EIA Screening

Social Housing Bundle 5, Development at Cherry Orchard Avenue

Dublin City Council

November 2025

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1. INTRODUCTION

1.1 Background

This Environmental Impact Assessment (EIA) Screening report was prepared by MacCabe Durney Barnes on behalf of Dublin City Council, to accompany a Part 8 proposal for the development of 171 no. residential units on a site of circa 3.64 hectares in area, site (part of Site 2 of the Park West & Cherry Orchard Local Area Plan) c.3.64 ha bound by Cherry Orchard Meadow, Blackditch Road, Croftwood Crescent and Cherry Orchard Avenue, Cherry Orchard, Dublin 10.

This document has been prepared in order to assist Dublin City Council in the determination of the proposed development at the subject site. The purpose of this EIA Screening Report is to assess the possible impacts on the environment of the proposed development on lands at Cherry Orchard Avenue in Cherry Orchard, Dublin 10.

1.2 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

1.3 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step'

assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

Where the local authority concludes, based on such preliminary examination, that—

I. there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,

II. there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or

III. there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

1.4 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - https://www.gsi.ie
- Dublin City Development Plan 2022-2028
- Park West & Cherry Orchard Local Area Plan
- Dublin City Council Planning Application Portal
- An Bord Pleanála Planning Applications
- EPA - https://gis.epa.ie/EPAMaps/
- GeoHive – http://map.geohive.ie/mapviewer.html.
- Office of Public Works (OPW) - http://www.floodinfo.ie/map/floodmaps

In addition to the above the following project specific reports were utilised to inform this report:

- Appropriate Assessment (AA) Screening by NM Ecology
- Ecological Impact Assessment (EcIA) by NM Ecology
- Winter Bird Survey by NM Ecology
- Engineering Report by Malone O'Regan Consulting Engineers
- Construction Environmental Management Plan by Panther Environmental
- Landscape drawings and report by Mitchell + Associates
- Flood Risk Assessment Report by Malone O'Regan
- Hydromorphology Assessment Report by JBA
- Hydraulic Assessment by JBA
- Operational Waste and Recycling Management Plan by Traynor Environmental
- Archaeological Impact Assessment by John Purcell Archaeological Consulting
- Archaeological Test Excavation Report by Archer Heritage Planning

2. THE SITE AND SURROUNDINGS

2.1 Site Context

Cherry Orchard is a suburban area located to the west of Dublin City. It is situated between Ballyfermot to the east and Clondalkin to the west, with the Grand Canal running to the south. The area is bordered by Park West, a business and industrial estate, to the north. Cherry Orchard is primarily a residential neighbourhood, known for its mix of public and private housing estates. It is served by Park West & Cherry Orchard railway station, providing connections to Dublin city centre. There is a wide range of facilities accessible within a short walk of the site. The surrounding area of Cherry Orchard Avenue is characterised by residential, educational and healthcare uses. Please refer to the Social Infrastructure Audit prepared by MacCabe Durney Barnes for further details.

The site is surrounded by Cherry Orchard Avenue to the south, Blackditch Road to the west, Cherry Orchard Meadow to the north and Croftwood Crescent to the east. The application site is currently in use as an informal open space with a number of paths traversing the site.

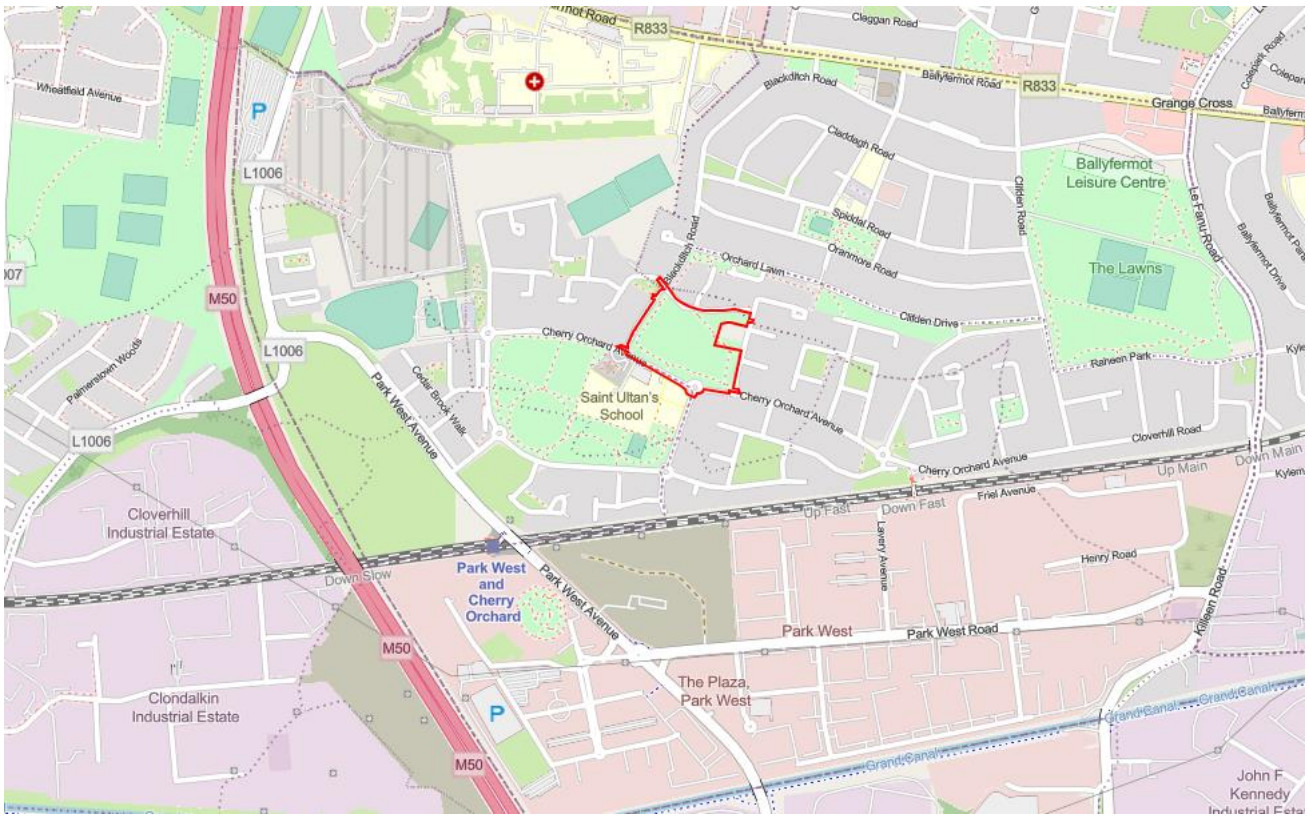


Figure 1: General Site Location

2.2 Site Description

The Part 8 site is c.3.64 ha and located at Cherry Orchard Avenue, Dublin 10. The Part 8 site is earmarked for development in the Cherry Orchard Local Area Plan (LAP) 2019 (as extended). The site forms part of key development site 2 of the LAP.

The site is some c. 500 metres to the north east of the Park West and Cherry Orchard train station, 400 metres to the east of the Cloverhill Prison, and c. 500 metres to the south of the Cherry Orchard Hospital.

To the immediate north of the site there is a recently completed development of 72 houses by Co-Operative Housing Ireland known as Orchard Meadow. Towards the east of the site sits Croftwood Crescent, which consists

of 2 no. storey terraced houses. While to the west of the site there are single storey and 2 no. storey houses fronting onto Blackditch Road and the subject site. The Most Holy Sacrament church, St. Ultan's Primary School and Creche, St. Seton's Secondary School, and the Cherry Orchard Health Centre are situated to the south of the site. There are also 2 no. storey houses facing onto Cherry Orchard Avenue to the southeast of the subject site. New Cherry Orchard Park is located to the west of the Church and is used by the local football club and the local running club. The Cherry Orchard Community Centre and the Cherry Orchard Playground are located to the south along Cherry Orchard Grove.

Along Cherry Orchard Avenue, there is a safe school zone indicating the location of St Ultan's primary school. This zone in represented in the form of road markings and bollards in the form of pencils along Cherry Orchard Avenue. Bus stop number 2909 and 7507 are located along Cherry Orchard Avenue, providing travel towards

The boundary of the subject site consists of green painted steel fencing. There are several entrances and tarmac paving for pedestrians throughout the open space.

Figure 2: Site Context

The review of the Irish Water Services Map reveals the presence of a culvert on the site, which is part of the Blackditch Stream that was enclosed in an extensive culvert during the development of the Cherry Orchard. The culvert is almost entirely artificial, and it flows south-east across the site and emerges from the culvert at Labre Park, Kylmore, approx. 1.5 km south-east of the Site. It is open for several hundred metres, and then passes underneath the Grand Canal in another culvert, before joining the River Camac 1 km downstream. The stream now travels through a 1350mm diameter drain pipeline, diverging from its original open, meandering course.

