receiving environment are described as follows:

Table 1.2 Significance of Effects

Significance of Effects on the Receiving Environment	Description of Potential Effects
Imperceptible	An effect capable of measurement but without significant consequences.
Not Significant	An effect which causes noticeable changes in the character of the environment but without significant consequences.

Slight	An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.
Moderate	An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.
Significant	An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment.
Very Significant	An effect which, by its character, magnitude, duration or intensity significantly alters a sensitive aspect of the environment.
Profound	An effect which obliterates sensitive characteristics.

The duration of effects as described in the Draft EPA Guidelines are:

Table 1.3 Duration of Effects

Duration of Impact	Definition
Momentary	Effects lasting from seconds to minutes
Brief	Effects lasting less than a day
Temporary	Effects lasting one year or less
Short-term	Effects lasting one to seven years
Medium-term	Effects lasting seven to fifteen years
Long-term	Effects lasting fifteen to sixty years
Permanent	Effects lasting over sixty years
Reversible	Effects that can be undone, for example through remediation or restoration

4.58 The proposed development is located in an urban context, surrounded by other residential uses. The proposed use is therefore consistent and compatible with land in such a location. The works during the construction phase are likely to have a minor impact on the immediate area.

4.59 Having regard to the necessity to take into account the criteria under Schedule 7 , where relevant for the purposes of compiling the relevant information on the likely effects of the proposed development, reference should be made to paragraph 3 in Schedule 7 which refers to **"***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 Act, taking into account"* the characteristics of the impacts, which are addressed further below. Under Section 171A of the Planning and Development Act 2000, as amended, the effects of the proposed development on the following factors needs to be evaluated in an "environmental impact assessment":

i. "population and human health;
ii. biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;
iii. land, soil, water, air and climate;
iv. material assets, cultural heritage and the landscape;
v. the interaction between the factors mentioned in clauses (I) to (IV)"

4.60 The above topics are considered below.

Population & Human Health

4.61 The proposed development will provide much needed housing. This housing eases the existing pressure on the rental market, creating affording living within the city

centre. The long-term impact is considered positive, moderate and long term in duration.

4.62 The additional facilities within the development further the quality of life for the residents. The long-term impact on population and human health is considered positive, moderate and long term in duration.

4.63 The proposed development provides areas of open space, the roof terraces and courtyard, as well as a gym and yoga/pilates studio. This will encourage active use, with consequential health benefits. The long-term impact on human health is considered positive, moderate and long term in duration.

4.64 A Traffic and Traffic Assessment has been carried out by Waterman Moylan. The report notes that frequency will vary throughout the construction phase; however, the impact is still not considered to be significant. The minor impacts will be temporary and so will be reversible. The construction of the development will be on industrial land and the development would be reversible similar its present state.

4.65 The site is in walking distance (100m) of the Broadstone Luas stop and multiple bus routes. This will reduce the reliance on private vehicular use. The long term impact is considered positive, moderate and long term in duration.

4.66 There will be short term, slight negative impacts during the construction period arising from noise, vibration dust and construction traffic, but these can be mitigated, as set out in the construction environmental management plan (CEMP). A more detailed specific construction traffic management plan will be prepared by the contractor and submitted to the planning authority for its agreement.

Biodiversity

4.67 The impact on biodiversity has been considered in the AA Screening Report and Ecological Impact Assessment Report (EcIA). The report states that the site is not part of the Natura 2000 network. It does not contain any Annex 11 habitats. A survey was carried out for invasive plant species and none were found.

4.68 The AA Screening report concludes*:*

> *"No significant effects will arise from this project to Natura 2000 sites in Dublin Bay: the North Dublin Bay SAC, South Dublin Bay SAC, the North Bull Island SPA or the South Dublin Bay and River Tolka Estuary SPA.*
>
> *In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.*
>
> *On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded on the basis of the best scientific knowledge available.*
>
> *According to the AWN report:*
>
> *There is no direct source pathway linkage between the Proposed Development site and open water (i.e. River Liffey or Dublin Bay SAC/SPA/pNHA). There*

are indirect source pathway linkages from the Proposed Development through public sewers to the Dublin Bay (3 km downgradient of the proposed site) and foul sewer discharge to Ringsend WWTP which ultimately discharges into Dublin Bay.

It is concluded that there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay."

4.69 The Ecological Impact Assessment prepared by Openfield Ecological Services states that:

"No negative effects on biodiversity are predicted to arise from this development which can be considered to moderate negative or greater in magnitude.

According to the bat survey report: "There will be no impacts upon bats following the proposed mitigation. Should bat boxes be used by bats, this would potentially represent an enhancement for bats as there is no evidence of bat usage of the existing buildings."

According to the AWN Consulting report: "It is concluded that there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay."

4.70 Further, the Ecological Impact Assessment also states that:

"The building is used by nesting Feral Pigeon Columba livia. This is a bird of low conservation concern (Coulhoun & Cummins, 2013). No other nesting birds were recorded during the August 2020 survey, which lies within the nesting season. The habitats on the development site are not suitable for wintering/wetland/wading birds which may be associated with Natura 2000 sites.

There are no suitable habitats on the site for amphibians or fish. Most habitats, even highly altered ones, are likely to harbour a wide diversity of invertebrates. In Ireland, only one insect is protected by law, the Marsh Fritillary butterfly Euphydryas aurinia, *and this is not to be found on built-up sites. Other protected invertebrates are confined to freshwater and wetland habitats and so are not present on this site."*

4.71 A Bat Assessment prepared by Brian Keeley accompanies this submission. It notes that whilst some bat activity was recorded on site, no evidence of bat roosts within the existing buildings was found despite extensive searching and therefore the removal of these buildings will not have an impact on local bat population.

