

Amendments to Permitted SHD on GA3 lands (Reg. Ref.: ABP-311016) at Baldoyle, Dublin 13

Screening for the Requirement for Environmental Impact
Assessment

BSM

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**Brady Shipman
Martin**

**Built.
Environment.**

Environmental Assessment **Built Environment**

Client:

The Shoreline Partnership

Date:

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Project Name: Amendments to Permitted SHD on GA3 lands (Reg. Ref.: ABP-311016) at Baldoye, Dublin 13

Report Name: Screening for the Requirement for Environmental Impact Assessment

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1 Introduction

The Shoreline Partnership (the applicant) is seeking permission for a Large-scale Residential Development (LRD) comprising amendments to a permitted Strategic Housing Development (SHD) on GA3 lands (ABP Reg. Ref. 311016) with an overall site area of 6.89ha at Baldoye (formerly known as 'The Coast'), Dublin 13. The proposed amendments subject to this LRD application relate to a site area of 3.23ha within the wider permitted landbank.

1.1 Statement of Purpose

Brady Shipman Martin (BSM) has been appointed by the applicant to prepare this report to assist the competent authority in undertaking a Preliminary Examination / Screening for the requirement for Environmental Impact Assessment (EIA).

1.2 Qualifications

The screening report has been prepared by Thomas Burns a Partner, Landscape Architect and Environmental Planner with Brady Shipman Martin. Thomas has a B.Agr.Sc. (Landscape) degree and a post-graduate Diploma in Environmental Impact Assessment Management from University College Dublin, and an Advanced Diploma in Planning and Environmental Law from King's Inn. Thomas has over 30 years' experience in EIA and is a member of the Irish Landscape Institute and the Irish Environmental Law Association.

2 Background & Methodology

2.1 Legislation

The key statutory instruments of relevance to the EIA screening exercise are as follows:

- Directive 2014/52/EU, amending Directive 2011/92/EU, on the assessment of the effects of certain public and private projects on the environment;
- Planning and Development Act 2000-2023 ('PDA 2000'); and
- Planning and Development Regulations 2001-2022 ('PDR 2001').

2.2 Guidelines

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

- Department of Housing, Planning and Local Government (DoHPLG, 2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*.

- Environmental Protection Agency (EPA, 2022). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports*.
- European Commission (EC, 2017). *Environmental Impact Assessment of Projects – Guidance on Screening*.
- Office of the Planning Regulator (OPR, 2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening*.

2.3 Legislative Context

The original EIA Directive (Directive 85/337/EEC) came into force in 1985 with the objective “to ensure a high level of protection of the environment and of human health, through the establishment of minimum requirements for the environmental impact assessment of projects”¹.

The EIA Directive was amended in 1997, 2003 and 2009, and subsequently codified by Directive 2011/92/EU. The 2011 codified directive was itself amended by Directive 2014/52/EU (the ‘EIA Directive’). The EIA Directive is transposed into Irish legislation by the Planning and Development Act 2000 as amended (PDA 2000), and the Planning and Development Regulations 2001 as amended (PDR 2001).

Part 1 of Schedule 5 of the PDR 2001 lists the classes of development for which an EIA is a mandatory requirement. Part 2 of Schedule 5 sets specific thresholds for classes of development at or above which an EIA is also a mandatory requirement. Where a project is not of a class of development listed in either Part 1 or Part 2 of Schedule 5, an EIA is not required and screening for the requirement, or not, for an EIA is not required.

‘Sub-threshold development’ refers to a development of a class listed in Part 2 of Schedule 5, which does not meet or exceed (i.e. is below) the stated threshold. Such developments are subject to screening for the requirement for a ‘sub-threshold EIA’.

Schedule 7A of the PDR 2001 sets out the information to be provided by the applicant for the purposes of screening sub-threshold development for an EIA (refer to Appendix 1).

Schedule 7 of the PDR 2001 sets out the criteria for determining (by the competent authority) whether development listed in Part 2 of Schedule 5 should be subject to an EIA.