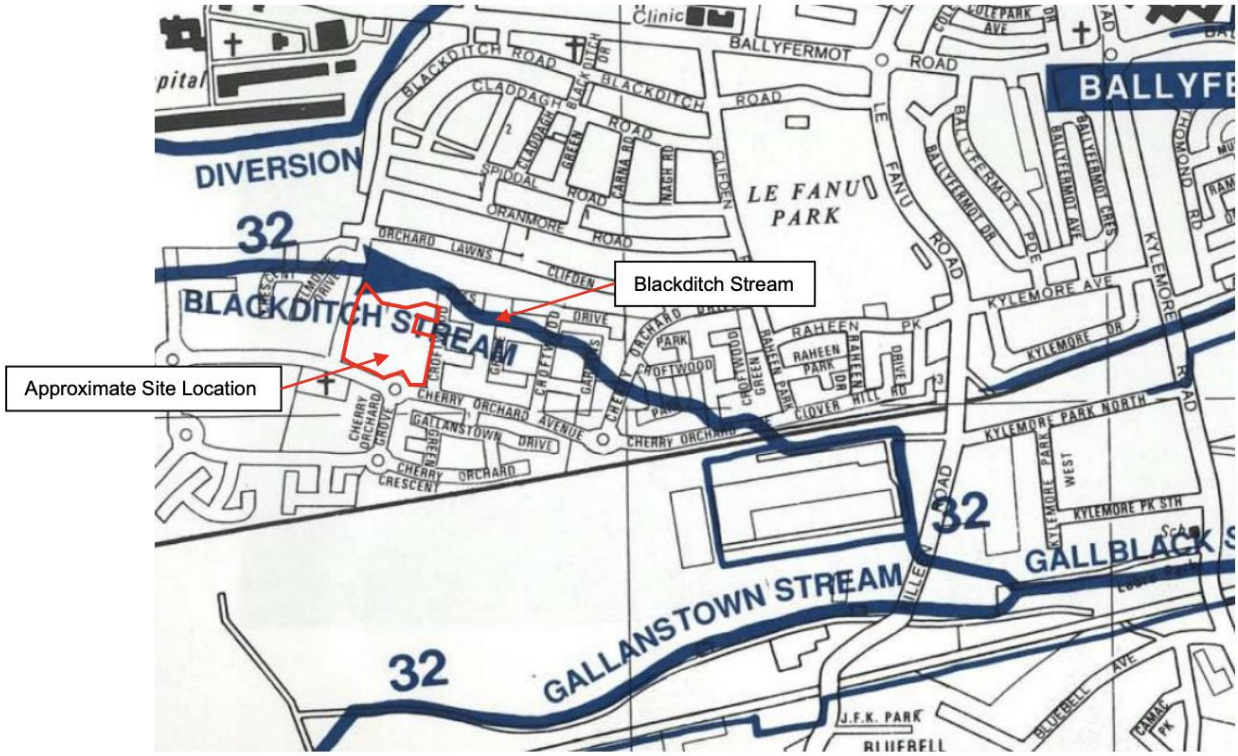


Figure 3: Location of Blackditch Stream Based (Extract from Rivers of Dublin) (Source: Malone O'Regan & Rivers of Dublin Book)

2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the EPA Mapping Tool, the Dublin City Council Planning Application Portal, consultants reports (listed in section 1.4) and the relevant local statutory planning documentation, including the Dublin City Development Plan 2022-2028.

2.3.1 Bedrock

According to GeoHive, the site is part of the Lucan formation with dark limestone and shale bedrock.

2.3.2 Soils

The site was cross-referenced with the Teagasc Soil Information System (SIS) soil profile map which states that the surface soil at the site location is classed as 'Urban'. Urban soils are formed from human construction and industrial activities along with fuel combustion, transport emissions and waste dumping and therefore contain manufactured materials and waste. According to EPA Maps the subsoil type is limestone till and soils are made ground.

Site Investigation works were completed by IGSL in November 2024. The investigation showed that ground consisted of:

- Topsoil had a thickness in the range 0.20m to 0.50m and was described to be clay soils, • Made ground in boreholes persisted to depths ranging from 1.50m/ 1.60m to 3.10m. The soils were described soft grey, brown sandy slightly gravelly silt clay,
- The uppermost indigenous soils were described as firm grey, brown slightly sandy gravelly clay ranging from 1.70m to 3.10m, and

- A very stiff black gravelly clay was intercepted from 2.40m to 3.80m.

Groundwater strikes were largely absent in shallow excavations except in one trial pit at a depth of 1.20m. Strikes in boreholes remained around 4m to 5m bgl.

Two soakaway tests were conducted on the site. Both tests were carried out in the mixed made ground/ natural soil layers in the upper stratigraphy. At SA01 the water level dropped too slowly to allow calculation of 'f' the soil infiltration. At SA02 the test yielded an infiltration rate of f = 1.35 x 10-6 m/s. The report prepared by IGSL concludes that the low-permeability clay soils are considered to be poor infiltration media and would be deemed unsuitable for the implementation of infiltration drainage systems.

The ground investigation and boreholes indicate clay and silt dominance with sandy and gravelly content and of firm to very stiff consistency with low to occasional cobbles and boulders. Therefore, corresponding with Soil Type 4 (SPR Index 0.47).

2.3.3 Hydrology

The site is located c. 1.1km to the north of the River Camac (EPA Code: 09C02), to the south of the subject site. Under the Water Framework Directive status assessment 2016-2021, the River Camac has a "poor" status and is deemed to be "at risk". The subject site is also c. 850m from the Grand Canal Main Line (Liffey and Dublin Bay) . Canals are a fully contained hydrological feature that do not interact with surrounding surface water or groundwater features. Under the Water Framework Directive status assessment 2016-2021, the Grand Canal's status is "Good" and is deemed not at risk.

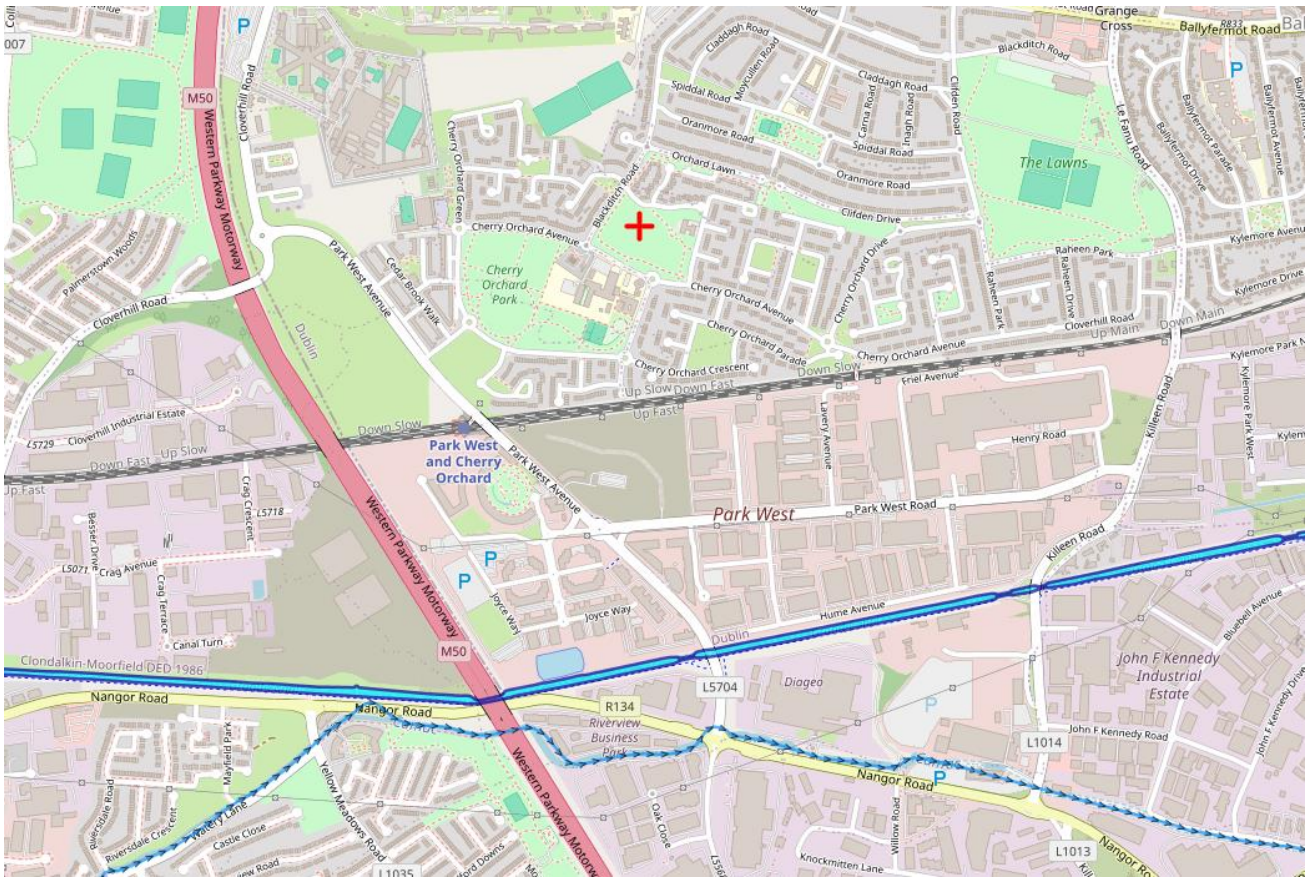


Figure 4:Waterbodies in the Context of the Subject Site *(Source: EPA Maps)*

A storm drain passes underneath the site in a 1m diameter culvert. It will be re-opened as part of the proposed development and incorporated into the central landscaped area. It appears to be a historical watercourse known as the Blackditch Stream, but it seems to have been enclosed within an extensive culvert during the development of the Cherry Orchard. Due to the length of the culvert, it is effectively now an artificial storm drain rather than a watercourse. It flows in a south-easterly direction and emerges from the culvert at Labre Park, Kylmore, approximately 1.5 km south-east of the site. It then passes underneath the Grand Canal in another culvert and joins with the River Camac a further 1km downstream. The River Camac joins the Liffey Estuary approx. 5km downstream, and the Liffey Estuary meets the coast of Dublin Bay a further 7 km downstream. River quality in the Blackditch Stream is not monitored as part of the Water Framework Directive Status Assessments (2016 – 2021).

