

**EIAR  
SCREENING  
REPORT**

**Development at  
Davitt Road,  
Dublin 12  
D12 C97T**

**On behalf of  
Durkan (Davitt Road) Ltd**

December 2018



Planning & Development Consultants

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## 1 INTRODUCTION

This Environmental Screening Statement is prepared as part of the planning application submission to An Bord Pleanála for a residential development of 265 build-to-rent units and associated communal facilities for lands at the Former Dulux Factory Site, Davitt Road, Dublin 12. This report is prepared and lodged on behalf of Durkan (Davitt Road) Ltd. 63 York road, Dun Laoghaire, Co. Dublin.

This Environmental Screening Report has been prepared to assess the potential impacts on the environment of the proposed build-to-rent scheme at the subject site.

The proposed development will comprise the demolition of the existing buildings on the site and the provision of 265 no. build-to-rent units over 4 no. blocks ranging in height from 3 no. storeys to 7 no. storeys and comprising a mix of 1-bed and 2-bed apartments. Total gross floor area equates to 26,509sqm.

The proposed development includes a reception, games room, business centre, gym, media centre, shared kitchen and a café. Internal amenity space amounts to a total of 1,024sqm. External landscaped amenity space is provided through a combination of internal courtyards and a public plaza connecting Galtymore Road with Davitt Road providing ease of access to the Goldenbridge LUAS stop. Play areas and recreational spaces including seating will be provided within these outdoor spaces and in combination with a roof terrace at fifth floor level a total of 3,356sqm of external amenity space is proposed.

A loading bay is intended at Davitt Road for the commercial units at this frontage. Vehicular access is via Galtymore Road directly to the underground car park. 540 bicycle spaces are proposed between ground and basement level with 120 car parking spaces with 5 shared vehicle space at underground level. All appropriate servicing, refuse storage and infrastructure is included within the application site.

This statement is prepared with direct input from the following design team:

- John Fleming Architects - Design Architects
- Kavanagh Burke – Consulting Engineers
- Altemar – Environmental Consultants
- ÁIT - Landscape Architects

This report will accompany the Strategic Housing development application for this site at the former Dulux Factory at Davitt Road, Dublin 12. The possible effect on the environment has been examined through the process of an EIAR Screening process which will be detailed below.

### 1.1 Purpose of this Statement

The purpose of this Environmental Screening Statement is to demonstrate that there is no requirement for the preparation of an Environmental Impact Assessment Report for the proposed development, subject of this planning application to An Bord Pleanála and to identify any environmental issues that might arise.

In addition, we note that this statement is prepared in line with the requirements of Section 6 of the General Guidance Notes of the pre-Planning Application form, which requires the following:

*“Please provide a brief description of possible effects on the environment, highlighting any aspect of the development likely to have (i) significant effects on the environment and (ii) significant effects on a European site:”*

Having regard to the discretionary power of An Bord Pleanála as regards sub-threshold development, it was agreed that it would be prudent for the Applicant to prepare an Environmental Screening Statement to further assist An Bord Pleanála on this issue.



## 2 Subject Site

The subject site is located at Davitt Road, Dublin 12 and is identified in Figure 1 below for the purposes of this report.



Figure 1 - Aerial Photo with site outlined in Red

The lands are located in Goldenbridge, Davitt Road, Dublin 12 and lie within the administrative boundary of Dublin City Council. The Grand Canal, Davitt Road and Red Line Luas bound the site to the north. Galtymore Road runs along the southern boundary of the site. There are existing residential land uses to the east, west and south of the subject site. The subject site covers c.0.8266ha of lands.

The site is rectangular in shape and slopes slightly from east to west. We note that the existing context provides for 3 access points along Davitt Road to the front of the site and 3 to the rear off the Galtymore Road.

We also note that site is centrally located with easy access to Dublin City Centre via public transport and walking or cycling.

The site is currently occupied by a number of industrial buildings that have been vacant for a number of years. The buildings on site are generally of concrete construction with metal clad lean to roofs. The existing buildings on site are warehouse type buildings of 2 storeys in height that stretch the entire length of the site and are constructed to the site boundary to the east with a setback from the boundary to the west of approximately 12 metres.

The site is bounded by the Galtymore Road to the south and Davitt Road to the north, directly beyond which lies the Luas Red Line stop at Goldenbridge.