"Building demolition creates a risk of roost loss. This could lead to injury or death to a species protected under the Wildlife Act and Habitats Directive (if a roost were present and not identified) and would therefore constitute a breach of the Irish and EU legislation. There is no evidence that the building within the site is in use as a bat roost from the survey of August 2019. Bats move in and out of roosts on a regular basis and individuals may be present at times other than a specific survey without any evidence. There is no evidence in any of the

buildings (elements of the same building) and it is very improbable that this building has recently or ever served as a roost. This impact is likely to be moderate and long-term if there is roost loss and no obvious equivalent replacement for the roost loss. From available evidence, this is not an impact in this project."

4.72 Incorporation of 2 no. bat boxes (Build-in WoodStone Bat Box) is proposed for the site to provide bat roost opportunities. All bat boxes must be unlit and should be at least 2.5 metres above ground height and preferably 3 metres or higher. The proposed locations of the bat boxes are indicted on the landscape masterplan prepared by Park Hood Landscape Architects. New planting and bat sensitive lighting (see accompanying Lighting Plan prepared by Waterman Moylan Engineers) on the site will also provide feeding areas for bats an encourage activity on the site.

Lands and Soils

4.73 We refer to the CEMP by DCON which states:

"*Soil samples taken from the trial pits were sent for laboratory testing. A number of samples were analysed for a suite of parameters which allows for the assessment of the sampled material in terms of pollutant content and for classification of the materials as hazardous or non-hazardous. The suite also allows for the assessment of the sampled material in terms of suitability for placement at licensed landfills (inert, stable non-reactive or hazardous).*

The subsoil samples analyses indicate that the material tested is relatively free from contamination and inert with the exception of a single sample where trace levels of asbestos were encountered, and levels of arsenic and antimony were found to be slightly elevated above inert (classified as stable non-reactive). However, the possibility of contamination, not revealed by the testing undertaken, should be borne in mind particularly in the presence of the Made Ground deposits."

4.74 The CEMP states:

"Ground material (circa 3,000m3) will be required to be excavated on the development and will be either removed to landfill or reused. It is estimated that 15% (450m3) of the excavated total will be removed offsite to an non-inert treatment facility."

4.75 The report further states:

4.76

"Based on the findings of the site investigations and bearing in mind the possibility of contaminated materials (not identified by the site investigation) being encountered during excavation, allowance has been made of up to 15% of the soil volume requiring removal from site to and disposed at a licensed non-inert disposal facility. The removal of contaminated soil from the site will result in a positive, moderate and long-term development alleviation."

Water

4.77 The proposed development will be served by potable water from a public water supply. The impact will be long term, moderate and positive.

4.78 The Engineering Assessment Report notes that:

> *"the existing site is almost 100% hardstanding, with minimal planted areas, and as such the introduction of any SuDS features will result in a net reduction in the surface water discharging from the site compared to the current scenario."*

4.79 In accordance with the Greater Dublin Strategic Drainage Study this project will incorporate sustainable drainage systems (SUDS) that will appreciably reduce the current run-off rate. This will include the installation of a sedum green roof, permeable paving and filter drains. SUDS are standard measures in all new development and are not included here to avoid or reduce an effect to a Natura 2000 site. The Engineering Assessment states:

> *"As noted above, the methodology involved in developing the Storm Water Management Plan for the subject site is based on recommendations set out in the Greater Dublin Strategic Drainage Study (GDSDS) and in the SuDS Manual. Appendix E of the Greater Dublin Strategic Drainage Study (GDSDS) sets out criteria for determining the provision of interception or treatment storage, attenuation storage and long term storage at a development site. These calculations are included in full in Appendix B"*

4.77 In terms of surface water, the drainage from the site has been designed to accommodate a 1% AEP /100 year event plus an allowance for climate change. The proposed SUDS method of water disposal at the site will ensure that no negative impacts to surface water leaving the site will arise due to the attenuation measures planned. The Engineering Assessment Report states:

> *"Based on these calculations, the required attenuation storage volume is 90.76m3. This volume is sufficient for the 1-in-100 year storm, accounting for a 20% increase due to climate change. Surface water currently runs uncontrolled/unattenuated from the subject site, which is almost entirely hardstanding, so the introduction of SuDS devices, a flow control device and appropriately sized attenuation will result in a net decrease in the total surface water discharge rate and in the peak discharge rate."*

4.78 In relation to pollution of water from surface water run-off. The Greater Dublin Strategic Drainage Study (2005) identified issues of urban expansion leading to an increased risk of flooding in the city and a deterioration of water quality. This arises where soil and natural vegetation, which is permeable to rainwater and slows its flow, is replaced with impermeable hard surfaces. The site is currently entirely of hard standing with no surface water attenuation in place. A new surface water drainage system will be installed for the development in accordance with the Greater Dublin Strategic Drainage Study (GDSDS). This will include an underground storm water storage tank with overflow restricted to 2L/sec. The proposed courtyard will be constructed of permeable paving. Discharge is to a municipal surface water sewer. Because the site is already entirely of hard standing there can be no negative effect arising to the quantity or quality of surface run-off.