¹ Section 41 Directive 2014/52/EU

3 Understanding the ‘Project’ for the purposes of EIA

3.1 Description of Proposed Development

The proposed development consists of amendments to a SHD residential development previously permitted under ABP Reg. Ref.: 311016 on GA3 lands at Baldoye (formerly known as ‘The Coast’), Dublin 13. The site is bounded by Racecourse Park lands to the north, by lands referred to as Growth Area 2 (GA2) to the east, by lands referred to as Growth Area 1 (GA1) to the south, with the Dublin-Belfast railway line to the west and Clongriffin Train Station to the south-west.

The proposed amendments, which relate to a site area of c.3.23 hectares within the wider permitted 6.89 hectares of the permitted SHD, consist of:

- Reduction in building height of Block E1 from an 8 - 5 no. storey building to a 7 - 5 no. storey building;
- Reduction in building height of Block G1 from 10 – 4 no. storey building to a 7 – 4 no. storey building, façade enhancements, additional vertical fenestration from 2nd – 6th floor and amendments to the building form;
- Reduction in building height of Block G2 from 10 – 4 no. storey building to a 7 – 4 no. storey building, façade enhancements, additional vertical fenestration from 2nd – 6th floor and amendments to the building form;
- Reduction in building height of Block G3 from 15 – 7 no. storey building to a 10 – 6 no. storey building, façade enhancements and amendments to the building form; and
- Reduction in building height of Block G5 from 10 – 4 no. storey building to a 7 – 4 no. storey building, façade enhancements, additional vertical fenestration from 2nd – 6th floor and amendments to the building form.

Block E2 and Block G4 remain unaltered and all other elements of the development remain as permitted under ABP Reg. Ref. 311016 resulting in a reduction of 97 no. units from 1,221 no. units to 1,124 no. units.

A Natura Impact Statement (NIS) has been prepared in respect of the proposed development.

Refer to the Architectural Design Statement (HJL, 2023) and Planning Report & Statement of Consistency (Brady Shipman Martin, 2023) for a further detailed description of the development.

The as permitted and as proposed site layout plans are shown in **Figures 1 and 2**.

3.2 Site Context

The proposed development consists of amendments to a previously permitted SHD under ABP Reg. Ref.: 311016 on GA3 lands at Baldoye (formerly known as

‘The Coast’), Dublin 13. While part of the lands are being used as a storage area for on-going development further south, with the exception of a network of access roads, the GA3 lands are currently undeveloped.

The lands are zoned RA ‘Residential Area’, in the Fingal County Development Plan 2017-2023 (Development Plan) and in the Adopted Fingal Development Plan 2023-2029 (to come into effect in April 2023). As such, the use of these lands for residential purposes is provided for in the Core Strategy of the Development Plan.

The site of the proposed amendments comprises part of the wider permitted GA3 SHD (permitted under ABP Reg. Ref. 311016) and includes 7 blocks (i.e. Blocks E1, E2, G1, G2, G3, G4 and G5) - refer to Figure 1.

The recently permitted ‘Racecourse Park’ development (ABP Reg. Ref. 311315) is located to the north of the site.

To the east lands referred to as Growth Area 2 (GA2 under the Baldoye-Stapolin LAP) are currently the subject of a SHD for c.1,007 no. residential units and is awaiting a decision from An Bord Pleanála (ABP Reg. Ref. 313222)).

To the south lands referred to as Growth Area 1 (GA1 under the Baldoye-Stapolin LAP) have an existing SHD permission for c.882 no. units (ABP Reg. Ref. 310418)). These lands, which lie north of existing residential development at Red Arches Road, are currently being used in-part as a construction compound for the delivery of residential development permitted under FCC Reg. Ref. F16A/0412 (ABP Reg. Ref. 248970), as amended.

The main Dublin-Belfast rail line and Clongriffin train station are located to the west / south-west, c.100m from the subject site.

The wider Clongriffin area within the administrative area of Dublin City Council has had a significant amount of planning activity and includes 2 large scale permitted SHDs of note.