The proposed development includes a proposal to divert the culvert with an open river section down through the centre of the site. A Hydromorphology assessment of existing and potential hydromorphological conditions was conducted by JBA to inform the proposed diversion and daylighting of the culverted Blackditch Stream. This open river section runs north to south of the central landscape area and then enters a 1350mm diameter culvert at the base of the site before linking back up with the original culvert on Cherry Orchard Avenue.

The Hydromorphology assessment concludes:

"Application of a modified form of the RHAT methodology has revealed the proposed daylighting design represents a potential improvement in hydromorphological condition from Bad to Moderate. In-channel features offer some potential for diversity of flow conditions and the protection of the narrow riparian zone (i.e., not for human use) provides opportunity for naturalisation of the daylighted area over time. The need to balance environmental objectives with that of the social housing development, and the complicated nature of the raised ground within which the daylighting and development are proposed, means that compromises around the width of the riparian zone have been made. As such, the ability to achieve a score greater than Moderate is considered unlikely. Without the assumption around perennial or intermittent flow, the RHAT score would likely be lower (i.e., Bad) and the daylighted channel could resemble a field drainage ditch likely to have low flow for much of the time. This aesthetic risk is managed through the carefully considered landscape and public realm design. The final score is at the very top of the Moderate band and makes necessary assumptions about vegetation growth following planting for both the in-channel, bank and riparian environments. There is also uncertainty about bed condition under the prevailing flow and sediment transport dynamics."

A Strategic Flood Risk Assessment (SFRA), as required by 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' (DEHLG and OPW, 2009), has been undertaken as part of the preparation of the Dublin City Development Plan 2022-2028. The SFRA contains a Composite Flood Zone Map, which indicates that the proposed development falls within a predictive Flood Zone C.

A Hydraulic and Hydrological Assessment has been prepared by JBA to inform the Stage 3 FRA of the proposed daylighting design for a culverted watercourse in the proposed development. JBA found that *"the channel floods up to the base of the retaining wall which separates the middle riparian zone from the outer zone (as delineated in the provided landscape drawings). There is significant clearance between maximum water levels and the proposed bridge deck, illustrating that the channel is able to contain volumes generated by each return period. The culvert does not appear to be a cause of backlog and the pooling noted at the upstream end of the channel, with accumulation behind the headwall, is likely due to the shallow gradient of the channel. The dimensions of outlet culvert are sufficient in conveying the range of modelled return periods. Differences between different Q1000 results were considered to be negligible."*

Having regard to the daylighting of the existing culvert at the site, a Flood Risk Assessment has been undertaken by Malone O'Regan. The FRA concluded that:

"Consideration was given to the predicted flood levels within the River Camac, approximately 1.20km south of the site. The node point closest to the site is referenced as node point 09CAMM00750I. The 1% AEP (1 in 100 year) and 0.1% AEP (1 in 1000 year) flood levels at this point are predicted as 50.62m and 51.29m respectively.

According to the SFRA of the Dublin City Development Plan 2022 – 2028, it is recommended that for a scenario of fluvial event-undefended, the minimum finished floor level is to be based on 1% AEP flood + climate change + 300mm freeboard. That would therefore equate to a minimum finished floor level of 51.38m. However, the River Camac is located approximately 1.20km south of the site. There is a higher topography approximately 0.5km north of the riverbank, at 52m to 54m and then gradually falling down towards the site. Existing ground levels within the site vary between 53.30m in the west falling towards the eastern boundary of the site to approximately 51.50m. The elevated lands between the site and the River Camac preclude the risk of flooding on the subject site."

In addition, the FRA prepared by Malone O'Regan considered the Hydraulic Assessment by JBA and concluded that: *"In consideration of the above assessment, analysis and recommendation, the overall development of the site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere."*

2.3.4 Aquifer and Groundwater

The subject site is underlain by an aquifer which is identified as a "Locally Important Aquifer". The bedrock is categorised as Bedrock which is Moderately Productive only in Local Zones.

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is of "Moderate Vulnerability".

Figure 5: Ground Water Vulnerability *(Source: EPA Maps)*

2.3.6 Radon

The EPA portal shows between one in twenty homes in this area are likely to have high radon levels as shown below.

Figure 6: Radon Levels in the Context of the Subject Site *(Source: EPA Maps)*

2.3.7 Air quality

The site falls within Air Quality Index Region where the index indicates that the air quality if 'Good' according to EPA Maps. The site is situated in Zone A Dublin Conurbation according to EPA Maps.

2.3.8 Designated sites

There are no designated sites within the subject site or directly adjoining the subject site. The features of interest on each European site are displayed in the table below. below. Watercourses, SPA's and SAC's proximate to the subject site are shown in the figure below.

Table 1: European Sites in the Context of the Subject Site

European Site	Distance	Qualifying Interest
South Dublin Bay and River Tolka Estuary SPA (4024)	14.5 km downstream	Special conservation interests: light-bellied brent goose, oystercatcher, ringed plover, grey plover, knot, sanderling, dunlin, bar-tailed godwit, redshank, black-headed gull (wintering populations), arctic tern, roseate tern (passage), and common tern (breeding and passage)
North Dublin Bay SAC (site code 206)	17 km downstream	Annex I habitats: inter-tidal mudflats / sandflats (including patches of Salicornia and other annuals), salt marshes, annual vegetation of drift lines, embryonic shifting dunes, white dunes, grey dunes, dune slacks Annex II species: petalwort *Petalophyllum ralfsii*
North Bull Island SPA (4006)	17 km downstream	Special conservation interests: wintering populations of light-bellied brent goose, shelduck, teal, pintail, shoveler, oystercatcher, golden plover, knot, sanderling, dunlin, black-tailed godwit, bar-tailed godwit, curlew, redshank, turnstone, black-headed gull

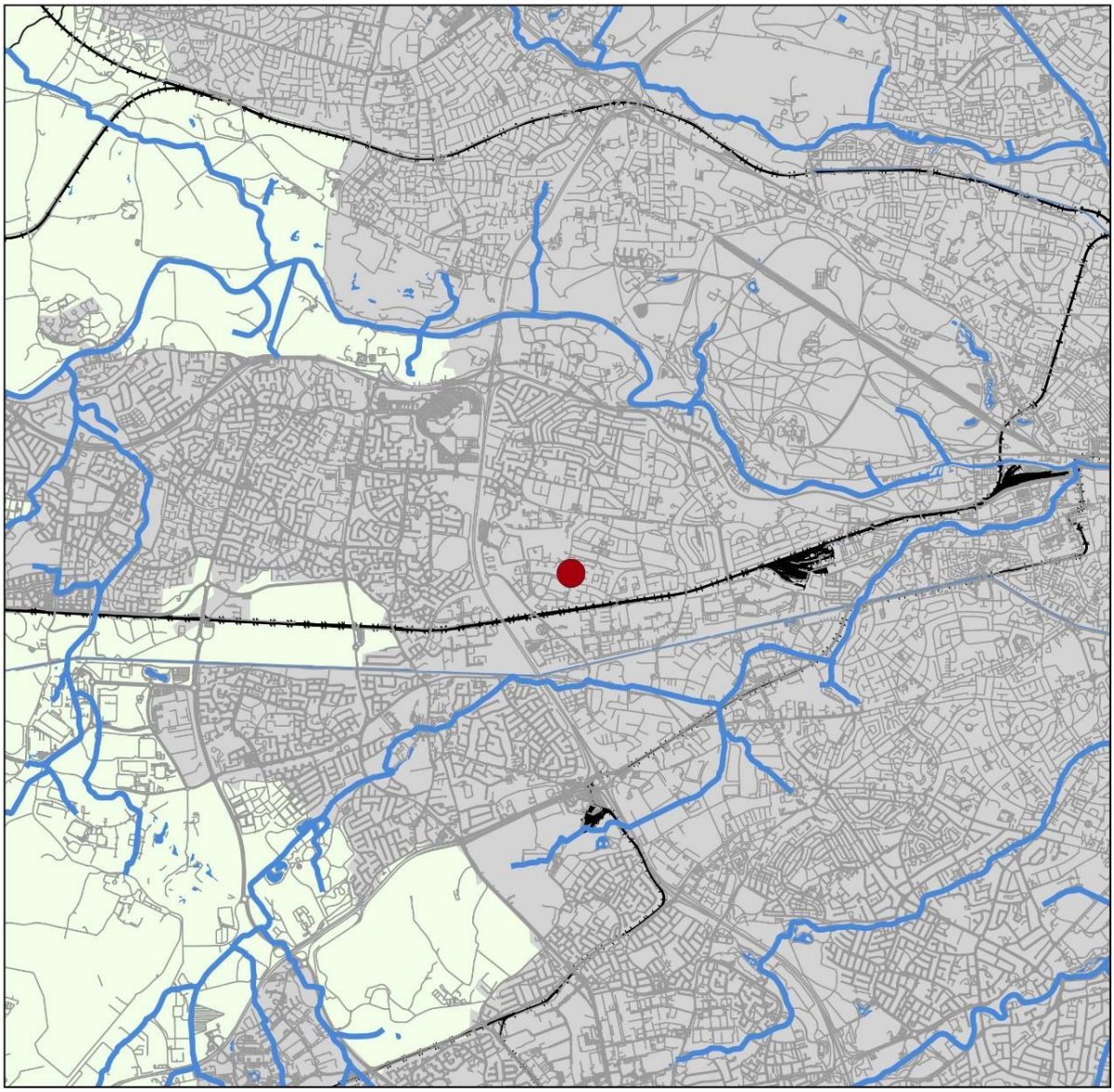
European Site	Distance	Qualifying Interest
South Dublin Bay SAC (site code 210)	18 km downstream	Annex I habitats: inter-tidal mudflats / sandflats, Salicornia and other annuals colonising mud / sand, annual vegetation of drift lines, embryonic shifting dunes Annex II species: N.A.