4.79 This is also considered in the AA Screening Report prepared by Openfield. The impacts will be long term, slight and positive.

4.80 Water quality is not likely to be significantly affected by the proposed development. The application is accompanied by a Hydrological and Hydrogeological Risk Assessment by AWN which considers any impact on water quality as a result of the proposal by itself or in combination with other developments in detail. The report states;

'The assessment has also considered the effect of cumulative events, such as release of sediment laden water combined with a hydrocarbon leak on site (during construction). As there is adequate assimilation and dilution between the site and the Natura sites (Dublin Bay), it is concluded that no perceptible impact on water quality would occur at the Natura sites as a result of the construction or operation of this Proposed Development. It can also be concluded that the cumulative or in-combination effects of effluent arising from the Proposed Development with that of other proposed developments or planned development pursuant to statutory plans in the greater Dublin, Meath and Kildare areas discharging to Ringsend WWTP will not be significant having regard to the size of the calculated discharge from the Proposed Development and having regard to the following:

- *Recent water quality assessment for Dublin Bay shows that Dublin Bay currently continues to meet the criteria for 'Unpolluted' water quality status (EPA, 2020).*
- *The Ringsend WWTP upgrade which is currently being constructed will result in improved water quality to ensure compliance with Water Framework Directive requirements.*
- *All new developments are required to comply with SUDs which ensures management of run-off rate within the catchment of Ringsend WWTP.*
- *The natural characteristics of Dublin Bay result in enriched water rapidly mixing and degrading such that the plume has no appreciable effect on water quality at Natura sites.*

The assessment has also considered the effect of cumulative events, such as release of sediment laden water combined with a hydrocarbon leak on site. As there is adequate assimilation and dilution between the site and the Natura sites (Dublin Bay), it is concluded that no perceptible impact on water quality would occur at the Natura sites as a result of the construction or operation of this Proposed Development. It can also be concluded that the cumulative or in-combination effects of effluent arising from the Proposed Development with that of other developments discharging to Ringsend WWTP will not be significant having regard to the size of the calculated discharge from the Proposed Development.'

4.81 The report concludes:

"A conceptual site model (CSM) has been prepared following a desk top review of the site and surrounding environs. Based on this CSM, plausible Source-Pathway-Receptor linkages have been assessed assuming an absence of any measures intended to avoid or reduce harmful effects of the proposed project (i.e. mitigation measures) in place at the Proposed Development site.

There is no direct source pathway linkage between the Proposed Development site and open water (i.e. River Liffey or Dublin Bay SAC/SPA/pNHA). There are indirect source pathway linkages from the Proposed Development through public sewers to the Dublin Bay (3 km downgradient of the proposed site) and foul sewer discharge to Ringsend WWTP which ultimately discharges into Dublin Bay.

It is concluded that there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in

a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay."

Air and Climate

4.82 During construction the proposed development will give rise to dust. Mitigation measures proposed in the accompanying Construction Environmental Management Plan will ensure dust suppression techniques so as to remain within acceptable levels. These include road sweeping, wheels washing and covered vehicles. The impact will be short term, slight and negative.

4.83 The volume of traffic generated by the proposed development during peak hour times is non-existent and therefore cannot to add to air pollution. The site is located in the inner city, proximate to high quality public transport services, in walking distance of major employment hubs and 175 no. bicycle spaces are proposed at the site, significantly reducing the need for travel by vehicle.

4.84 A Sunlight and Daylight Assessment has been prepared by Digital Dimensions. It finds the proposed development will give rise to imperceptible or minor impacts on access to daylight outside the site. Solar access to the rear gardens of Palmerston Place is improved as a result of the proposal. Minor impacts will occur to two dwellings adjacent to the site however, an improvement to daylight access is experienced by the majority of adjoining units as a result of the proposal. There will be no impacts on public health in this context.

Noise & Vibration

4.85 As noted above and within the CEMP by DCON, during the construction phase, it is anticipated that there will be a number of HGV's moving to and from the site. Excavators will be employed to move existing ground and piling rigs will be used for foundation work, following which standard construction tools and methods will be employed for general construction and landscaping. All works on site shall comply with the relevant standard (*BS 5228 (2009+A1:2014) Code of practice for noise and vibration control on construction and open sites – Noise and vibration*) which gives detailed guidance on the control of noise and vibration from construction activities and are included in the CEMP.

4.86 A vibration monitoring scheme will be deployed for the duration of the works. Baseline levels will be monitored for vibration prior to any works commencing on site and will continue through demolition phase to completion. Vibrations monitors will be continuous throughout the process.

4.87 It is considered that there will be no significant noise or vibration effects on the environment during the operational phase and construction phase subject to standard construction mitigation measures. These mitigation measures are set out in the CEMP prepared by DCON.

4.88 Any impacts from noise and vibration will be temporary and slight, subject to implementation of the construction mitigation measures,

Landscape

4.89 There are no specific landscape designations on the subject site. The site will not impact on any designated views or prospects within the Dublin City Development Plan 2016-2022. It is not considered that there will be any likely significant effects on the environment in relation to landscape. The subject application will introduce increased

planting to the site resulting in a long-term positive impact. The application is accompanied by Landscape plans and a design report prepared by Park Hood Landscape Architects. The scheme involves additional planting onsite and will be an improvement on the current situation.