Figure 1: Existing As Permitted Site Layout Plan



Figure 2: Proposed Site Layout Plan

3.3 Other Assessments and Reports relating to the Proposed Development

3.3.1 Appropriate Assessment – Natura Impact Statement (Altamar, 2023)

The screening for appropriate assessment (NIS, Altamar, 2023) concluded that [a]cting on a strictly precautionary basis, an NIS is required in respect of the effects of the project on the Baldoye Bay SAC and Baldoye Bay SPA because it cannot be excluded on the basis of best objective scientific information following screening, in the absence of control or mitigation measures that the plan or project, individually and/or in combination with other plans or projects, will have a significant effect on the named European Site/s. (page 45)

On foot of the screening, a Natura Impact Statement (NIS) has been prepared (Altemar, 2023) and concluded that *[f]ollowing the implementation of the mitigation measures outlined, the construction and presence of this development would not be deemed to have a significant impact on the integrity of European sites. No significant impacts are likely on European sites, alone in combination with other plans and projects based on the implementation of standard construction phase mitigation measures, and that **No significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.*** (page 71)

3.3.2 Flood Risk Assessment (CS Consulting, 2023)

The proposed development consists of amendments to permitted development (ABP Reg. Ref. 311016) and involves reducing the building heights within the permitted boundary. There is no further change to the proposed site layout or any other element that would have an impact on the findings of the FRA report submitted with the application permitted under ABP Reg. Ref. 311016.

The proposed development has been subject to Flood Risk Assessment in accordance with OPW Flood Risk Management Guidelines as follows:

“A site-specific flood model has been developed that modelled a range of fluvial and tidal events, including residual risks. The results confirm that the proposed development is not at risk of inundation from the modelled flood events and further confirms that the site is in Flood Zone C”.

“The minimum residential FFL [Finished Floor Level] provided onsite is 6mOD while the minimum basement entrance level provided is 4.5mOD. Based on the design flood event (0.5% AEP HEFS tidal [Annual Exceedance Probability] [High-End Forecast Scenario]), a freeboard of 1.8m and 0.3m has been provided respectively. This FFL also protects the development from the predicted 0.1% AEP HEFS tidal event”. (page 23)

3.3.3 Engineering Services Report (CS Consulting, 2023)

The Engineering Services Report sets out requirements in terms of:

- Storm Water Infrastructure, including:
 - Existing Storm Water Infrastructure, (including the constructed wetland and that already provided under permission FCC Ref.: F16A/0412, as amended);
 - Constructed Wetland (already provided under permission FCC ref.: F16A/0412, as amended);
 - Storm Water Drainage Arrangements of Permitted SHD;
 - Effect of Proposed Amendments on Permitted Storm Water Drainage:

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- (1) The proposed amendments to the permitted SHD are confined to Blocks E1, G1, G2, G3, and G5. These amendments shall not entail any significant change to building footprints or roof areas, and shall not require any change to the Sustainable Drainage Systems incorporated into the landscape design.
- (2) In particular, it is noted that the proposed amendments shall not affect the green roofs to be implemented as permitted under the SHD application.
- (3) It is consequently not necessary to revise the permitted storm water drainage design as part of this application.

■ Foul Water Infrastructure, including:

- Existing Foul Infrastructure, (including that already provided under permission FCC ref.: F16A/0412, as amended);
- Foul Drainage Arrangements of Permitted SHD;
- Foul Effluent Generation of Blocks E1, G1, G2, G3, and G5 as Permitted;
- Effect of Proposed Amendments on Permitted Foul Drainage Arrangements;
- Irish Water Confirmation of Feasibility and Statement of Design Acceptance:
 - (1) Consultation was had with Irish Water and Confirmation of Feasibility (CoF) and Statement of Design Acceptance (SoDA) was issued by Irish Water in June 2021 in relation to the SHD application for a 1,200 unit residential development.
 - (2) As the proposed amendments to the permitted SHD entail a reduction in residential unit numbers, with no alteration to the permitted foul drainage arrangements (as reviewed by Irish Water), the CoF and SoDA previously issued by Irish Water are considered to remain applicable and it has not been deemed necessary to submit a new Pre-Connection Enquiry.