Figure 1	European sites
Location	Cherry Orchard
Applicant	NDFA / DCC
Date	21 Mar 2024

NM Ecology Ltd - Ecological Consultants
Website: www.nmecology.com
Email: info@nmecology.com
Tel: 087-6839771

Site location
- Proposed development site
- Roads
- Watercourses

Designated sites
- Special Areas of Conservation
- Special Protection Areas



NM ECOLOGY

0 1 2 3 4 5 km

Figure 7: Watercourses & European Sires (Source: NM Ecology)

2.3.9 Proposed Natural Heritage Areas (pNHA)

The accompanying EcIA prepared by NM Ecology identified the following proposed natural heritage areas (pNHA). The below figure prepared by NM Ecology also illustrates the watercourses and pNHA in the surrounding area.

Table 2: Proposed Natural Heritage Areas

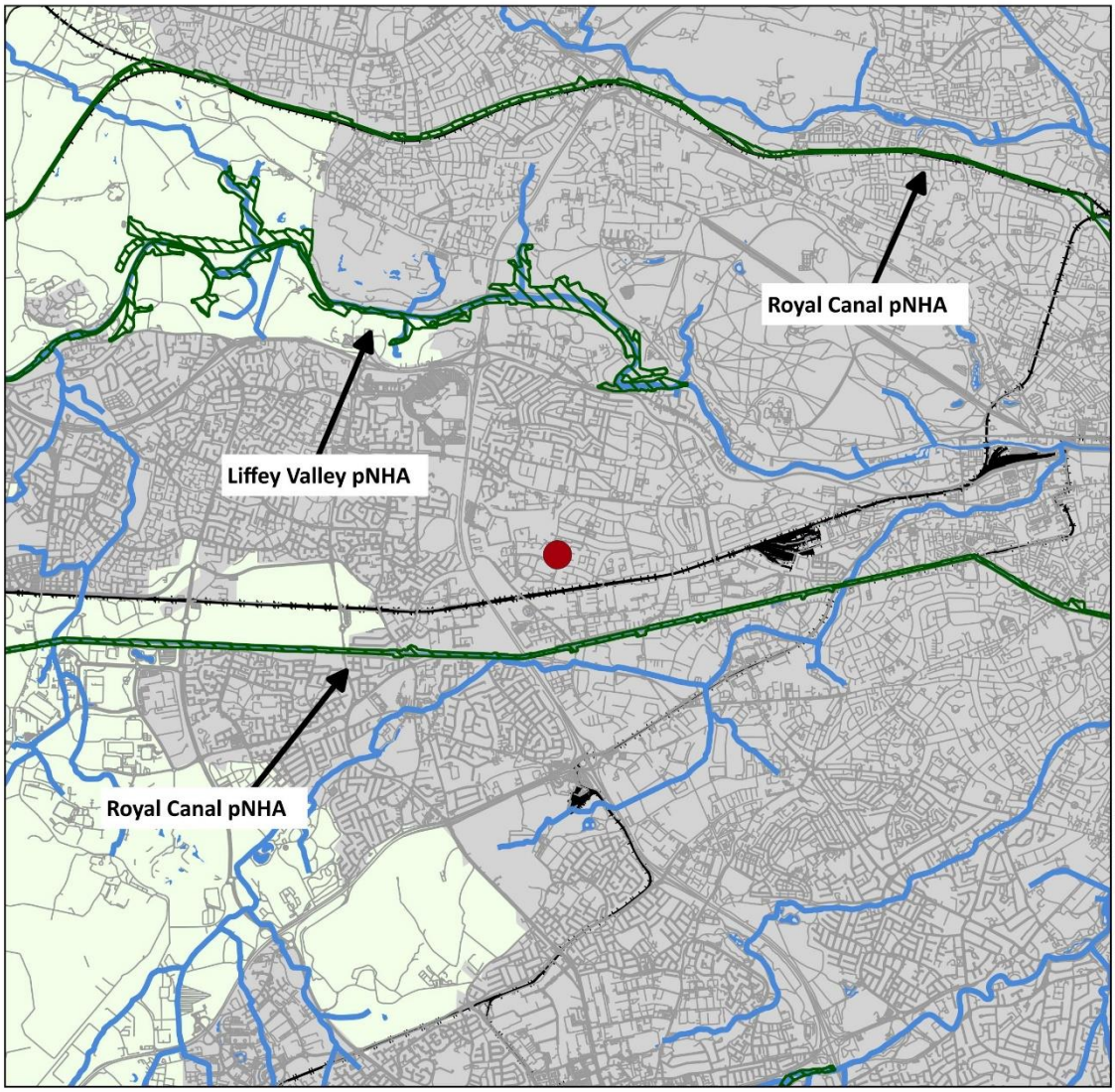
Site Name	Distance	Reasons for designation
Grand Canal pNHA (site code 2104)	0.9 km south	Diversity of habitats, ecological connectivity, and protected aquatic plant species (Opposite-leaved Pondweed *Groenlandia densa*)
Liffey Valley pNHA (128)	1.8 km north	Deciduous woodland, wetlands and rare plant species
Royal Canal pNHA (2103)	4.8 km north	Diversity of habitats, ecological connectivity, and protected aquatic plant species (Opposite-leaved Pondweed *Groenlandia densa*)

Figure 1	Designated sites
Location	Cherry Orchard
Applicant	NDFA / DCC
Date	21 Mar 2024

NM Ecology Ltd - Ecological Consultants
Website: www.nmecology.com
Email: info@nmecology.com
Tel: 087-6839771

Site location
- Proposed development site
- Roads
- Watercourses

Designated sites
- Special Areas of Conservation
- Special Protection Areas
- Natural Heritage Areas (proposed)



NM ECOLOGY

0 1 2 3 4 5 km

Figure 8: pNHA proximate to the subject site (Source: NM Ecology)

2.3.10 Cultural Heritage

2.3.10.1 Archaeology

According to the Dublin City Development Plan 2022-2028, the subject site is not located within an area of archaeological interest. The proposed development site does not include any recorded sites and monuments records (SMR). A search of the Historic Environment Viewer was performed, and no sites or monuments of note were discovered on the site or the immediate environs of the site. The closest RMP is located c 560m to the south (DU017-083 Burial Ground). Also, a Tower House (DU018-031001), Church (DU018-031003) and Graveyard (DU018-031004) in Ballyfermot Townland are clustered c. 1025m to the east.