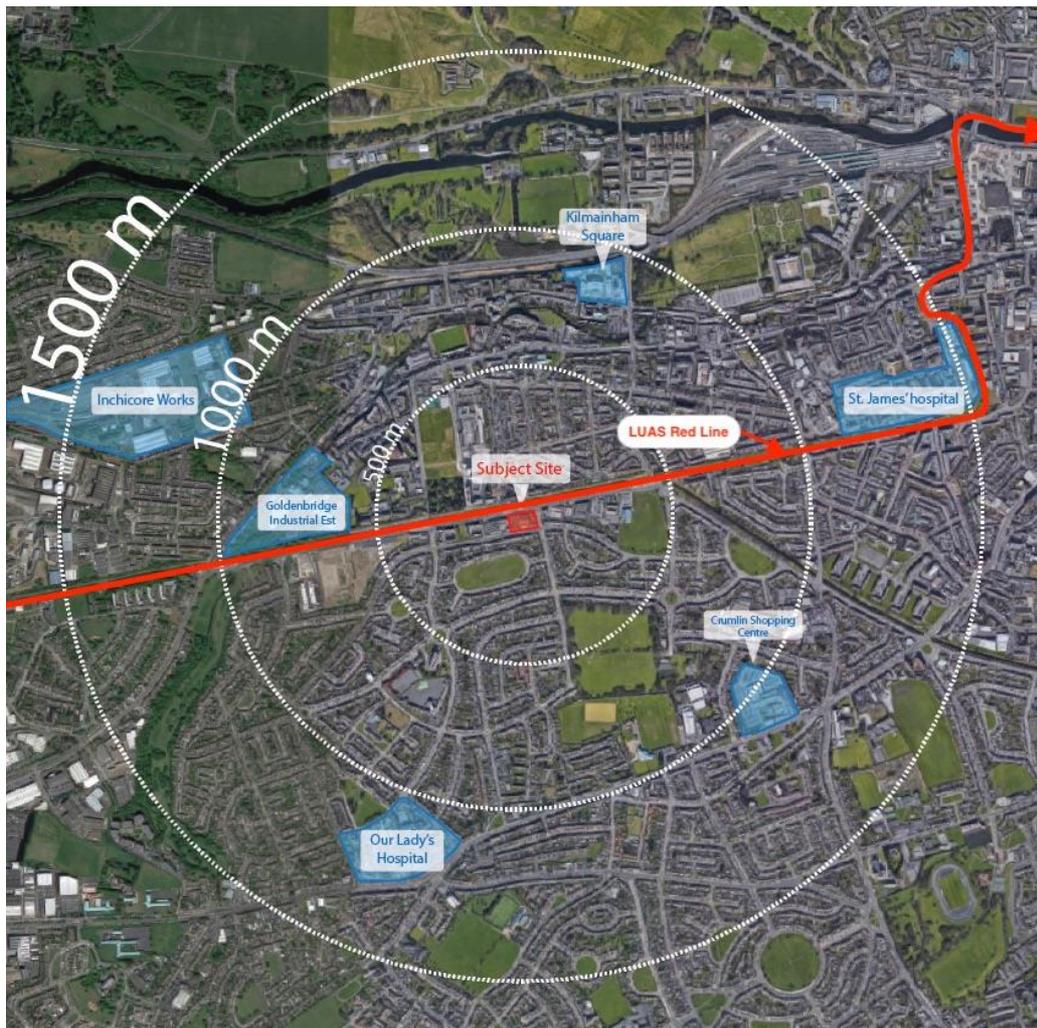
Residential development is the predominant land use in the area, with existing 2 storey detached and semi detached homes located at Galtymore Road to the south and Benbulbin Road to the east. A 3 storey apartment type residential development is located to the west of the subject site, which is also access via Galtymore Road and is set back approximately 10 metres from the site boundary.



There are a host of additional residential development in the area as well as St. James' Hospital to the east, our Lady's Hospital to the south west and Clonsilla shopping Centre to the south east.

The subject site is well served by public transport being directly adjacent to the Luas stop at Goldenbridge. The 123 Dublin Bus Route linking Marino to Walkinstown via the City Centre is operational from Galtymore Road immediately adjacent to the site with the 122 bus route operating from Mourne Road approximately 200m to the south of the site and the 13, 68 and 69 bus routes operating from Tyrconnell Road, 800m to the west.

Having considered the above, the subject site is considered to be opportunely located in the context of Dublin City and surrounding employment hubs such as St. James Hospital. It is our view that this infill site is considered a key development site that has the potential to deliver on much sought after rental properties and for the City of Dublin. The strategic location of the site is shown below.



*Employment Centres and Red Line LUAS in context of Site Location*



### 3 Description of Proposed Development

The current proposal seeks to provide the construction of a residential development comprising 265 build-to-rent units.

This level of development is one which, based on a review of strategic planning policy and following extensive consultation with Dublin City Council, is appropriate for the subject site. We understand that there is a focus on the need to increase densities on brownfield sites and a number of measures need to be balanced in the context of the surrounding built context and residential properties while maximising the use of serviced sites.

The extent of the layout of the proposal is provided in the figure below for the convenience of the Planning Authority.