■ Potable Water supply including:

- Existing Potable Water Infrastructure, (including that already provided under permission FCC Ref.: F16A/0412, as amended);
- Potable Water Supply Arrangements of Permitted SHD;
- Potable Water Supply Arrangements of Blocks E1, G1, G2, G3 and G5 as Permitted;
- Effect of Proposed Amendments on Permitted Water Supply Arrangements;
- Irish Water Confirmation of Feasibility and Statement of Design Acceptance:
 - (1) Consultation was had with Irish Water and Confirmation of Feasibility (CoF) and Statement of Design Acceptance (SoDA)

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was issued by Irish Water in June 2021 in relation to the SHD application for a 1,200 unit residential development.

- (2) As the proposed amendments to the permitted SHD entail a reduction in residential unit numbers, with no alteration to the permitted foul drainage arrangements (as reviewed by Irish Water), the CoF and SoDA previously issued by Irish Water are considered to remain applicable and it has not been deemed necessary to submit a new Pre-Connection Enquiry.

■ Roads and Parking Provision

- The internal road network of the permitted SHD has been designed in compliance with the Design Manual for Urban Roads and Streets (DMURS) and is described in detail within the Traffic Impact Assessment report submitted under permitted SHD: ABP Reg. Ref. 311016.
- The proposed amendments to the permitted SHD are confined to Blocks E1, G1, G2, G3, and G5. These amendments shall not entail any significant change to building footprints, and shall not require any change to the internal road layout of the permitted development.
- No change is proposed to the design of non-residential elements within these blocks, nor is any change proposed to the car parking and bicycle parking provisions for the non-residential elements.
- Within Blocks E1, G1, G2, G3, and G5, the long-term residential bicycle parking provision shall remain albeit there is a reduction in residential units, thereby giving a slight uplift in residents' bicycle parking ratios throughout the development as a whole.
- The provision of short-stay visitor spaces shall also remain unchanged, such that the ratio of visitor bicycle parking in the overall development shall increase slightly.

■ Preliminary Construction Management Plan

- A preliminary Construction Management Plan (CMP) was prepared and submitted as part of the planning application for the permitted SHD. This gives an overview of the processes to be employed during construction of this project, addressing the following:
 - (1) Site management (including vehicular access to site)
 - (2) Environmental management
 - (3) Waste management
 - (4) Traffic management
 - (5) Sediment and water pollution control
 - (6) Compound facilities and parking
 - (7) Provisions for works in proximity to railway line
 - (8) Provisions for works in proximity to Dublin Airport

- The proposed amendments to the permitted SHD scheme shall not require any significant change to the above construction management measures detailed in the CMP.

3.3.4 Verified Photomontages (Model Works, 2023)

A selection of Photomontages have been provided showing the existing baseline view; the permitted (SHD) view; the proposed view (as per the subject amendments) and the cumulative view (i.e. proposed amendments with other permitted / planned developments)

The principal changes are a prominent reduction in height in Block G3, a notable reduction in height in Blocks G1, G2 and G5 and a minor reduction in height in Block E1, with an associated reduction in change to the visual character of the views as permitted.

3.3.5 Daylight Sunlight (OCSC, 2023)

A Daylight, Sunlight & Overshadowing Report has been prepared by OCSC and is submitted as part of the LRD application documentation.

The Daylight, Sunlight & Overshadowing Report concludes *“overall, the results show that the daylight in the blocks proposed to be modified, will be improved following the incorporation of the proposed amendments, as is to be expected considering the reduction in massing proposed.”* The report further notes that *“the impact on surrounding properties is reduced following the incorporation of the proposed changes, as is to be expected considering the reduction in massing proposed.”*

3.3.6 Site Lighting Analysis (OCSC, 2023)

A site lighting analysis has been prepared which notes *“that that the site lighting has not been altered as part of the proposed development and remains as permitted under ABP TA06F.311016.”*

3.3.7 Other Aspects

The proposed development consists of amendments to an area of c.3.23ha within the permitted c. 6.89 ha SHD ABP Reg. Ref. 311016 (refer to Section 3.1 of this report for further detail). These amendments primarily involve reductions in building heights within the permitted development footprint. There are no further changes to the proposed site layout or any other element that would have direct impact on any area outside of the development footprint permitted under ABP Reg. Ref. 311016.