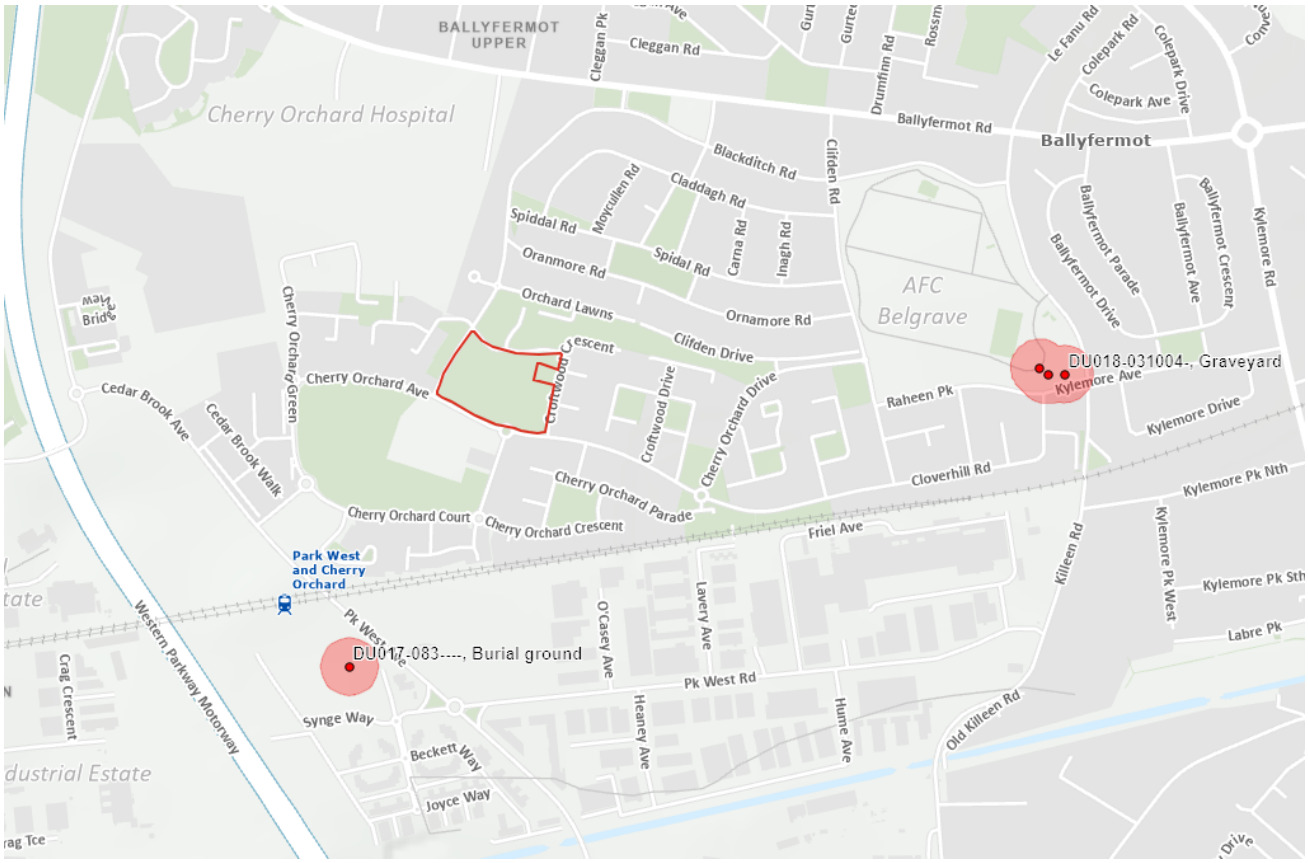


Figure 9: Recorded Sites & Monuments *(Source: Historic Environment Viewer)*

An Archaeological Impact Assessment has been undertaken by John Purcell Archaeological Consulting and is submitted as part of the Part 8 application. As part of the design process, archaeological test excavations were undertaken on two occasions. The AIA prepared by John Purcell Archaeological Consulting includes details of the archaeological testing undertaken. As noted in the accompanying report, testing did not record any archaeological finds, features or deposits. In addition, Archer Heritage Planning conducted archaeological testing at the site and an Archaeological Test Excavation Report has been prepared and submitted as part of this application. The report concludes that there are no buried archaeological sites, features or objects were recorded in the course of the test trench assessment.

2.3.10.2 Architectural Heritage

The site doe and the immediate area does not feature any structures listed on the Record of protected Structures of the Natural Inventory of Architectural Heritage (NIAH). Cherry Orchard Hospital campus features a number of structures listed on the NIAH, which includes structures associated with the hospital and a post box. The below figure illustrates the NIAH located in the surrounding area of the site.

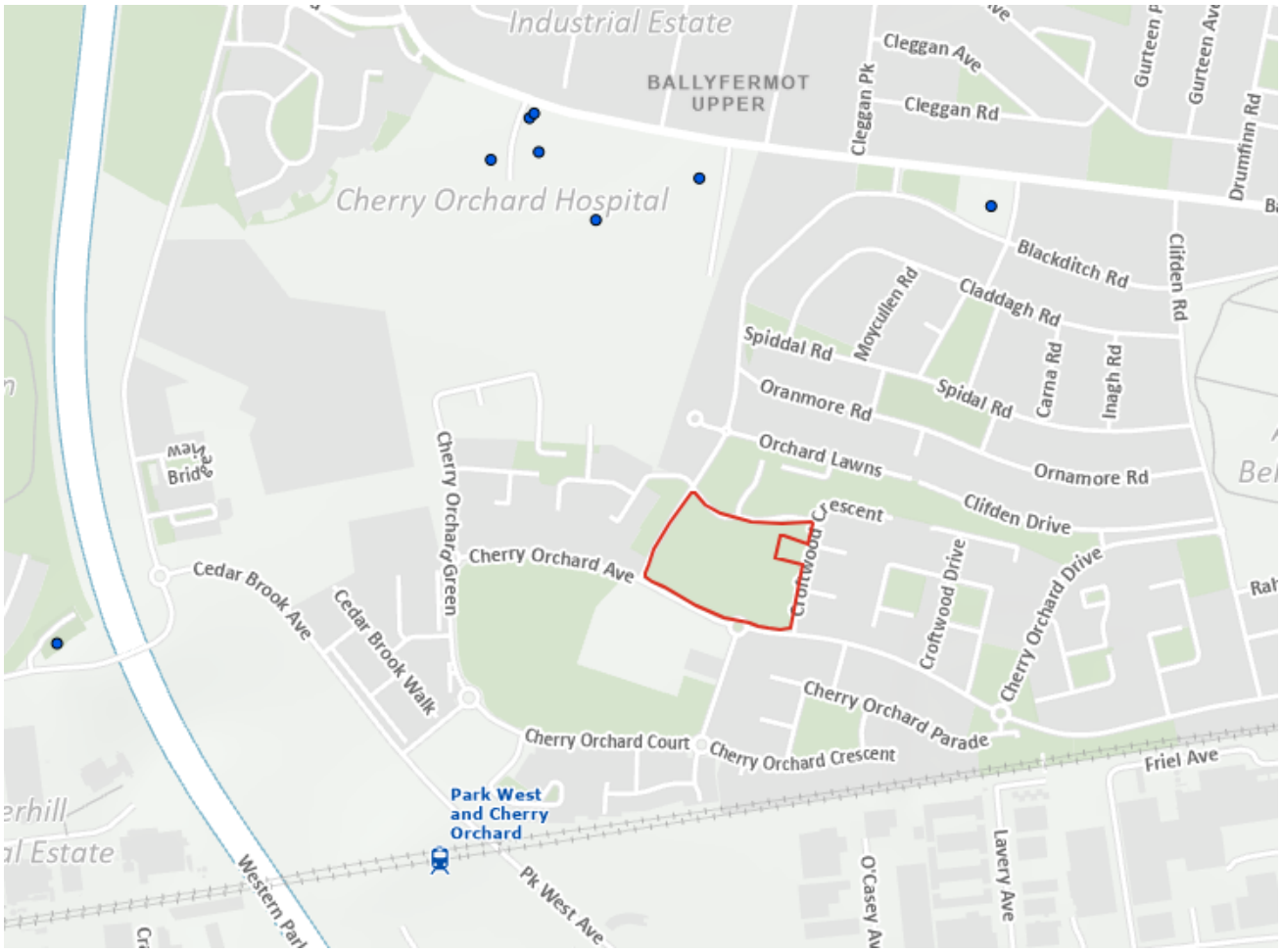


Figure 10: NAIH Structures in the context of the Site (Source: Historic Environment Viewer)

2.3.11 Zoning at the subject site

Under the Dublin City Development Plan 2022-2028, the site is zoned Z12 Institutional Land (Future Development Potential). The proposed development of 171 no. residential units, retail, community, cultural ad arts space, and public open space, is compatible with the permittable uses and open for consideration uses stipulated in the City Development Plan. Lands zoned Z12 Institutional Land must also provide 25% public open space at the site. The proposed development is complying with the zoning objectives of the subject site.