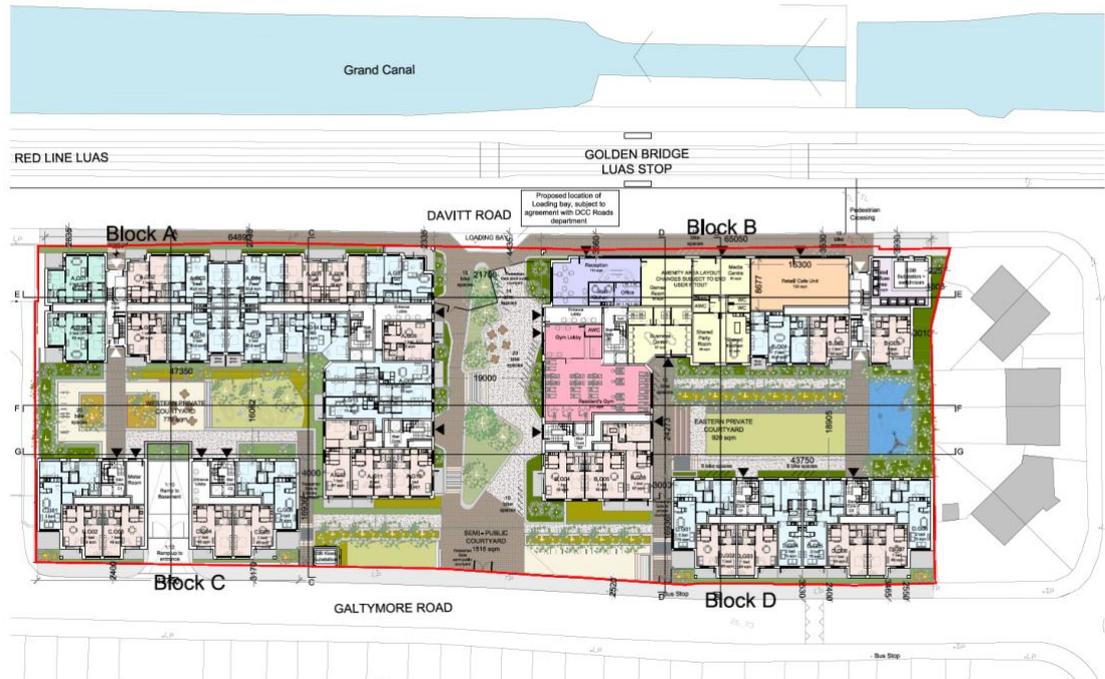


Figure 2 - Proposed Residential Ground Floor Layout

The proposal generally provides for the following:

- The construction of 265 build-to-let apartment units;
- These shall take the form of 127 x 1 bed units, 17 x 2 beds (3 person) units and 121 x 2 bed (4 person) units.
- 119 car parking spaces including provision for disabled car parking and electric vehicles (less than 1 Car Parking Spaces per dwelling due to the location of the site adjacent to public transport).
- Public Open Space area of 3,356sqm (c. 40.6% of the site area).
- Private Open Space in the form of private balconies.
- Heights of 3-7 Storeys.
- A range of communal facilities including:
  - Reception
  - Games Room
  - Business Centre
  - Gym



- Media Centre
- Shared Kitchen
- Café

We refer the Board to enclosed drawings prepared by John Fleming Architects for further details on this scheme.

We confirm that the proposed development has been designed within the context of the zoning objectives for the lands, the policies contained in the Statutory Development Plan and the established character of the surrounding area.

The layout of the scheme has been designed to provide a high quality built environment, with efficient use of land. The buildings have been designed around the principles of accessibility and connectivity, ensuring that new development will be linked successfully with Davitt Road and the surrounding environment.

### 3.1 Demolition

The existing buildings on the subject site will be demolished in accordance with best practices to avoid impacts on surrounding properties. Please see attached existing site layout drawings for more details. The floor area of each building to be demolished within the main site is as follows:

- Industrial Building 1: 2,130 sq.m;
- Industrial Building 2: 1,876 sq.m;
- Storage Shed: 142 sq.m;
- Total Demolition: 4,148 sq.m.

### 3.2 Access and Parking

It is proposed that the access into the development will be off Galtymore Road to the south of the site. This proposed access will provide access to the basement of the development as detailed on the Site Plan. Pedestrian access is provided at ground floor level from both Galtymore Road and Davitt Road.

As discussed in detail in other supporting documents with this application, a reduction in the number of car parking spaces is considered acceptable at the subject site. We refer to section 4.16 of the “Design Standards for New Apartments” as follows:

*“In larger scale and higher density development, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be wholly eliminated or substantially reduced”.*

We therefore submit to the Board that the proposed 120 car parking spaces for 265 apartments is acceptable in this instance.

The above sets out clear details of the scheme now before the Board. For further detail on the design rationale please refer to the architectural drawings, design statement, planning reports and the landscape drawings and report that accompany this application.



## 4 METHODOLOGY

In preparing this statement, we note that Environmental Directives, Guidance Documents and the relevant legislative context is considered as follows:

### 4.1 Environmental Directives and Guidance Documents

The screening report is prepared having regard to the requirements of:

- **Planning and Development Act 2000 (as amended)**
- **Planning and Development Regulations 2001 (as amended)**
- **Planning and Development (Housing) and Residential Tenancies Act 2016**
- **'Directive 2011/92/EU'**
- **'Directive EIA 2014/52/EU'**
- **Guidelines on the Information to be contained in Environmental Impact Assessment Reports, August 2018'**
- **'Government Circular PLo5/2018'**

We note at this point that Directive EIA 2014/52/EU amends EIA Law in a number of respects by amending Directive 2011/92/EU. The directive was required to be transposed to EU member states by 16 May 2017, necessitating changes in laws, regulation and administrative provisions across a number of legislative codes. This is being done to strengthen the EIA procedure and align procedure with principles of smart regulation and enhance coherence and synergies with other EU legislation. We note that regard must now be given to the new Guidance on the new EIAR procedure and requirements.

This Environmental Screening Report considers any relevant changes with regard to the screening procedure as detailed within the EIA Directive.

### 4.2 Legislative Context

The legislative context for screening remains as set out in the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations (2001-2018).

We note specifically that Schedule 5, Parts 1 and 2 of the *Planning and Development Regulations, 2001-2018* set out the types of projects and thresholds that require an *Environmental Impact Assessment* (EIA), now known as an *Environmental Impact Assessment Report* (EIAR) to be undertaken.

The competent authority in this instance is An Bord Pleanála who can also require an EIAR where a project is below the specified threshold<sup>1</sup> and where there is a likelihood of significant effects on the environment by reference to the nature and location of the proposed project. The criteria for determining whether a development is likely to have significant effects on the environment is set out in Schedule 7 of the *Regulations* and more recently in Annex IIA of the 2014 EIA Directive (EIA 2014/52/EU). These are assessed in detail in Section 3 below.