4.90 The visual impact of the proposed development on the surrounding area has been separately assessed in a Landscape and Visual Impact Report prepared by Chris Kennett Consulting which is submitted with application and states;

> *'The construction phase will be completed quickly through careful construction planning and management prior to commencing on site and throughout the construction phase. Even with all reasonable mitigation measures in place, construction activities will most likely have significant negative effects on visual amenity for adjoining properties and public roads, therefore the sooner construction is complete the sooner negative visual impacts will be reduced or removed completely.*
>
> *The implications of design changes in terms of urban landscape character and visual amenity will be considered prior to committing those changes in order to maintain the intended character and visual qualities of the proposed building.*
>
> *Where practical, contractors' compounds, site offices and parking areas will be located where they will be least overlooked from nearby streets and dwellings.'*
>
> *'We can conclude that the proposed development will have no adverse impacts upon local landscape character or visual amenity, instead making a positive contribution to the emerging contemporary character and identity of the local area while respecting its established heritage*.'

Material Assets

4.91 There will be some waste materials produced in the construction of the proposed scheme which will be disposed of using licensed waste disposal facilities and contractors. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant effects on the environment. The accompanying Construction and Demolition Waste Management Plan by AWN details the methodologies employed for the control, management, monitoring and disposal of waste from the site. The plan sets out the measures used to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development.

4.92 There will be no large-scale use of natural resources. The main use of natural resources will be land. The proposed development involves a land take of c. 0.33 hectares which comprises a brownfield site.

4.93 Other resources used will be construction materials which will be typical raw materials used in construction of mixed use developments. The scale and quantity of the materials used will not be such that would cause concern in relation to significant effects on the environment.

4.94 Operational Waste management at the development is to be carried out in accordance with all relevant statutory requirements, including where applicable, the requirements of DCC Waste Bye-Laws, Waste Management Act 1996, as amended, and

Regulations made thereunder, Protection of the Environment Act 2003 as amended, Litter Pollution Act 2003, as amended. Full details of the proposed waste management strategy are set out in the Construction and Demolition WMP (C+D WMP) submitted with this application.

4.95 The following mitigation measures are proposed:

- Dedicated communal waste storage areas have been allocated for the residents within the development design.
- The waste storage area has been appropriately sized to accommodate the estimated waste arisings.
- Waste will be collected from the designated temporary waste collection areas by permitted waste contractors and removed off-site for re-use, recycling, recovery and/or disposal.
- A strategy for segregation at source, storage and collection of wastes generated within the development during the operational phase has been prepared.

4.96 Provided the C+DWMP is implemented and a high rate of reuse, recycling and recovery is achieved, the predicted effect of the operational phase on the environment will be long-term, neutral and imperceptible

4.97 Likely haul routes will be agreed with DCC upon a grant of permission. A Traffic Management Plan will be prepared by the contractor, dealing with pinch points on the site. This plan will deal with the private vehicles of site workers, construction vehicles and material delivery vehicles.

4.98 The construction phase of the proposed development will provide for the temporary employment of construction workers which is likely to provide benefits for local businesses providing retail or other services to construction workers and potentially could create some additional employment in the area.

4.99 Upon completion, the operational phase will provide an important material asset for the area in terms of a high-quality shared living scheme. The long impacts are significant and positive.

Cultural and Architectural Heritage

4.100 The subject application includes retention and reuse of the Hendrons Building (a protected structure, ref. no. 8783) as part of the scheme. The application also includes the stone boundary wall on Western Way (a protected structure, ref no. 8483).

4.101 The application is accompanied by An Architectural Heritage Impact Assessment by Historic Building Consultants and a Conservation Development Strategy by Carol Pollard. The strategy incudes a number of recommendations in relation to the preservation and conservation of the Hendrons Building. Part 2 and 3 of the strategy includes details in relation to the 'Principles for Conservation of Building Materials' and a 'Schedule of Repairs to Existing Glass Block Windows' both of which will be implemented during the construction of the proposed development. In relation to the proposed openings within the building, the strategy states:

> *The existing building will be retained in its current structural form. The reinforced concrete frame, floor and roof slabs and concrete infill panels are in substantially robust condition and require localised repair only. The design and location of a small number of opes to connect the protected structure with the proposed new development has been carefully considered so as to have*

minimum impact on the integrity of the existing structure, requiring only minor removal of small portions of the original fabric. Please refer to Drawing No. P-S-0-4. The proposed methodology for concrete repairs is set out in Part 2 of this Report.

The following minor interventions into the original fabric are proposed:

- *At ground floor level, existing openings between the internal structural columns on the south east gable of the protected structure will facilitate free movement throughout the proposed community café. When the Hendron's building was constructed, structural columns were built up against the gable wall of No. 36 Upper Dominick Street which formed the party wall.*
- *At first floor, the connection between the protected structure and proposed Block A will occur in the existing gaps between the existing structural concrete columns. Minor removal of fabric will be required at second floor and third floor to facilitate connection between the protected structure and proposed Block A. New opes will be formed in the rear of the external envelope to facilitate access to the proposed new lift shaft in compliance with current Building Regulations.*
- *It is proposed that the existing opes in the ground floor portico of the protected structure will have minor modifications to better align with circulation and use of the proposed new café.*
- *It is proposed to form new ground floor opes on the northwest gable wall to enhance and activate the proposed new public plaza at the entrance to the community gym and shared living scheme.*
- *Non-original timber partitions will be removed throughout.*

4.102 The works will be carried out in accordance with the recommendations of the strategy. The report concludes:

"I believe that the proposed works by Western Way Developments represent an opportunity for the sympathetic conservation, adaptation and re-use, and future maintenance of the Protected Structure. No longer suitable for use as an industrial unit, the proposal is an appropriate way to satisfy the requirements of the structure to be safe, durable and useful on the one hand, and to retain its character and special interest on the other."