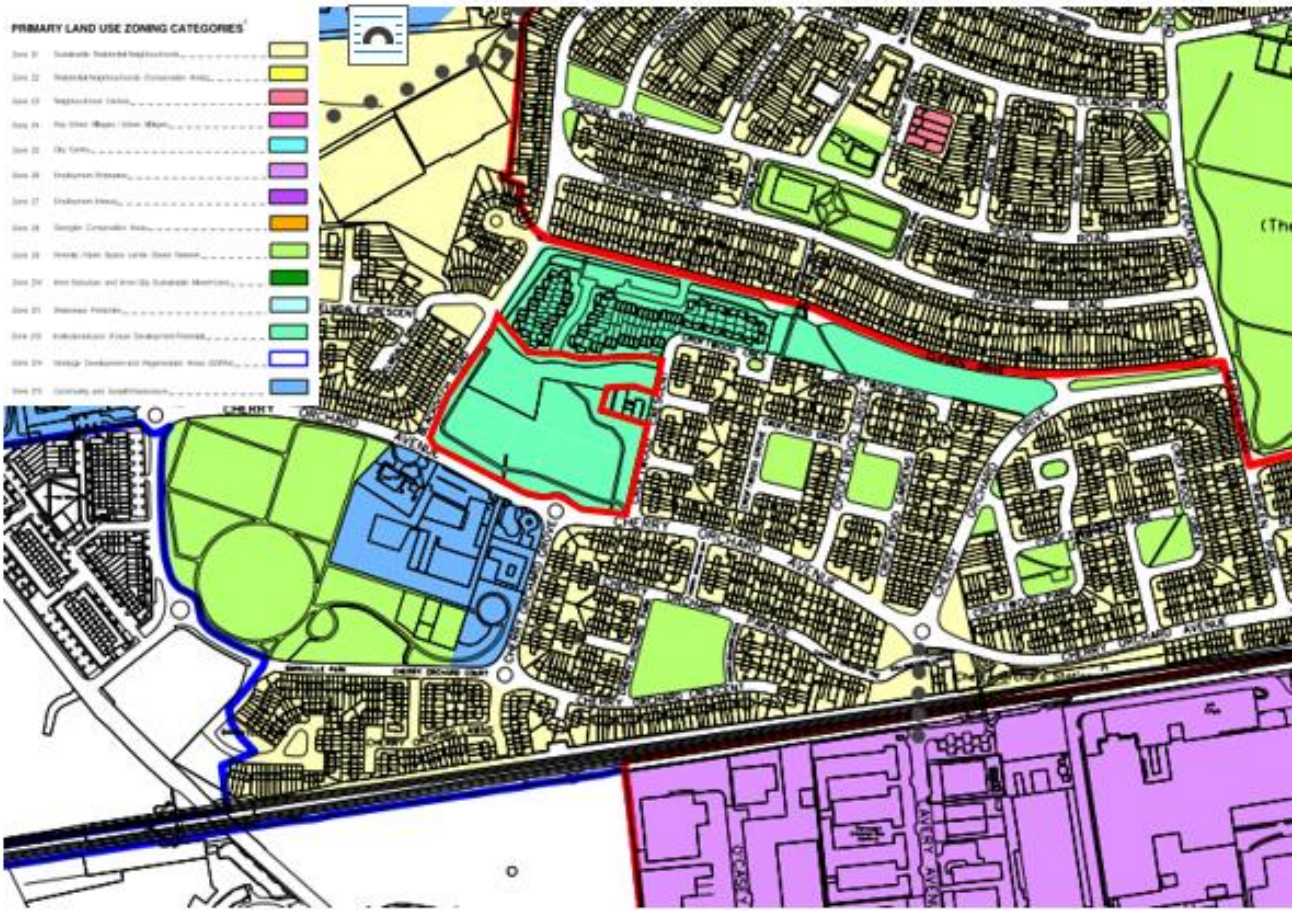


Figure 11: Zoning at the Subject Site (Source: Dublin City Development Plan 2022 – 2028)

2.3.12 Population and Human Health

Conducting analysis of the 1km settlements area confirmed a total population of the study area to be 59,269 persons during the 2022 Census. The Study Area experienced a population increase of between 2016 and 2022. Over the 6 year period, the population of the Study Area rose from 43,061 to 44,202, equivalent to a 2.6% increase. While in the same period, the County also experienced a population growth from 554,554 to 592,713, equivalent to a 7% increase between 2016 and 2022.

The 2022 census shows that 2,420 of the study area population were aged between 0 and 4, of a total population of 44,202, or 5% of the total population. A further 2,791 persons aged between 5 to 9 year old or 6% of the total population. The 10 to 14 years old cohort comprises 3,107 persons or 7% of the total population. In the 15-19 age cohort, this group comprises 2,912 persons or 7% of the total population. While the 20-64 years age cohort, incudes 27,115 persons or 61% of the total population. In terms of the 65+ years, this group comprises 5,857 persons or 13% of the total population.

The average no. of persons per household in the study area was 3.02 persons, which is higher than the average found for the Dublin City region. The site is located in the Cherry Orchard C and Cherry Orchard A Electoral Division's. The site was just located in Cherry orchard C in the 2016 Census. The average household size is 3.17 persons in that ED in 2022. The average household size was found to be 4.40 in Cherry Orchard A in the 2022 Census. That would give an average of 3.79 for the two ED's. The study area had an average household size of 3.02.

Across Ireland, the Census 2022 revealed that the proportion of people living alone increased consistently with age. It is noted that over one-quarter of people aged 65 or over lived alone and this rose to 44% for people

aged over 85 years. The Census 2022 also found that the highest number of people living alone was in Dublin City with a population of 61,525 persons. In the intercensal period of 2016 and 2022, the number of one person households in the State grew from 399,815 to 425,974, or equivalent to a 7% increase.

Figure 12: Building Uses Surrounding the site (Source: LDA & GeoDirectory)

The site is in an established urban neighbourhood in a city centre location. Owing to the site's location, a range of educational, community/sporting, creches, healthcare, amenities, parks, and local facilities are within its vicinity. It is ideally located to meet the principles of the 15-minute City as envisaged in the Dublin City CDP 2022 2028.

2.3.13 Ecological nature of the site

The EcIA report prepared by NM Ecology includes details of the habitats recorded within the site. This section highlights relevant findings from the EcIA to inform the baseline ecological nature of the site.

2.3.13.1 Habitats

The majority of the Site consists of amenity grassland (GA2), which is regularly mowed. The dominant species is perennial rye-grass Lolium perenne, with abundant white clover Trifolium repens and frequent red clover Trifolium arvense. Occasional species include dandelion Taraxacum officinale, greater plantain Plantago major, ribwort plantain Plantago lanceolata, creeping buttercup Ranunculus repens, cut-leaved crane's-bill Geranium dissectum, yarrow Achillea millefolium and broad-leaved dock Rumex obtusifolius. Amenity grasslands are very common and widespread throughout Dublin, so they are of Negligible botanical importance.

There is a single tree in the south-west corner of the Site: a large-leaved lime Tilia platyphyllos. It is semi-mature, and of moderate height. As a single tree, it is not mapped separately from the amenity grassland.

There are narrow strips of dry meadow (GS2) in areas that cannot be mowed around the margins of the field. These areas support a range of species, including nettles Urtica dioica, great willowherb Epilobium hirsutum, oil-seed rape Brassica rapa, false oat-grass Arrhenatherum elatius, creeping thistle Cirsium arvense and lesser burdock Arctium minus. All of these species are common and widespread in urban areas, so the habitat is of Negligible importance.

2.3.13.2 Summary of Identification of Important Ecological Features

Table 3 provides a summary of all ecological features identified within the Site, including their importance and legal/ conservation status. . For the purposes of this impact assessment, any features that are of Local (or higher) ecological importance are considered to be 'Important Ecological Features'.

Table 3: Important Ecological Features within the Site

Ecological feature	Importance	Legal status	Important feature?
Designated sites	-	-	No
Amenity grassland (GA2)	Negligible	-	No
Dry meadows and grassy verges (GS2)	Negligible	-	No
Artificial surfaces (BL3)	Negligible	-	No
Rare / protected flora	N.A.	-	No
Invasive plant species	N.A.	-	No
SPA birds	Local	HR	Yes
Other birds	Negligible	-	No
Terrestrial mammals	Negligible	-	No
Bats	Negligible	-	No
Fish and aquatic fauna	N.A.	-	No
Reptiles and amphibians	Negligible	-	No
Invertebrates	Negligible	-	No

** HR – European Communities (Birds and Natural Habitats) Regulations 2011 (as amended); WA - protected under Section 19 or 20 of the Wildlife Act 1976 (as amended)*

2.3.13.3 Winter Bird Surveys

Brent Geese

As recorded in Table 3 above, the only Important Ecological Feature identified in this assessment is winter birds. Winter Bird Surveys were conducted by a qualified Ecologist, Nick Marchant, NM Ecology. Bird surveys were carried out approximately every two weeks from late September 2023 to early April 2024, comprising a total of 14 surveys. The Winter Bird Survey is submitted as part of this Part 8 application.

Geese were recorded on two occasions: 94 geese on 19 December and 10 geese on 12 February. Both flocks fed continuously at the site for at least an hour before being disturbed by dogs and leaving the Site. Based on the abundance categories in section 2.3.1 of the Winter Bird Survey Report, there was a flock of high importance (50 – 400 geese) during 1 survey, flocks of moderate importance (1 – 50 geese) during 1 surveys, and no geese during 12 surveys. Based on the frequency of use categories in Section 2.3.2 of the Winter Bird Survey, geese

were present during 14% of surveys, which NM Ecology consider to be 'rarely used'. Therefore, NM Ecology conclude that the site is rarely used by brent geese, but in numbers of moderate to high importance.

Black-tailed Godwit

Three birds were observed on 17 January 2024, landing at a pool in the north of the site for approx. 15 seconds, before taking flight and leaving the site in a north-westerly direction. They were not observed during any other surveys.

As they were only recorded during 1 of the 14 surveys, and spent less than a minute at the site, the site is not considered to be of importance for this species.

Black-headed Gull

Black-headed gull was regularly recorded at the Site, with a peak count of 55 individuals. They were usually roosting in the centre of the site.

2.3.14 Other Site Environmental Sensitives

The proposed development includes the site clearance works. There are no additional noted environmental sensitivities associated with the subject site.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

Notice is hereby given of the construction of a mixed-use development of 171 residential units and neighbourhood centre on a site of c.3.64 ha bound by Cherry Orchard Meadow, Blackditch Road, Croftwood Crescent and Cherry Orchard Avenue, Cherry Orchard, Dublin 10, which will consist of the following:

- Construction of new neighbourhood centre block at the corner of Blackditch Road and Cherry Orchard Avenue, ranging in height from 4 to 5 storeys comprising; 4 no. retail units (599 sqm retail space) and 3 no. community, arts and cultural space units (total 615 sqm) at ground floor level; and 107 'Older Persons' apartment units (94 no. 1-bed and 13 no. 2 bed) on all floors; and stores, bin and bicycle storage and a plant room;
- Construction of 64 no. 2 storey semi-detached/terraced houses (13 no. 2-bed and 51 no. 3-bed) arranged in 3 clusters facing adjoining roads and new internal streets;
- Provision of a new central park extending from Cherry Orchard Meadow to Cherry Orchard Avenue comprising 0.76 ha public open space which includes a restored watercourse feature from the daylighting of the Blackditch Stream (currently culverted underground), play area, civic plaza, pedestrian bridge and walkways along the stream;
- A total of 638 sqm communal open space;
- Provision of 91 no. car parking spaces, 4 no. motorcycle spaces and 1 no. loading bay;
- Provision of 228 no. bicycle parking spaces;
- Three vehicular accesses are proposed from Blackditch Road, Cherry Orchard Meadow and Cherry Orchard Avenue;
- Road works and public realm improvements along Cherry Orchard Avenue between Blackditch Road, Croftwood Crescent comprising; demolition of roundabout at junction of Cherry Orchard Avenue and Cherry Orchard Grove and replacement with a T-junction; new pedestrian crossings and relocation of 2 no. existing bus stops (Stop ID:2909 and Stop ID: 7507);
- Site clearance works including removal of existing fencing surrounding the site;
- Boundary treatments, public lighting, drainage works, traffic calming measures, new pedestrian crossings, internal roads and footpaths, landscaping and ESB substation; and
- All ancillary site services and development works above and below ground.