### 4.3 Proposed Development is Sub-Threshold

The development site is located at the Former Dulux Factory Site, Davitt Road, Dublin 12. The proposal envisaged for the site provides for 265 residential build-to-let units, and associated

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<sup>1</sup> 'sub-threshold development' means development of a type set out in Schedule 5 which does not exceed a quantity, area or other limit specified in that Schedule in respect of the relevant class of development.



communal facilities and is considered sub-threshold having regard to the following Class of development as set out in the Regulations under Schedule 5, Part 2:

10. Infrastructure Projects

“(b) (i) Construction of more than **500 dwellings**”

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, **10 hectares in the case of other parts of a built up area** and 20 hectares elsewhere

(In this paragraph, business district means a district within a city or town in which the predominant 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.”

It is evident from the above that the proposal (265 build-to-let units and associated communal facilities on a site of 0.8266 ha with a total of 4,148sqm of demolition) is sub - threshold development for the preparation of an EIAR.

A Construction Environmental Management Plan by Altemar Marine & Environmental Consultants and makes provision for the safe and efficient disposal of material from the site. Due to the site's previous use as the Dulux Paint Factory, it is possible that some hazardous materials will be encountered at this location. Site investigatory works will be undertaken to assess the ground conditions at the site.

Having regard to the discretionary power of An Bord Pleanala as regards sub-threshold development, it is considered prudent for the Applicant to prepare an Environmental Screening Statement to further assist An Bord Pleanala in making a determination on whether a sub-threshold development would or would not be likely to have significant effects on the environment.

No. 15 of Part 2 of Schedule 5 of the Planning and Development regulations 2001 relates to projects likely to have a significant effect on the environment having regard to Schedule 7. The following sections and the 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. This criteria for determination of this matter are now outlined in Section 5 below.



## 5 CHANGES TO THE SCREENING PROCESS

The new Directive (EIA 2014/52/EU) requires the applicant to provide certain information, to allow An Bord Pleanála carry out proper screening to determine if an EIAR report is required.

This information is listed in Annex IIA of the Directive and is as follows:

*“1. A description of the Project, including in particular:*

*(a) A Description of the physical characteristics of the whole project and, where relevant, of demolition works.*

*(b) A description of the location of the project, 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 project.*

*3. A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from:*

*(a) The expected residues and emissions and the production of waste, where relevant;*

*(b) The use of natural resources, in particular soil, land, water and biodiversity.”*

*The criteria of Annex III shall be taken into account, where relevant, when compiling the information in accordance with Points 1 – 3 above.*

*These are now revised to read as follows:*

**1. Characteristics of the Proposed Development;**

- The size and design of the whole project;
- Cumulation with other existing and/or approved projects;
- The use of natural resources, in particular land, soil, water and biodiversity;
- The production of waste;
- Pollution and nuisances;
- 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;
- The risks to human health (for example due to water contamination or air pollution).

**2. Location of the Proposed Development; and**

The environmental sensitivity of geographical areas likely to be affected by proposed development, with particular regard to:

- The existing and approved land use;
- The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- The absorption capacity of the natural environment, paying particular attention to the following areas:
  - Wetlands, riparian areas, river mouth;
  - Coastal zones and the marine environment;
  - Mountain and forest areas;



- Nature reserves and parks;
- Areas classified or protected under national legislation; Natura 2000 areas designated by member States pursuant to Directive 92/43/EEC and Directive 2009/147/ec;
- Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
- Densely populated areas;
- Landscapes and sites of historical, cultural or archaeological significance.

### 3. Type and Characteristics of the Potential Impacts

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 above, with regard to the impact of the project on the factors specified in Article 3 (1), taking into account:

- The magnitude and spatial extent of the impact (for example the geographical area and size of the population likely to be affected);
- The nature of the impact;
- The trans-boundary nature of the impact;
- The intensity and complexity of the impact;
- The probability of the impact;
- The expected onset, duration, frequency and reversibility of the impact;
- The cumulation of the impact with the impact of other existing and or approved projects;
- The possibility of effectively reducing the impact.



## 6 SCREENING ASSESSMENT

In order to assist An Bord Pleanála in deciding if significant effects on the environment are likely to arise in the case of development proposed in this case, the project is described in the following sections under each of the three aforementioned headings in Section 5 above and as referenced in Annex III of the EU Directive 2014/52/EU.

### 6.1 Characteristics of Proposed Development

We note the following in this regard:

#### 6.1.1 The Size and Design of the Whole Project

The development will consist of 265 Build to Rent units in 4no. 3-7 storey blocks. The development will include a retail/café unit, a resident's gym, 120 no. car parking spaces, internal semi-public paths, public and private open spaces and all communal facilities (including refuse and bike parking). The breakdown of units is as detailed below.

Block A – Comprises a total of 107 units as follows:

- a) 43 no. 1 bed apartments;
- b) 11 no. 2 bed 3-person apartments;
- c) 53 no. 2 bed 4-person apartments.

Block B – Comprises a total of 99 units as follows:

- a) 46 no. 1 bed apartments;
- b) 6 no. 2 bed 3-person apartments;
- c) 47 no. 2 bed 4-person apartments.

Block C – Comprises a total of 30 units as follows:

- a) 20 no. 1 bed apartments;
- b) 10 no. 2 bed 4-person apartments.

Block D – Comprises a total of 29 units as follows:

- a) 18 no. 1 bed apartments;
- b) 11 no. 2 bed 4-person apartments.