4.103 In relation to the proposed removal of section of the protected boundary wall (c. 2m) the AHIA staes;

"The external face of the wall to Western Way is formed with squared calp limestone, as seen in the photographs above, and it will be a simple matter to open up an access through the wall and to make good the ends of the wall on either side of the opening with stone piers in accordance with the drawings submitted. This will be carried out in accordance with good conservation practice, including the use of appropriate mortars to match those used in the construction of the wall and details can be agreed with Dublin City Council's Architectural Conservation Officer."

4.104 As above, a desktop Archaeological Assessment has also been carried out by Courtney Deery which is included as part of this pre-application consultation request. There are no known recorded archaeological monuments within the boundary.

4.105 The report concludes that '*archaeological monitoring of earthmoving works be undertaken on the site in order identify and record subsurface remains of the 19th century Palmerston House and associated features, including basements, foundation levels and garden features. A photographic record of features that might be uncovered is recommended.'*

Vulnerability of the project to risks of major accidents and/ or disasters

4.106 As set out above, the subject lands are not proximate to any Seveso/COMAH designated sites. Therefore, it is considered that there is no particular vulnerability to major accidents or disasters associated with Seveso / COMAH sites.

Interactions

4.107 It is considered that any of the previously identified relatively minor impacts could not in themselves be considered significant nor would they cumulatively result in a likely significant effect on the environment.

4.108 There will likely be potential for dust and noise produced during the demolition and construction phases. This will be managed by ensuring construction work largely operates within the approved hours of construction.

4.109 Mitigation measures set out in the Construction Environmental Management Plan, prepared by DCON will be implemented. Implementation of mitigation measures will be monitored.

4.110 It is likely that a minor impact from noise and vibration, dust and pollution during the construction phase will occur. Air and Climate are not likely to be significantly affected by the proposed development.

4.111 However, construction works in an urban environment are entirely normal and working hours will be limited generally to hours set by condition or as otherwise agreed. The frequency of vehicles accessing the site will vary throughout the construction phase.

4.112 The construction impacts will not be of such a quantity significance that would warrant the completion of a sub-threshold EIAR. Impacts from construction traffic, noise, vibration and dust will be subject to mitigation measures as set out in the Construction Environmental Management Plan prepared by DCON. The impacts are considered to be short term, local and minor.

4.113 It is considered that the construction and operation of the proposed development will not give rise to operational impacts that would be likely to cause significant effects in terms of population and human health

4.114 The subject site is not located within or directly adjacent to any SAC or SPA. However, no appropriate assessment issues arise due to distance and in the case of the foul discharge, the volume is insignificant.

4.115 There will be some waste materials produced in the construction of the proposed scheme which will be disposed of using licensed waste disposal facilities and contractors. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant effects on the environment.

4.116 The accompanying Construction & Demolition Waste Management Plan, prepared by AWN, sets out the measures used in the responsible disposal of waste arising from the construction of the development. The majority of waste generated at the construction phase will be demolition material, with surplus construction materials and cuts also anticipated.

4.117 Other resources used will be construction materials which will be typical raw materials used in construction of residential developments. The scale and quantity of the materials used will not be such that would cause concern in relation to significant effects on the environment.

4.118 The Operational Waste Management Plan by AWN includes a strategy for the disposal of waste within the operational phase of the development. This is to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development.

4.119 All works carried out will be done so in accordance with the Construction Environmental Management Plan prepared by DCON, submitted alongside this application.

4.120 The works during construction or the operational phase are not of such a scale or extent that would be considered to be likely to cause significant effects on the environment in the geographic area or on any considerable quantum of the population in the vicinity.

(B) The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

4.121 Schedule 7 of the regulations details the criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment. The criteria under Schedule 7 have been addressed above. We also refer to Appendix 1 which provides a response to the specific criteria below.

5.0 SUMMARY & CONCLUSIONS

5.1 This Environmental Impact Assessment Screening Report has been prepared to accompany a Strategic Housing Development Application to An Bord Pleanála for the development of a mixed use scheme including neighbourhood uses and a shared living development with associated amenities at the Hendrons Building and wider site, 36-40 Dominick Street Upper, Dublin 7.

5.2 The purpose of this report is to provide to An Bórd Pleanála with the information required under Schedule 7A of the Planning and Development Regulations 2001, as amended, to enable The Board to determine in light of the criteria set out under Schedule 7 of those regulations whether the proposed development is likely to have significant effects on the environment. If it determines that the proposed development is not likely to have significant effects on the environment, the application can be determined without an Environmental Impact Assessment Report (EIAR) having been submitted.

5.3 The report has assessed the potential impact of the proposed development on the environment in response to Section 6 of the pre-application consultation application form. The proposed development is substantially below the thresholds of a mandatory EIAR. The screening exercise has been completed in this report and the methodology used has been informed by the available guidance, legislation and directives.

5.4 It is considered that a sub threshold EIAR is not required for the proposed development for the following reasons (in summary) set out in this screening exercise:

- The proposal falls significantly below the thresholds of Schedule 5 of the Planning and Development Regulations 2001 (as amended);
- The AA Screening report concludes:

  "In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

  On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded on the basis of the best scientific knowledge available."