Figure 13: Proposed Site Layout (Source: SHA)

3.2 Surface Water Infrastructure

3.2.1 Existing Services

Existing surface water runs around the perimeter of the site on three sides and a culvert runs diagonally across the site.

A comprehensive utility survey was undertaken across the development site and adjoining public roads to accurately identify the location, invert levels, and diameters of all existing foul and surface water sewers. The survey confirmed the pipe sizes and alignments described below and on the accompanying drawings.

During this process, it was noted that some discrepancies exist between the surveyed information and the Dublin City Council GIS drainage mapping. Where such differences occur, the utility survey data has been taken as definitive, as it represents verified ground-measured information collected by licensed surveyors. This verified dataset has informed the hydraulic modelling and proposed diversion design presented later in this report

- There is a 600mm diameter concrete sewer on Blackditch Road travelling from northwest to southeast increasing to a 1350mm diameter concrete culvert which falls diagonally across the site to an existing surface water manhole on Cherry Orchard Ave/ Croftwood Crescent junction.

- Along the western boundary of the site, there is a 300mm diameter concrete sewer travelling from south to north increasing to a 600mm diameter concrete sewer along a portion of the road before meeting the 1350mm diameter concrete culvert to the northwest of the site.
- Along the eastern boundary of the site, there is a 300mm diameter concrete sewer on Croftwood Crescent travelling from north to south increasing to a 600mm diameter concrete sewer on Cherry Orchard Ave/ Croftwood Crescent junction.
- Along the southern boundary of the site, there is a 300mm diameter concrete sewer traveling from west to east increasing to a 600mm diameter concrete sewer on Cherry Orchard Ave/ Croftwood Crescent junction.

These underground sewers carry surface water runoff from other catchments adjacent to the site. Due to the relative levels of the existing drainage and the proposed site levels, it is possible to achieve a gravity connection to the existing surface water drainage.

3.2.2 Proposed Services

The proposed surface water drainage layout for the development is indicated on Malone O'Regan drawings SHB5-CRD-DR-MOR-CS-P3-130, 150 and 151. Surface water runoff from new internal road surfaces, footpaths, other areas of hardstanding and the roofs of buildings will be collected within a gravity drainage network.

Surface water runoff from the site is sub divided into separate areas and measures proposed for each area managing surface water where it falls. Surface water from apartment block is attenuated by a green/blue roof and directed towards an attenuation tank, located within the internal courtyard. The attenuation storage calculated is sized to cater for a 1:100-year storm event. The outfall from the attenuation tank will be restricted to the applicable 'greenfield' runoff rate using a Hydrobrake flow control device.

A number of sustainable drainage systems (SuDS) are proposed in order to minimise the volume and rate of runoff from the site. Surface water from the roads and pavements are attenuated by tree pits, permeable paving or swales. Surface water from the houses are attenuated by raingardens and permeable paving before discharging.

As part of the proposal for the development, the existing culvert will be daylighted to provide improved hydraulic capacity, enhance ecological benefits, and reduce flood risk while integrating the watercourse into the surrounding landscape. Please refer to SHB5-CRD-RPJBA-CS-P3-001 Hydromorphology Assessment for further information on the culvert and the proposal to daylight the culvert.

3.3 Foul Water Infrastructure

3.3.1 Existing Services

An existing network features:

- A 225mm – 300mm diameter pipe runs parallel to the south boundary of the site. The pipe is made of concrete,
- A 225mm diameter pipe runs parallel to the east boundary of the site, the material of the pipe varies along runs and is concrete and uPVC,
- A 225mm diameter pipe runs parallel to the west boundary of the site, the material of the pipe is, and
- A 225mm diameter pipe runs from the northwest corner of the site, through the site and to the southeast corner. This pipe is concrete, and the manholes are outside the site's boundary.

3.3.2 Proposed Services

The proposed foul water drainage system is designed to comply with the 'Greater Dublin Strategic Drainage Study (GDSDS) Regional Drainage Policies Technical Document – Volume 2, New Developments, 2005' and the 'Greater Dublin Regional Code of Practice for Drainage Works, V6.0 2005'. The proposed foul water drainage layout for the development is indicated on Malone O'Regan drawings SHB4-CRD-DR-MOR-CS-P3-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system.

3.4 Water Supply Infrastructure

3.4.1 Existing and Proposed Services

An existing watermain network runs to the eastern, southern and western boundary of the site. The size of the watermains vary from 150mm, 200mm and 250mm. They are uPVC in material and are from 1980. The proposed watermain layout is indicated on drawing SHB4-CRD-DR-MOR-CS-P3-140 which accompanies this planning application.

3.5 Daylighting Culvert

A key element of the proposal is the daylighting of an existing culvert at the site. To inform the design approach, an Hydromorphological Assessment has been prepared by JBA and is submitted as part of this application. The design of the main morphological components of the development are described below.

In-Channel

- Sinuous planform for the first half of the daylighted length and then a straight section as it reconnects with the downstream culvert.
- A shallow 3m wide channel is proposed within a broader excavated 15m envelope (approximately 5-7m either side of the channel).
- Sinuous low flow channel within the 3m channel width achieved using alternating inset berm features.
- Channel bed and banks composed of existing in-situ material at excavated depth.

Banks

- Bank materials are natural along the full length of the proposed daylighted length.
- Piped stormwater inflows enter the daylighted channel at the left bank immediately upstream of where the watercourse enters the downstream culvert. This includes a concrete headwall at the outflow into the daylighted channel.

Riparian

- The design defines a narrow riparian zone approximately 5-7m either side of the proposed channel. This features natural ground conditions and is designed without provision for public use or access i.e., this area is designed to be free from human activity. This riparian zone is divided into a streamside zone and a middle zone.

Outside the riparian zone

- The area outside of the riparian zone features public use areas such as a terrace with large concrete sitting steps, footpaths, and a public play area.

4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator (OPR) has issued guidance on EIA screening in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids planning authorities as the Competent Authority (CA) in this area.

Figure 14: Extract from OPR EIA Screening Guidance Note

This report has had regard to the OPR guidance and methodology.

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage1 stage (a) of the OPR guidance.

4.2 Sub-threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

In Part 2 of schedule 5, the following is the relevant to assessment of sub-threshold development.

> *10. Infrastructure projects*
>
> *(b) (i) Construction of more than **500 dwelling units**.*
>
> *(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.*
>
> *(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.*
>
> *(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.*
>
> *("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)*

In relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub-threshold development with reference to the above thresholds and under Step 1(c) of the OPR guidance a preliminary examination is required under Step 2.

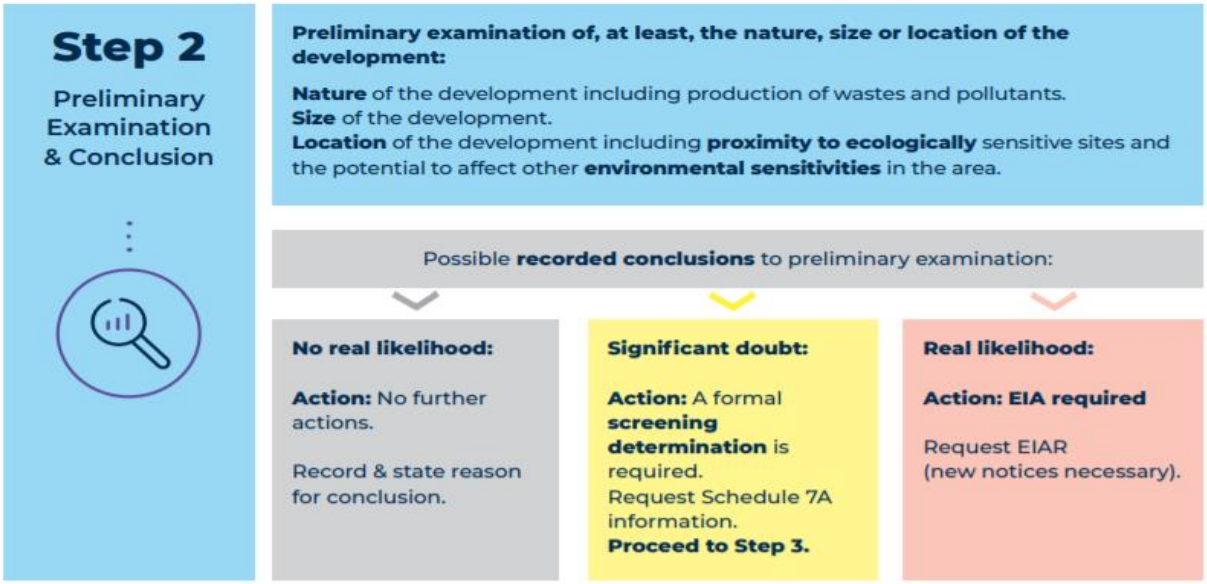


Figure 15: Extract from OPR EIA Screening Guidance Note

4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

The OPR guidance states a number of questions to assist the preliminary examination.