Each unit in Block A, B, C & D has associated private open space in the form of a ground floor terrace or a balcony, along with dedicated communal open space. Two large private courtyards of c.920sqm and of c.770sqm incorporating children play areas are also located between block A & C and blocks B & D for the benefit of all residents of the 4 blocks. A central semi-private open space of c.1,516sqm and pedestrian link is also provided connecting Davitt Road and Galtymore Road.

Block B provides communal facilities and amenities for all residents comprising a reception, media centre, gymnasium, games room, business centre, shared party room, shared kitchen, and a retail/café unit. A communal lounge is proposed at fifth floor level of Block A with a balcony on the north, south and western elevation.

The development will have 1 no. vehicular access to basement level from Galtymore Road. Pedestrian access will be provided from both Galtymore Road and from Davitt Road. The associated site and infrastructural works include foul and surface water drainage, attenuation



tanks, landscaping, boundary fences, ESB Substations and internal hard landscaping including footpaths.

An architectural and masterplanning design statement has been prepared by John Fleming Architects and is included herewith for further detail on the design of the scheme.

The subject proposal is suitably located to make best use of existing resources and services including connections to existing utilities. The land is located in an urban context, disconnected from any sensitive biodiversity and no significant effects on the environment are forecast in this regard.

#### **6.1.2 Cumulation With Other Existing and or Approved Projects**

##### **The Site**

There is no significant or relevant planning history available for the subject site.

The current application is a new proposal for a site that is currently occupied by the Former Dulux Paint Factory. The majority of the site has been a vacant industrial/warehousing unit for a number of years.

There is a limited planning history available for the subject site with the original industrial use application for the site considered a historical planning file at this stage. The original application for the site is unlikely to provide any major indication of the current development parameters for the site. The following is the only planning file available for the site from Council's online resources.

#### **6.1.3 DCC Reg. Ref. 3126/03 ABP Ref. PL29S.205007:**

In August 2003 O2 Communications applied for the following development:

*O2 Communications (Ireland) are seeking planning permission to erect a 6m steel lattice structure containing a total of 6 GSM/UMTS antennas and No.1 transmission link dish -- all shrouded, plus associated equipment units at Dulux Paints, Ireland, Davitt Road, Drimnagh, Dublin 12.*

The application was granted permission by DCC and by An Bord Pleanála following an appeal. Condition 2 of the final grant by the board is worth noting:

*This permission is for a period of five years from the date of this order. The telecommunications structure shall then be removed as soon as practicable unless, prior to the end of the period, planning permission shall have been granted for its retention for a further period.*

There is no record of a more recent application for this site.

##### **The Surrounding Area**

The following represents the relevant planning history surrounding the subject site:

#### **6.1.4 Reg. Ref. 3051/15:**

This was an application on the site to the east, at the former Heidelberg/Miller Building, Davitt Road, Dublin 18, for the following development:

*Permission for development on a site of c.Q.38Ha. at the former Heidelberg/Miller Building, Davitt Road, Dublin 12. The proposed development shall provide for the demolition of the former Heidelberg/Miller building on site (2,742 sq m) and the construction of a mixed use development (total GFA c. 6,542 sq m incl. plant) of 3-4 storeys in height over 2 blocks comprising office accommodation (c.3,397 sq m); a retail unit (c. 175 sq m); and 25 residential units (c.2,465 sq m). Overall the residential component shall provide for 16 no. apartment units and 9 no. duplex units in the*



*form of 3 no. 1 bed units (c. 55 sq m); 15 no. 2 bed units (c.81-90 sq m); and 7 no. 3 bed units (c. 101-103 sq m), all with associated balcony/terrace areas. Block A (4 storeys) shall provide for 10 no. office units (ranging in size from c.97 sq m - 423 sq m), 1 no. retail unit (c. 175 sq m); and 12 no. apartments. Block B (3 storeys) shall comprise 9 no. duplex units and 4 no. apartments. The development shall also provide for 43 no. car parking spaces, 72 no. bicycle parking spaces, plant area, storage areas, male and female changing facilities and waste storage areas, all at basement level; c.1,273 sq m public open spaces; access via Davitt Road; and all associated site development works.*

Having reviewed this planning context and the predicted environmental impacts of the subject proposal, we are of the professional opinion that the development now proposed does not, when considered with the cumulative context, trigger the requirement for an EIAR. We note specifically that there are no recent applications in the area that will have environmental impacts from a cumulative perspective.

#### **6.1.5 The Use Of Natural Resources**

During operational stage, the only potential natural resources utilised will potentially be natural gas and water in quantities applicable to the daily operation of the new dwellings and associated communal facilities.

Land, soil and biodiversity are not considered to feature as natural resources used at operational stage and therefore are not expected to be environmentally impacted by the subject proposal.

#### **6.1.6 The Production Of Waste**

The principal objective of sustainable resource and waste management is to use material resources more efficiently and to reduce the amount of waste requiring final disposal. However, where residual waste is generated, it should be dealt with in a way that follows the national waste hierarchy and actively contributes to the economic, social and environmental goals of sustainable development.

During the construction stage, quantities of construction and demolition related waste will arise. Any waste arising will be re-used, recycled or sent to a licensed waste facility.

During operational stage, the proposed development will not result in the production of any waste over and above waste generated by residents. This waste will be re-used, recycled or sent to a license waste facility.

We confirm for An Bord Pleanala that this application is accompanied by the following waste documents:

- Construction Environmental Management Plan (including an outline Waste Management Plan) prepared by Altemar Environmental Consultants.

This document clearly sets out how waste will be managed during construction and operational stages of the project and no significant environmental impacts are expected in this regard.