As such, there are no changes as a result of the proposed amendments to the findings presented in the following reports submitted with the SHD application permitted under ABP Reg. Ref. 311016:

- DMURS Statement

- Residential Travel Plan
- Road Infrastructure Design Report
- Traffic Impact Assessment
- Arboricultural Report
- Landscape Design Statement
- Outline Construction Management Plan
- Outline Construction Environmental Management Plan
- Construction & Demolition Waste Management Plan
- Operational Waste Management Plan
- Building Lifecycle Report
- E-Car Charging Report
- Energy & Sustainability Report
- Property Management Strategy Report
- Schools and Childcare Assessment
- Universal Access Statement
- Wind and Microclimate Modelling

3.4 Requirement for an EIA

The proposed project is not of a class of development as listed in Part 1 of Schedule 5 of PDR 2001 and therefore, an EIA is not required under this provision.

While the project relates to residential development, the key objective of the proposed alterations results in a reduction in permitted building heights with a consequential reduction of 97 residential units from 1,221 to 1,124 units across the overall permitted GA3 development. There is no increase in the footprint area of 'urban development'.

Therefore, an EIA is not required for the proposed project under the normal provisions for new residential development as set out under class 10(b)(i) (*more than 500 units*) or (iv) (*urban development which would involve an area greater than 10 hectares*) of Part 2 of Schedule 5.

However, as the proposed amendments (proposed development) involves changes to an existing permitted development, the proposed development can be considered for an EIA under development type "13. *Changes, extensions, development and testing*", and specifically under:

"(a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-

(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and

(ii) result in an increase in size greater than –

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- 25 per cent, or
- an amount equal to 50 per cent of the appropriate threshold,

whichever is the greater”

Given the there is no change in development footprint and there is a reduction in proposed units, the project does not meet or exceed the thresholds set down above or as set out in Table 1, and therefore an EIA is not required under this provision.

Table 1: Consideration for an EIA under Part 2 of Schedule 5

Project Class	Stated (Appropriate) Threshold	Actual Proposed (relative to threshold)	Is an EIA required?
10(b)(i)	Construction of more than 500 new units.	Proposed amendments provides for small reduction in permitted units from 1,221 to 1,124 (i.e. 97no.).	Does not meet or exceed threshold of 500 new units. An EIA is not required.
10(b)(v)	More than 10 hectares of urban development area.	Proposed amendments relates to c.3.23 hectares within previously permitted development on c.6.89hectares. There is no change in area of development footprint.	Does not meet or exceed threshold of 10 hectares of new urban development. An EIA is not required.
13(a)(i) & (ii)	Being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, <u>and</u> result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, <u>whichever is the greater</u>	Proposed amendments provides for small reduction in permitted units from 1,221 to 1,124 (i.e. 97no.). Proposed amendments relates to c.3.23 hectares within previously permitted development on c.6.89hectares. Therefore, there is no increase in units (10(b)(i)) and no increase in development area (10(b)(v))	Does not meet or exceed either the 25% or 50% thresholds for increase in size. An EIA is not required.

3.5 Summary of requirement for an EIA

The proposed development is not of a project type listed in Part 1 of Schedule 5 of the PDR 2001 as requiring an EIA.

Likewise, the proposed development is not of a scale that meets or exceeds the stated thresholds in Part 2 of Schedule 5 of the PDR 2001 at which an EIA is required for projects.

The proposed development can be considered as being of a scale which is below the stated threshold under project type *13. Changes, extensions, development and testing* as set out in Part 2 of Schedule 5 of PDR 2001, and therefore, should be subject to screening for likely significant environmental effects and for the requirement, or not, for a Sub-threshold EIA.

4 Screening for the requirement for a Sub-threshold EIA

The screening for the requirement for a Sub-threshold EIA is carried out with regard to the information to be provided by the applicant as set out in Schedule 7A of the PDR 2001 (refer to Appendix 1) which will assist the competent authority in making a determination on the requirement for an EIA having regard to the criteria set out in Schedule 7 of the PDR 2001.