- The development will be connected to public services such as water, foul and storm sewers.
- The proposed drainage and flood risk strategy will contribute to improved retention of surface water on site.
- The level of demolition involved will not create any significant impacts on the environment.
- Standard construction practices as described in the Construction Environmental Management Plan prepared by DCON can be employed to mitigate any risk of adverse impacts during the construction phase arising from noise, dust or pollution.

- No identified impact in this screening exercise, cumulatively or individually is considered to likely cause significant effects on the environment.

5.2 In the event that the screening determination carried out by the Board reaches the conclusion that the proposed development is not likely to have significant effects on the environment, the Board's attention is specifically drawn to the requirement that the Board's screening determination must comply with the requirements of Article 299C(2) of the Planning and Development Regulations, as amended, which provides:

"(2) (a) Paragraph (b) applies where the screening determination is that the proposed development would not be likely to have significant effects on the environment and the applicant has provided, under article 299B(1)(c), a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.[6]

(b) The Board shall specify such features, if any, and such measures, if any, in the screening determination."

5.3 Mitigation measures for the proposed development during the construction phase are set out in various reports including but not limited to, the Construction Environmental Management Plan (CEMP), the Construction and Demolition Waste Management Plan and the Operational Waste Management Plans by AWN, the Ecological Impact Assessment Report by Openfield, the Conservation Development Strategy by Carole Pollard and the Bat Assessment Report by Brian Keeley, all of which accompany this planning application.

5.4 For ease of reference it is suggested that these mitigation measures can be specified or referred to in the Board's decision as the mitigation measures set out in this EIA Screening Report to facilitate compliance with the Board's legal obligation under Article 299C(2)(b), as the reports referred to are all contained as appendices to this report.

5.5 In conclusion, it is considered that the proposed development will not have any significant impacts on the environment and that an EIAR is not therefore required. It is a matter for the Board to carry out its own AA screening assessment having regard to the information furnished above and the criteria under Schedule 7 of the Planning and Development Regulations, 2001, as amended.

[6] Commonly referred to as mitigation measures.

Appendix 1

1. Characteristics of the Proposed Development

The characteristics of proposed development, in particular –	Response
(a) the size and design of the whole of the proposed development	The proposed development consists of 280 no. shared living units on a site area of c. 0.33 hectares. The gross floor area is c. 11,383 sqm. The proposed 4 to 9 storey buildings provide an appropriate and compatible form of development within an urban area on lands close to high quality public transport which are currently zoned for residential purposes. The scale and height of the development is designed to make optimum use of the site's layout and size in order to mitigate visual impacts upon the surrounding area. A full description of the proposal is included in Section 3 of the Statement of Consistency. The development is considered to be of appropriate density, having regard to the protected structure on site. In doing so, the proposal will contribute to achieving compact growth in appropriate urban locations which are accessible to public transport.
(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 Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment	The subject site is considered infill, brownfield site currently zoned for neighbourhood uses and residential development. It is surrounded by residential and mixed-use development varying in density, design, age and height. The AA Screening report concludes: *"On the basis of the screening exercise carried out above, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded on the basis of the best scientific knowledge available."* '
(c) the nature of any associated demolition works	The demolition of the existing buildings on site is proposed. A Construction & Demolition Waste Management Plan prepared by AWN Consulting Engineers and a Construction Environmental Management Plan prepared by DCON accompany this submission and make provision for the safe and efficient disposal of all material from the site. Should any hazardous materials be encountered at the location during demolition or excavation, they will be disposed of appropriately in accordance with the recommendations of the plan and national policy guidance. Site investigatory works will be undertaken to assess the ground conditions at the site. Further works will be undertaken on the footprint of the existing building following their demolition.
(d) the use of natural resources in particular, land, soil, water and biodiversity	There will be no significant use of natural resources. The main use of natural resources will be land. The subject lands are brownfield lands which are zoned appropriately for the use. The proposed development site extends to

	approximately c. 0.33 hectares, with the main source of waste anticipated to arise from demolition of the site. 3,000m^3 of soil will be removed from site. Other resources used will be construction materials which will be typical raw materials used in construction of residential developments. The scale and quantity of the materials used will not be such that would cause concern in relation to significant effects on the environment. The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment.
(e) the production of waste	The nature of the proposed use and the scale of development is such that its development would not result in a significant use of natural resources. Waste, pollution and nuisance generated by the development would be limited by virtue of the proposed residential use and limited scale and the development is proposed to be connected to the public water and waste water systems. Similarly, the nature and scale of the development is not such that it would lead to a likely creation of an accident risk or have an adverse impact on human health. There will be waste materials produced in the construction of the proposed scheme. Waste will be disposed of in a responsible manner using licensed waste disposal facilities and contractors. The scale of the waste production in conjunction with the use of licensed waste disposal facilities and contractors does not cause concern for likely significant effects on the environment. The accompanying Construction and Demolition Waste Management Plan prepared by AWN details the methodologies employed for the control, management, monitoring and disposal of waste from the site. This Plan also sets out the measures used during the operational phase of the development to maximise the quantity of waste recycled, by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the development. Having regard to the mitigation measures proposed, the production of waste will be limited in the proposed development.
(f) pollution and nuisances	The risk of pollution has been considered in Section 5 of the Construction Environmental Management Plan and within the AA Screening Report. There may be potential for dust and noise and vibration produced during the demolition and construction phases. This will be managed by ensuring construction work largely operates within the approved hours of construction. Standard dust and noise prevention mitigation measures as described in the Construction Environmental Management Plan prepared by DCON will be employed and monitored. As such, pollution and nuisances are not considered likely to have the potential to cause significant effects on the environment
(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	Standard construction practices will be employed throughout the construction phase. There are no technologies or substances to be used in the development which may cause concern for having likely significant effects on the environment. The subject lands are not proximate to any Seveso/COMAH designated sites. The subject lands are zoned under the Dublin City Development Plan and as such have been subject to a both Strategic Flood Risk Assessment and Strategic Environmental Assessment. A Flood Risk Assessment prepared by Waterman Moylan Engineers is included with this application to the Board and