#### **6.1.7 Pollution and Nuisances**

The potential sources of pollution from the proposed development will be emissions to air, water, and noise pollution during the construction phase primarily. This will be managed through established construction management practices during standard working hours.

The following is proposed in terms of services:



### **Water**

Water Supply to 265 units is proposed by connection to the existing Local Authority 450mm watermain at Davitt Road. A 150mm diameter water main will be provided throughout the proposed site with water meter and sluice valves as shown on the Watermain Layout drawings attached.

### **Surface Water Drainage**

The existing Local Authority drainage records indicate 3No. surface water runs along the proposed development boundary. The closest to the subject site are the existing 450mm pipe on Davitt Road and a 375mm concrete pipe on Galtymore Road. It is proposed to connect the restricted discharge from the SW network to the 450mm existing pipe on Davitt Road, as directed by Dublin City Council.

The surface water runoff generated from the proposed development is divided into 2 No. catchments within the overall site. This approach has been adopted due to the surface water outfall location level and to allow a crown connection to the existing 450mm pipe. These 2 No. surface water catchments are noted on the accompanying Drainage Layout drawings by Kavanagh Burke. The runoff from the impermeable areas will be collected in a) slung drainage runs suspended from the underside of the ground floor slab and b) on ground floor level within the external courtyard area and will flow to 2 No. proposed reinforced concrete surface water attenuation tanks #1 & #2 (as indicated on drawing ref. D1546-D1). Attenuation tank #1 is proposed to be constructed at a rear landscape area to the South of the Block A & B, while attenuation tank #2 is proposed to be constructed in the courtyard between Block B & D.

### **SUDS**

SUDS measures include:

- Green Roofs
- Permeable Paving
- Attenuation Proposals

### **Foul Water Drainage**

The existing Local Authority drainage records (refer to the Kavanagh Burke drawing ref. D1546-D3) shows 2no. foul sewer lines along the site's southern and northern boundary: a 300mm foul sewer is located at the South of the Site on Galtymore Road and a 1500mm combined sewer is located at the North of the Site on Davitt Road.

### **Air & Noise**

There are no envisaged air or noise emissions arising from the residential proposal at this site other than noises arising from construction and operational traffic associated with the development.

Standard dust and noise mitigation measures as per standard development permissions will be employed and monitored on site to ensure any negative impacts are appropriately mitigated. It is our considered view that the above are not considered to be material or significant in terms of the impact on the environment.



### 6.1.8 Risks

There is a new requirement under the 2014 EIA Directive to consider 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. In addition, the risks to human health (for example due to water contamination or air pollution) should be considered.

The technologies involved for the proposed development are low risk and common in all residential developments. Fire evacuation procedures and various health and safety and operational protocols will be implemented to ensure that the risk of accidents is minimised.

In terms of Flood Risk, we note that there is a detailed and site - specific assessment prepared by JBA, which is submitted herewith for reference.

It is our considered view that there will be no risks to Human Health as a result of the proposed development nor are there any risks of major accidents or disasters as a result of climate change.

## 6.2 Location of The Proposed Development

The proposed development will be located on a brownfield site at the former Dulux Paint Factory Site, Davitt Road, Dublin 12. The site is identified by the relevant statutory context as being capable of accommodating residential development of the form and quantum currently proposed, by way of the residential zoning governing the site.

There are no Natura 2000 sites immediately adjacent to the subject site. We note however that this planning application is accompanied by an Appropriate Assessment Screening Report prepared by Altemar Environmental Consultants, which addresses the matter of Natura 2000 sites in detail.

In terms of land and soil, the site has already been developed with no major land or soil impacts expected beyond what has already occurred on site. The AA Screening Report submitted herewith addresses considerations in terms of potential impacts on European sites arising from the proposed development. Ecological Impacts are also considered in the AA screening report, which addresses issues in relation to biodiversity.

The Grand Canal, Davitt Road and Red Line Luas bound the site to the north. Galtymore Road runs along the southern boundary of the site. There are existing residential land uses to the east, west and south of the subject site. We note that the existing context provides for 3 access points along Davitt Road to the front of the site and 3 to the rear off the Galtymore Road.

We also note that site is centrally located with easy access to Dublin City Centre via public transport and walking or cycling.

Having considered the above, the subject site is considered to be opportunely located in the context of Dublin City and surrounding employment hubs such as St. James Hospital. It is our view that this infill site is considered a key development site that has the potential to deliver on much sought after rental properties and for the City of Dublin..

The site is of no particular conservation or archaeological merit.

Established construction management measures to prevent any material entering the local drainage systems will minimize any discharge during construction and effectively minimize any impacts on environmentally sensitive sites. It is therefore our considered view that there are no environmentally sensitive elements in the immediate geographical areas, which will be affected by proposed development.

### 6.2.1 Absorption Capacity of the Natural Environment

Section 2(c) of Annex III of the 2014 directive requires the assessment of the absorption capacity of the natural environment, paying particular attention to a number of areas including

- (i) wetlands, riparian areas, river mouths;



- (ii) coastal zones and the marine environment;
- (iii) mountain and forest areas;
- (iv) nature reserves and parks;
- (v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;
- (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
- (vii) densely populated areas;
- (viii) landscapes and sites of historical, cultural or archaeological significance.

#### **Wetlands, Riparian Areas, River Mouths**

The proposed development is not within or directly connected to wetlands, riparian areas or river mouth. There is no known pathway between the site and these areas.