The information to be provided as set out in Schedule 7A of the PDR 2001 is detailed in Table 2 below.

Table 2: Provision of Information as required from Schedule 7A of PDR 2001

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
<p>The proposed development consists of amendments to residential SHD development previously permitted under ABP Reg. Ref.:311016).</p> <p>Proposed amendments provide for a reduction in the number of permitted units from 1,221 to 1,124 (i.e. 97no.) and relates to a site of c.3.23 hectares within the previously permitted development area of c.6.89 hectares.</p> <p>There is no increase in the footprint area of ‘urban development’ and no demolition works are proposed.</p> <p>The principal changes involve a prominent reduction in height in Block G3, a notable reduction in height in Blocks G1, G2 and G5 and a minor reduction in height in Block E1, together with changes to block facades and fenestration.</p> <p>No changes are proposed to Blocks E2 and G4 and all other aspects of the development will be completed in accordance with SHD permission under ABP Reg. Ref.: 311016.</p>	
(b)	a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected
<p>The proposed development is located within the development footprint of the SHD previously permitted under ABP Reg. Ref.: 311016.</p> <p>The site forms part of the wider residential zoned lands at Baldoye (formerly known as The Coast) which are also subject to the Baldoye-Stapolin Local Area Plan 2013 (as extended) and the development is consistent with the planned and emerging nature of development in the area.</p> <p>Baldoye Bay SAC (Site No. 000199) and SPA (Site No. 004016), (also a proposed NHA), lie to the east of the site. The Mayne River, which discharges to Baldoye Bay, lies to the north of the site. The proposed development has</p>	

<p>been screened for AA and a NIS has been prepared, which concluded that “no significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites.”</p> <p>Otherwise there are no environmental sensitivities in the area.</p>
<p>2. A description of the aspects of the environment likely to be significantly affected by the proposed development.</p>
<p>The proposed development consists of amendments to residential SHD development previously permitted under ABP Reg. Ref.:311016).</p> <p>Proposed amendments provide for a reduction in the number of permitted units from 1,221 to 1,124 (i.e. 97no.) and relates to a site of c.3.23 hectares within the previously permitted development area of c.6.89 hectares.</p> <p>There is no increase in the footprint area of ‘urban development’ and no demolition works are proposed.</p> <p>The proposed alterations results in a notable reduction in the height of the proposed development and a small reduction in overall unit numbers. Otherwise there are no changes to the permitted development.</p> <p>Given the nature of the proposed development, no aspects of the environment are likely to be significantly affected.</p>
<p>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—</p>
<p>(a) the expected residues and emissions and the production of waste, where relevant</p>
<p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, no aspects of the environment are likely to be significantly affected, including from any expected residues or emissions and the production of waste.</p>
<p>(b) the use of natural resources, in particular soil, land, water and biodiversity</p>
<p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, no aspects of the environment are likely to be significantly affected, including from the use of natural resources, soil, land, water or biodiversity.</p>
<p>4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7</p>
<p>The information provided above has taken account of the criteria in Schedule 7 (see Table 3 below also).</p>