	has not highlighted cause for concern in terms of flooding allowing for climate change.
(h) the risk to human health (for example due to water contamination or air pollution).	There is no impact on air pollution expected from the development outside of the potential dust impact during construction, and therefore the risk to human health is considered negligible in this regard. In terms of potential water contamination, interceptors will prevent pollutants or sediments from discharging into water courses. Standard mitigation measures will be employed in relation to all potential risks to human health arising during the construction phase as set out in the Construction Environmental Management Plan prepared by DCON. The development will be connected to the surrounding foul sewer and water utilities and treated to the appropriate standards at Ringsend Waste Water Treatment Plant. Surface water will enter Dublin Bay via the River Liffey after going through a 2 no. level treatment on-site filtration and attenuation prior to the public surface water system. As detailed in the accompanying Hydrological and Hydrogeological Qualitative Risk Assessment prepared by AWN Consulting foul wastewater contamination leading to a risk to human health will not occur as suitable treatment will occur at Ringsend Treatment Facility.

2. Location of the proposed development,

The environmental sensitivity of geographical areas likely to be affected by proposed development, with particular regard to:	**Response**
(a) the existing and approved land use;	The subject site comprises approximately 3,285sqm (c. 0.33has) of brownfield lands which are currently un-used. The subject site is zoned Z3, with an objective '*To provide for and improve neighbourhood facilities'*. 'Residential,' 'shop (neighbourhood),' 'restaurant' and recreational building and uses' are permitted under this zoning objective in the Dublin City Development Plan 2016-2022. The proposal is considered to be compatible with its immediate adjoining land uses, which are predominantly residential and zoned Z1 and Z2. The suitability of the site for residential development is established by its land use zoning for neighbourhood centre uses and residential. Existing built form on Dominick Street Upper ranges from 4 – 6 storeys in height. To the north, most areas are zoned Z2 '*To protect and/or improve the amenities of residential conservation areas'*, with green space zoned Z9. To the east, there are a combination of Z2 and Z1 zonings *'To protect, provide and improve residential amenities*'. A small number of Protected Structures occur in these locations, but none adjoin or overlook the site. To the south, Z1 residential land on Dominick Street Upper and Z9 green space at King's Inns Park separate the site from the King's Inns and Henrietta Street which are both zoned Z8 *'To protect the existing architectural and civic design character*' and are protected structures.

	To the east, beyond the immediate Z9 green space at Broadstone Park and Z1/Z2 residential land along Phibsborough Road, Broadstone bus depot is zoned Z10 *'to consolidate and facilitate the development of the inner city and inner suburban sites for mixed uses'*, indicating the likelihood of significant change to the urban landscape of this area in the future. In zoning the land for these uses, the Planning Authority will have thoroughly assessed the nature of the site in order to ascertain its capacity to accommodate such development. The size and design of the proposed development is not likely to cause significant effects on the environment. The development plan was subject to Strategic Environmental Assessment, which found that all the recommendations of the SEA and AA assessment have been integrated into the plan.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground.	As stated in the Ecological Impact Assessment, the site is generally low ecological value. There will be no significant likely effects on the environment in relation to natural resources in the area. This has been addressed above. There will be no significant loss of soil, land, water or biodiversity.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas:	The site is an unused infill site. It is located in the inner city and is surrounded by existing residential development and lands zoned for such a purpose. The nature of the proposed use is such that it is consistent with surrounding land uses and the scale and design of development proposed is also considered to be compatible with the existing environs of the site. A Bat Assessment was undertaken at the site (prepared by Brian Keeley, Ecologist) which confirms there are no bat roosts on the site. There are no features of significance in terms of wetlands, nature reserves, parks or areas protected under national or European legislation (Habitats Directive) that could be impacted by the proposed development. The site has been the subject of a screening for appropriate assessment and this concludes that the proposed development is not likely to have a significant impact on any European site.
(i) Wetlands, riparian areas and river mouths;	The proposed development is not within or directly connected to any wetlands, riparian areas and river mouths. There is no known pathway direct between the site and Wetlands, riparian areas and river mouths.
(ii) Coastal Zones and the marine environment;	The proposed development is not within or directly connected to any Coastal Zones. There is a pathway from the site via surface and wastewater flows to Dublin Bay via the River Liffey. There is no evidence to suggest that pollution through nutrient input is affecting the conservation objectives of the South Dublin Bay SPA. (we also refer to the AA Screening Report by Openfield and Hydrological and Hydrogeological Risk Assessment by AWN)
(iii) Mountain and forest areas;	The proposed development is not within or directly connected to any mountain or forest areas. There is no known pathway between the site and mountain or forest areas.
(iv) Nature reserves and parks;	The proposed development is not within or directly connected to any nature reserves or parks. There is no known pathway between the site and nature reserves or parks.
(v) Areas classified or protected under legislation,	The proposed development is not located within or directly adjacent to any SAC or SPA.