#### **Coastal Zones and the Marine Environment**

The proposed development is not within or directly connected to coastal zones or a marine environment. There is no known pathway between the site and these areas.

#### **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 these areas.

#### **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 these areas.

#### **Protected or Natura 2000 Sites**

An Appropriate Assessment Screening Report is attached to this application. The subject site is 6.4km from the nearest protected site and therefore will not have any negative impacts in this regard.

#### **Sites that have already failed to meet Environmental Standards**

The site is not known to be located within or connected to such an area.

#### **Densely Populated Areas**

The subject proposal is the appropriate densification of a well located site that is well served by public transport. The redevelopment of this brownfield site will provide build-to-rent accommodation at a highly accessible location. The site is zoned Z1 land use and this use is compatible with the existing development and uses in the vicinity. Therefore the proposed residential development is not expected to have any significant effects on the environment in relation to densely populated areas.

#### **Landscapes and Sites of Historical, Cultural or Archaeological Significance**

The lands are not within or directly proximate to any Architectural Conservation Area, Protected Structure or site of any known cultural or archaeological significance and therefore no environmental impacts are expected in this regard.

### **6.3 Other Considerations of Significant Likely Effects**

Two of the three headings under which the criteria for determining if a sub threshold development is likely to have significant effects on the environment. Two of these headings have already been discussed and assessed, however before proceeding to the third heading, which is the consideration of potential impacts, it is considered appropriate to take a holistic approach and



assess the proposed development briefly under the sections required when submitting an EIAR under Directive 2014/52/EU. This approach will assist in identifying any possible significant effects on the environment that have not previously been identified.

### **Population & Human Health**

There may be possible short term construction impacts on human beings in the form of noise and dust pollution from activities on site. These are not likely to be at such a quantity or of such a significance that would warrant the completion of a sub threshold EIAR. Noise and dust pollution will be subject to standard construction mitigation measures as are typical on all construction sites.

The proposed build-to-rent scheme in the vicinity of Dublin City centre will increase the residential rental stock in close proximity to employment centres and Dublin City Centre. It will deliver a high quality and professionally managed rental accommodation scheme at a highly accessible location.

There are no operational impacts that would be likely to cause significant effects on the environment in terms of population and human health. On the contrary the overall impact will be positive to allow for residential accommodation supply in an accessible location.

### **Biodiversity**

There are no Natura 2000 sites within a 2km radius of the site and the site does not support any species or habitats of interest.

All discharges from the proposed development will have to comply with Dublin City Council planning conditions and Water Pollution Acts. The Grand Canal is a proposed Natural Heritage Area (pNHA) and is located 25 metres to the North of the proposed development, on the far side of Davitt Road and the Luas, with no direct hydrological connection. A dust management strategy will be in place. The proposed works are not hydrologically linked to watercourses which could act as a vector for downstream impacts to Natura 2000 sites.

The Ecological Assessment carried out by Altemar Environmental Consultants notes there are no species of note on the subject site. We refer An Bord Pleanála to the attached Appropriate Assessment Screening Report by Altemar Consultants for full details.

### **Lands and Soil**

A site and ground investigation will be undertaken prior to construction works to ascertain the quality and content of the land on site. It is not likely that any significant effects on the environment with regard to soils and/or geology will arise from the subject development given appropriate connections to public foul, storm and water services.

### **Water**

The proposed development is located an appropriate distance from any significant waterways that may cause concern and does not include any connections to the Grand Canal located 25m to the north of the site. It is considered that in relation to water, there are no anticipated significant effects on the environment arising from the proposed development given appropriate connections to water services infrastructure in the area.

### **Air & Climate**

The construction process will have unavoidable minor impacts in relation to air quality during some construction processes on site. These impacts will be appropriately mitigated as part of established construction mitigation practices. It is considered that there will be no negative impact on the climate that would be likely to have a significant effect on the environment during construction or operational phases.

### **Noise & Vibration**

Some minor noise and vibration impacts are expected during the construction phase. Standard construction mitigation measures will appropriately manage any impacts during the construction phase. It is not expected there will be any significant impacts during the operational phase.



### **Landscape**

A detailed landscape plan has been submitted with this application and it is submitted that the overall development will have a positive impact on the landscape features of the site when compared with the current situation.

There are no designations of a landscape nature for the subject site and the site will not impact on any designated views or prospects with the Dublin City Development Plan 2016-2022. It is not considered that there will be likely significant effects on the environment effects on the environment in relation to landscape.

### **Material Assets**

The subject site is considered to be a material asset. It has been zoned for residential development through the appropriate statutory process, and as such, the use of this material asset in a manner compatible with the zoning designation is considered appropriate.

### **Archaeology, Architecture and Cultural Heritage**

As referred to earlier in this assessment, the subject site is not located close to any protected structure or Architectural Conservation Area. The site is not located within an area of archaeological interest and therefore is not expected to have any impacts on archaeology, architectural or cultural heritage.

### **Interaction of Foregoing**

Any of the impacts identified above are considered to be minor in nature and would not in themselves be considered significant nor would they cumulatively result in a likely significant effect on the environment.

A requirement of Directive 2014/52/EU is that the impact on climate change is assessed under each of the EIA/AIAR chapter headings. The subject proposal will not have any likely significant impacts on the environment in terms of each of the chapter headings, individually or cumulatively.

## **6.4 Type and Characteristics of Potential Impact**

The likely significant effects of proposed development in relation to criteria set out under Section 5 above have been considered.