Table 3: Regard to criteria in Schedule 7 of PDR 2001

1.	Characteristics of proposed development
(a)	The size and design of the whole of the proposed development,
	<p>The proposed development consists of amendments to residential SHD development previously permitted under ABP Reg. Ref.:311016).</p> <p>Proposed amendments provide for a reduction in the number of permitted units from 1,221 to 1,124 (i.e. 97no.) and relates to a site of c.3.23 hectares within the previously permitted development area of c.6.89 hectares.</p> <p>There is no increase in the footprint area of ‘urban development’ and no demolition works are proposed.</p> <p>The principal changes involve a prominent reduction in height in Block G3, a notable reduction in height in Blocks G1, G2 and G5 and a minor reduction in height in Block E1, together with changes to block facades and fenestration.</p> <p>No changes are proposed to Blocks E2 and G4 and all other aspects of the development will be completed in accordance with SHD permission under ABP Reg. Ref.: 311016.</p>
(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,
	<p>The proposed development consists of amendments to part of the SHD previously permitted under ABP Reg. Ref.:311016. Under the proposed amendments, there is a small reduction in unit numbers, no increase in the footprint of urban development area and no demolition works are proposed.</p> <p>The proposed development is located in residential zoned lands subject to the provisions of the Baldoye-Stapolin Local Area Plan 2013 (as extended) and Fingal Development Plan.</p> <p>Elements of permitted development (FCC Reg. Ref.: F16A/0412 – ABP Reg. Ref.:248970, as amended) have been constructed, and continue to be constructed south of the site. Other primarily residential (SHD) developments have also been granted permission on GA1 lands to the south (ABP Reg. Ref.: 310418) or are pending decision with An Bord Pleanála on GA2 lands to the east of the site (ABP Reg. Ref.: 313177). It also noted that further residential (SHD) development has been permitted within the Dublin City Council functional area west of the rail line (e.g. ABP Reg. Ref.: 305316 and ABP Reg. Ref. 305319). All of these developments have been subject to EIA, including to assessment of potential cumulative impacts.</p> <p>Therefore, while the proposed development is located within an area undergoing significant change for some time, the amendments provide for a</p>

reduction in overall height with a corresponding small reduction in permitted unit numbers with no change in the footprint of urban development area.	
Given the changing and developing context of the wider area and the nature of the proposed development (an alteration of a permitted development), it is considered that cumulation with other permitted / planned development will not give rise to significant environmental effects.	
(c)	the nature of any associated demolition works,
No demolition works are proposed	
(d)	the use of natural resources, in particular land, soil, water and biodiversity,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, there is no appreciable change in the use of (standard construction) natural resources, soil, land, water or biodiversity and no significant environmental effects will arise.	
(e)	the production of waste,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, there is no appreciable change in the production of (standard construction) waste and no significant environmental effects will arise.	
(f)	pollution and nuisances,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, there is no pollution and nuisances are anticipated and no significant environmental effects will arise.	
(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,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, no risk of or from major accidents and / or disasters are relevant to the proposed development.	
(h)	and the risks to human health (for example, due to water contamination or air pollution).
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, there is no risk to human health from the proposed development.	
2.	Location of proposed development
The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—	
(a)	the existing and approved land use,

<p>The lands are zoned RA 'Residential Area', in the Fingal County Development Plan 2017-2023 (Development Plan) and in the Adopted Fingal Development Plan 2023-2029 (to come into effect in April 2023). As such, the use of these lands for residential purposes is provided for in the Core Strategy of the Development Plan.</p> <p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, there is no change between the existing and proposed land use.</p>	
(b)	the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,
<p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, the relative abundance, availability, quality and regenerative capacity of natural resources in the area and its underground does no arise.</p>	
(c)	the absorption capacity of the natural environment, paying particular attention to the following areas:
(i)	wetlands, riparian areas, river mouths;
Not applicable	
(ii)	coastal zones and the marine environment;
<p>The proposed development, comprising alterations to existing permitted development, is located within an emerging residential environment over 500m west of the coast at Baldoye Bay.</p>	
(iii)	mountain and forest areas;
Not applicable	
(iv)	nature reserves and parks;
Not applicable	
(v)	areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;
<p>The proposed development, comprising alterations to permitted development, is located within an emerging residential environment over west European sites (SAC and SPA) at Baldoye Bay.</p> <p>The proposed development has been screened for AA and a NIS has been prepared, which concluded that <i>"no significant effects are likely on European sites, their features of interest or conservation objectives. The proposed project will not will adversely affect the integrity of European sites."</i></p>	
(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;

Not applicable
(vii) densely populated areas;
The proposed development, comprising alterations to existing permitted development, is located within a residential zoned area and an area of emerging residential development.
(viii) landscapes and sites of historical, cultural or archaeological significance.
The proposed development, comprising alterations to permitted development, is located within an emerging residential environment. The site is located over 500m west of the coastal environment of Baldoyle Bay – the primary landscape of significance in the area.
3. Types 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—
(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, the magnitude and spatial extent of any impact will be minor and localised to immediately adjoining areas.
(b) the nature of the impact,
The nature of any impact will be imperceptible to slight, neutral or negative and temporary (construction stage) in duration.
(c) the transboundary nature of the impact,
No transboundary effects arise
(d) the intensity and complexity of the impact,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, any impact arising would be of low intensity and complexity.
(d) the probability of the impact,
Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, the probability of an impact is low.