including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive;	
(vi) 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;	The site is not known to be located within or connected to such an area.
(vii) Densely populated areas; and	The proposed development is located on zoned lands within an existing built up area, with an established surrounding residential land use and other uses to support the same. The proposed land use is compatible with the zoning objectives and existing development and uses in the vicinity. The absorption capacity is not considered to be significantly affected.
(viii) Landscapes and sites of historical, cultural or archaeological significance.	The Hendrons Building has recently been included on the record of protected structures by Dublin City Council (no. 8783). The subject proposal includes the retention and reuse of the Hendrons Building as part of the scheme. The application includes a Architectural Heritage Impact Assessment prepared by Rob Goodbody and a Conservation Development Strategy prepared by Carole Pollard. Both reports demonstrate that the retention of the Hendrons Building is a significant benefit. Retention of the existing protected stone wall (no. 8483) is also proposed as part of the proposal . There are no known recorded archaeological monuments within the site boundary or indeed for several hundred metres. The application site lies outside of the Zone of Archaeological Potential for the City of Dublin. This is detailed further within the Archaeological Assessment prepared by Courtney Deery which accompanies this submission.
Conclusion	It is considered that the natural and built environment in this area has the capacity to absorb the proposed shared living development.

3. Type and Characteristics of Potential Impacts

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 Act, taking into account—	**Response**

(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);	The site size is c. 0.33ha. The site is located on a brownfield site in an urban location with an established residential land use. The works during the construction phase may have a minor impact on the immediate area, however, works will be carried out in accordance with the Construction Environmental Management Plan to ensure impacts are minimised. The works during construction or the operational phase are not of such a scale or extent that would be considered to be likely to cause significant effects on the relevant aspects of environment (specified in paragraph (b)(i)(I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act) with particular reference to the impacts on human health and the population in the vicinity. The nature of the site and the development is such that the impact on land and soils is likely to be negligible. With reference to drainage the nature of the development, and the implementation of standard mitigation measures, the development is considered not to give rise to a significant risk to water quality. The proposed drainage strategy accords with the Greater Dublin Strategic Drainage Study and incorporates SUDS elements to ensure discharge from the site to a surface water sewer adjacent to south-east. The proposal will result in an improved drainage outcome on the site. In relation to air and climate, and noise and vibration, there is the potential for impacts during the construction phase however given the nature and scale of the proposed development, it is considered that subject to construction mitigation and the use of good construction practices, environmental impacts under these headings will not be significant. Given these limited impacts, and the design and layout of the proposed development and relationship to surrounding properties and lands, it is not considered that the proposed development would have a significant negative impact in terms of material assets. There are a number of potential interactions between environmental factors that arise, notably between water and ecology and population and human health and air and climate and noise and vibration. Subject to best practice mitigation measures during the construction phase significant interactions are not considered likely or such as would give rise to likely significant additional environmental impacts
(b) the nature of the impact;	The construction impacts have potential to cause nuisance associated with noise, dust and traffic. The Construction Environmental Management Plan will put in place measures to avoid, reduce or mitigate impacts. With mitigation measures in place any impacts are likely to be short term, minor and local. The operational phase will result in the development of permanent residential accommodation and ancillary uses, compatible with the established predominant land use in the area. The proposed development will not give rise to any increase in traffic during operational phase.
(c) the transboundary nature of the impact;	There are no construction phase or operational phase transboundary impacts. Any minor impacts will be contained in the immediate vicinity of the site. The subject lands are not located on any geographical or other boundary of relevance to assessment of likely significant effects on the relevant aspects of the environment.

(d) the intensity and complexity of the impact;	The nature of the environmental impacts are not particularly complex or intense. The intensity and complexity of the construction phase is in keeping with modern construction projects and is localised. No significant negative impacts are likely. The operational phase of the development is moderate in scale and will be actively managed. No significant negative impacts are likely.
(e) the probability of the impact;	It is likely that minor impact will arise from noise and during the construction phase will occur. However, construction activity in an urban environment is entirely normal and working hours will be limited generally to hours set by condition or as otherwise agreed. All works carried out will be done so in accordance with approved management plans. In summary, some level of construction impacts on the relevant aspects of the environment is highly probable, but these will be mitigated by the implemented Construction Environmental Management Plan.
(f) the expected onset, duration, frequency and reversibility of the impact;	The construction impacts will commence within approximately 6 months of planning approval; they will be short-medium term, over a period of c. 2 years and restricted by planning conditions in terms of the hours of operation. The frequency of the minor impacts will vary throughout the construction phase; however, the impact is considered to be short term, local and minor. No permanent negative impacts on the relevant aspects of the environment are anticipated as a result of the construction phase of the project. No significant negative impacts are likely. The development will be occupied all year round and impacts will be irreversible.
(g) the cumulation of the impact with the impact of other existing and/or approved projects;	The subject site is zoned land designated for local neighbourhood uses and is surrounded by zoned lands. The development of lands in the area is to be expected, in the context of the Development Plan. It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the on the relevant aspects of the environment.
(h) the possibility of effectively reducing the impact.	Appropriate mitigation measures will be undertaken in order to reduce likely significant effects on the environment arising from the proposed development. Any mitigation measures to manage noise, dust and/or pollution during the construction phase will be implemented in accordance with the site specific construction management plan submitted with the application.