It is our view that there are no likely significant effects envisaged for this proposal. However, for the purposes of clarity we have addressed the likely significant effects on the environment under the headings provided at point 3 (a)-(h) of Schedule 7 of the Planning and Development Regulations and at Annex III of the EU Directive 2014 as follows:

- “(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),*
- (b) the nature of the impact,*
- (c) the transboundary nature of the impact,*
- (d) the intensity and complexity of the impact,*
- (e) the probability of the impact,*
- (f) the expected onset, duration, frequency and reversibility of the impact,*
- (g) the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the 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, and*
- (h) the possibility of effectively reducing the impact. “*

The subject proposal is now assessed under each of these headings as follows.



### **Geographical Area and/or size of Population**

We note specifically that the geographical area affected in this case will only be the extent of the site boundary subject of the application and the effect here is not considered significant. The proposed development is located in an urban setting. The proposed uses are consistent with land in such a location and represent a high quality and more compatible land use than what was previously on the site. The proposed works during the construction phase have the potential to have a minor impact on the surrounding area, however appropriate setbacks and appropriate mitigation measures will reduce any negative effects to a imperceptible level and will not have effects on the environment in the geographic area or on any considerable quantum of population in the vicinity.

### **The Nature of the Impact**

Any expected impacts are expected to be minor in nature and can be appropriately mitigated to reduce impacts on the surrounding environment. The majority of the impact is expected to be during the construction phase, which can be appropriately managed through established construction management practices.

### **The Transboundary Nature of the Impact**

Any impacts from the site are expected to be minor in nature and will be consciously contained within the boundaries of the subject site.

### **The Intensity and Complexity of the Impact**

The proposed development and any associated minor impacts are not of any significant intensity or complexity such that would be likely to cause effects on the environment.

The residential use proposed is not considered intense. Rather this is the existing use on lands to the far east and west of the site.

### **The Probability of the Impact**

Any expected impacts are expected to be minor in nature and can be appropriately mitigated to reduce impacts on the surrounding environment. The majority of the impact is expected to be during the construction phase, which can be considered to be likely but can be appropriately managed through established construction management practices.

### **Onset, Duration, Frequency and Reversibility of the Impact**

Any of the minor impacts identified would occur during the construction phase, there are no significant negative impacts considered to occur during the operational phase as the frequency of vehicular travel to and from the site on a daily basis will be minor. The frequency will vary throughout the construction phase; however, the impact is still not considered to be significant. The minor impacts will be temporary so will be reversible. The construction of the development is on industrial land and the development would be reversible to its present state if required.

### **Cumulation of the Impact on Approved or Existing Projects**

The subject site is zoned land designated for residential use. Build-to-rent accommodation falls under this use and is therefore considered acceptable at the location. The development and regeneration of land is to be expected in an urban context. The scale of the proposed scheme and any other permitted schemes in the vicinity are not such that the characteristic of any potential impacts in culmination with each other are likely to cause significant effects on the environment.

### **Possibility of Reducing the Impact**

Mitigation measures to manage noise, dust and/or pollution during the construction and operational phases are subject to standard policies and practices and will effectively reduce the minor impacts associated with the development.

In terms of the **Appropriate Assessment Screening Report (prepared by Altemar Environmental Consultants)** accompanying this request, we note the following concluding point:



*“The proposed site is located in an urban environment 6.4 km from the nearest Natura 2000 site. Watercourses and surface runoff are seen as the main potential vectors for impacts on Natura 2000 sites. Drainage on site will not be connected to the canal or any watercourse that could act as a vector to Natura 2000 sites. The site clearance, demolition, construction and operational aspects of the development will have to comply with City Council compliance conditions. All works will be carried out in compliance with Local Government (Water Pollution) Acts 1977- 1990. As a result no significant effects on Natura 2000 sites are likely.*

In terms of the Ecological Impact Assessment (prepared by Altemar in the AA Screening Report), we note the following concluding point:

*“Biodiversity on site was poor with opportunist species such as buddleia (*Buddleja davidii*) and common ragwort (*Senecio jacobaea*), present in several locations. Some scrub was present outside on the perimeter of the site and it may form a small nesting resource for birds. No flora or fauna of conservation importance were noted on site. No records of threatened or legally protected plant species are known to occur within the site.”*

It is having considered the above that the proposal in this case will not give rise to any significant impacts and is acceptably screened out for the requirement of a full Environmental Impact Report.



## 7 ASSESSMENT FINDINGS

On the basis of the assessment undertaken in Section 6 above, it is our view that the proposed residential development in this case does not warrant the preparation of an EIAR.

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.

It is considered that a sub threshold EIAR is not required for the proposed residential development at the subject site for the following reasons as set out in detail this screening exercise:

- The proposal falls significantly below the thresholds of Schedule 5 of the Planning and Development Regulations 2001 (as amended);
- The site makes optimum use of a brownfield land resource and utilises existing servicing provision;
- The development will be connected to public services such as water, foul and storm sewers;
- The site will not be directly hydrologically connected to any protected environmental sites. Surface water is to be directed through the public surface water system. Surface water will be subject to oil and hydrocarbon filters and attenuated in the proposed surface water system for the proposed scheme;
- The proposed drainage strategy will contribute to improved retention of surface water on site;
- Standard construction practices can be employed to mitigate any risk of noise, dust or air pollution;
- No identified impact in this screening exercise, cumulatively or individually is considered to likely cause significant effects on the environment.

We trust that An Bord Pleanála will share this view and we trust that a formal record of the decision of An Bord Pleanála in this instance will be put on a public file.