(f) the expected onset, duration, frequency and reversibility of the impact,	<p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint, the duration of an impact would be temporary / short-term (construction-related) and capable of being addressed through standard construction stage management measures (as set out in the Preliminary Construction Management Plan and Outline Construction and Environmental Management Plan submitted with the permitted SHD application).</p>
(g) 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,	<p>The proposed development consists of amendments to part of the SHD previously permitted under ABP Reg. Ref.:311016. Under the proposed amendments, there is a small reduction in unit numbers, no increase in the footprint of urban development area and no demolition works are proposed.</p> <p>The proposed development is located in residential zoned lands subject to the provisions of the Baldoye-Stapolin Local Area Plan 2013 (as extended) and Fingal Development Plan.</p> <p>Elements of permitted development (FCC Reg. Ref.: F16A/0412 – ABP Reg. Ref.:248970, as amended) have been constructed, and continue to be constructed south of the site. Other primarily residential (SHD) developments have also been granted permission on GA1 lands to the south (ABP Reg. Ref.: 310418) or are pending decision with An Bord Pleanála on GA2 lands to the east of the site (ABP Reg. Ref.: 313177). It also noted that further residential (SHD) development has been permitted within the Dublin City Council functional area west of the rail line (e.g. ABP Reg. Ref.: 305316 and ABP Reg. Ref. 305319). All of these developments have been subject to EIA, including to assessment of potential cumulative impacts.</p> <p>Therefore, while the proposed development is located within an area undergoing significant change for some time, the amendments provide for a reduction in overall height with a corresponding small reduction in permitted unit numbers with no change in the footprint of urban development area.</p> <p>Given the changing and developing context of the wider area and the nature of the proposed development (an alteration of a permitted development), it is considered that cumulation with other permitted / planned development will not give rise to significant environmental effects.</p>
(h) the possibility of effectively reducing the impact.	<p>Given the nature of the proposed development, involving alterations to existing permitted residential development within the same development</p>

footprint, any impact would be capable of being reduced and / or avoided through standard construction stage management measures (as set out in the Preliminary Construction Management Plan and Outline Construction and Environmental Management Plan submitted with the permitted SHD application).

5 Conclusion

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

- The nature of the proposed development, involving alterations to existing permitted residential development within the same development footprint;
- No demolition works are proposed;
- The proposed development is consistent with the on-going emerging nature the surrounding area;
- No unusual aspects are associated with the proposed development; and
- The proposed development will not give rise to any significant environmental effects.

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

6 References

- DoHPLG (2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.*
- EPA (2022). *EPA Maps.*
- EPA (2022). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports.*
- European Commission (2017). *Environmental Impact Assessment of Projects – Guidance on Screening.*
- Fingal County Council (2013). *Baldoye-Stapolin Local Area Plan 2013 (as extended).*
- Fingal County Council (2017). *Fingal Development Plan 2017 – 2023.*
- Fingal County Council (2023). *Fingal Development Plan 2023 – 2029 (Adopted)*
- OPR (2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening.*
- OPW (2009). *The Planning System and Flood Risk Management: Guidelines for Planning Authorities.*

Appendix 1: Schedule 7A of Planning and Development Regulations 2001-2022

INFORMATION TO BE PROVIDED BY THE APPLICANT OR DEVELOPER FOR THE PURPOSES OF SCREENING SUB-THRESHOLD DEVELOPMENT FOR ENVIRONMENTAL IMPACT ASSESSMENT

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.

Brady Shipman Martin

DUBLIN

Mountpleasant Business Centre
Ranelagh
Dublin 6

CORK

Penrose Wharf Business Centre
Penrose Wharf
Cork

LIMERICK

11 The Crescent
Limerick

+353 1 208 1900

mail@bradyshipmanmartin.com

www.bradysipmanmartin.com