This overlaps with the submitted Appropriate Assessment (AA) screening report and consideration of hydrological and other connections to European sites.

4.4 Nature of the development

i) Is the nature of the proposed development exceptional in the context of the existing environment?

The nature of the development is consistent with the objectives of Dublin City Council's Development Plan. The site is zoned Z12 Institutional Land (Future Development Potential). The proposed development is consistent with the zoning objectives on site. The proposed construction of 171 no. residential units, retail, community, arts and cultural space, and public open space provides an active neighbourhood centre on the subject site using finite land within the built-up footprint in the Cherry Orchard area. The site is situated within a Strategic Development Regeneration Area which are considered as areas capable of delivering significant quantities of homes and employment for the city. Within the SDRA 4 Park West & Cherry Orchard and the Park West & Cherry Orchard Local Area Plan, the site has been earmarked for redevelopment.

It is considered that no significant natural resources will be used; namely land, soil, water or biodiversity. The nature of the development is compatible with the surrounding land uses and would be supported by the availability of, and proximity to healthcare, community and local service provision within the immediate neighbourhood and public transport accessibility. Therefore, it is considered that the proposed development is not exceptional in the context of the existing urban environment.

ii) Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

The nature of the proposed use is primarily residential with community, arts and cultural uses proposed. During the construction phase, any waste generated from the proposed development will be dealt with in the appropriate manner in accordance with the appropriate standards and best practice methodology. A Construction and Environmental Management Plan (CEMP) and a RWMP accompanies this application which sets out measures/ approaches relating to construction waste arising and any emissions or pollutants arising during construction.

When occupied, it can be anticipated that the development will have negligible potential to cause any pollution or nuisance. Further to this, site is not located on or immediately surrounding a source for major accidents or hazards. The nearest Seveso sites to the application site are located between 1.5-2km and include BOC Gases Ireland Ltd (Upper Tier), Irish Distillers Ltd./ Pernod Ricard (Lower Tier) and Kayfoam Woolfson (Lower Tier). Other waste generated during construction and operation can be anticipated to be typical for a medium scale residential development and retail units. The proposed development by its nature will not cause any significant waste, emissions or pollutants during operation.

4.5 Size of Development

iii) Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not exceptional in the context of the existing environment. The development site is c. 3.64 ha will result in 171 no. residential units, 599 sqm retail and 615 sqm community, arts and cultural space, and 0.76 ha public open space. The site is located in an urban area in Cherry Orchard. Therefore, the proposed development is not considered exceptional in an urban context. Moreover, the lands are zoned Z12 Institutional Land in the Dublin City Development Plan 2022-2028.

The proposed infill development will provide a new urban area in the Cherry Orchard area. The proposed development is consistent with local, regional and national policy, particularly in delivering compact growth within the existing built-up envelope of urban areas.

iv) Are there cumulative considerations having regard to other existing and/or permitted projects?

To consider potential in-combination effects, planning applications (recently granted or under consideration) in the vicinity of the site were reviewed on the online planning records of Dublin City Council and An Comisiuin Pleanála. A 1km radius was utilised during the search of applications in order to identify applications to consider potential in-combination effects. Various extensions and retention permissions were noted among the applications permitted in the vicinity of the site and these are not recorded in this section due to the scale and nature of those developments. There are a number of large-scale developments permitted within 1km of the site, and they can be summarised as follows:

Table 4: Relevant Permitted and Proposed Planning History

DCC/ ABP Planning Reference Number	Granted	Summary of Description of Development	Address	Distance from Site (km)
4697/22	0/03/2023	The development will consist of a new 208 sqm single-storey extension to the south of the existing childcare facility containing additional classrooms and associated service spaces.	Cherry Orchard Community Childcare, Croftwood Crescent, Cherry Orchard, Ballyfermot, Dublin 10	Abuts eastern boundary of site
4886/23	23/08/24	The permitted development comprises the construction of a two-storey classroom building for additional creche facilities and all associated site development works to the east elevation at the south corner of St. Ultan's Campus	St. Ultan's Primary School, St. Ultan's Campus, Cherry Orchard Ave, Dublin 10	Fronts Cherry Orchard Avenue to the south of the site
ABP Ref. 314056	19/12/23	The permitted development consists of Liffey Valley to City Centre Core Bus Corridor Scheme. The scheme extends over a distance of 9.2km from the new Liffey Valley Shopping Centre bus interchange at its western end to High Street in the city centre to the east. The proposed scheme will travel along Ballyfermot Road, towards the north of the subject development and the route passes Cherry Orchard Hospital and Cherry orchard.	Fonthill Road to High Street all in the County of Dublin.	0.7
ABP Ref. 312290	16/06/22	The development will consist of 750 residential units in 7 separate blocks, ranging in height from 2 to 15 storeys, 6,175 sq. m of communal amenity space and 14% public open space. 522 no. car parking spaces and 1,676 bicycle spaces. The development also includes: Retail Unit – 156 sqm Crèche – 410 sqm (84 child spaces) Community Space – 48 sqm Café/bar – 91 sqm	Park West Avenue and Park West Road, Park West, Dublin 12.	0.4
ABP Ref. 316828	17/10/24	The permitted development consists of the Tallaght/ Clondalkin to City Centre BusConnect Core Bus Corridor Scheme. The Tallaght / Clondalkin to City Centre CBC scheme has an overall length of approximately 15.5km with an additional offline cycling facility of 3.9km.	Tallaght/Clondalkin to Dublin City.	1.0

DCC/ ABP Planning Reference Number	Granted	Summary of Description of Development	Address	Distance from Site (km)
ABP Ref. 318607	09/07/24	The permitted development consists of a residential-led mixed-use scheme across 16 blocks within 9 buildings ranging in height from 4 to 15 storeys at Park West Avenue, Cherry Orchard, Dublin 10	Lands at Park West Avenue, Cherry Orchard Dublin 10.	0.6
ABP Ref. 316119	13/11/24	A railway order was submitted in 2023 for the development of the Dart+ South West (Hazelhatch & Celbridge Station to Heuston Station, and Heuston Station to Glasnevin) rail project. The project entails electrifying the railway line between Hazelhatch & Celbridge Station and Heuston Station, extending to Glasnevin Junction via the Phoenix Park Tunnel Branch Line. The project spans approximately 20 km across Kildare, South Dublin, and Dublin City Council areas.	County Dublin and County Kildare	0.5
4313/22 (Part 8)	03/10/22	Residential development comprising 172 no. dwellings (31 no.2 bed houses and 141 no. 3 bed) 0.83 ha public open space and associated site services.	Cherry Orchard lands bounded to the North by Cherry Orchard Hospital, and to the South by Cherry Orchard Football Club and Cherry Orchard Green, Dublin 10	0.4
ABP Ref. 321931	22/09/25	The proposed development of a residential scheme consisting of 137 no. units (31no. two-bed units and 106no. three-bed units), provision of landscaped public open space, communal open space for the duplex and apartment units with private open space to serve the proposed units to be delivered through a mixture of rear gardens and terraces	Lands at Park West Avenue, Cherry Orchard Dublin 10.	0.7

The geographical distribution of the remaining development sites surrounding the application site reflects the rapidly changing nature of this accessible area of the City Centre. All accompanying reports such as the traffic, AA screening, Construction Environmental Management Plan (CEMP), Environmental Impact Assessment Reports etc. have taken into account the proposed in-combination effects. Notwithstanding this, it is reasonable to assume that all development consents would incorporate conditions requiring protection of the environment during the construction and operational phase. In addition, the EIARs submitted as part of the large-scale

infrastructure and residential developments within the study area contain a number of mitigation measures that will ensure no adverse impacts on the environment as a result of their development.

The accompanying confirmation of feasibility from Uisce Eireann determines the existing infrastructure is adequate to cater for the proposed development. As a result, it is not anticipated that there will be any cumulative effects relating to water supply and foul drainage during the operational phase.

In-combination effects on Natura 2000 sites are a Habitats Directive issue and it is addressed in the AA Screening Report included under separate cover. It concludes that the construction and presence of this development will have no adverse effects on Natura 2000 sites or their conservation objective, alone or in combination with other plans and projects.

Overall, it is considered that the proposed development will have a significant permanent positive impact when considered in the context of existing and approved projects/ plans. Due to the accessible location and the planning objectives / zoning for the surrounding area, and in particular, the area's designation as a Strategic Development Regeneration Area means that development is continually occurring. However, given the relative scale of the proposed development and segregation from other sites and no major projects have been identified that would result in significant in-combination effects, it is considered unlikely that these developments would have the potential to result in significant negative cumulative impacts in combination with the proposed project.

4.6 Location

i) Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?

The environmental sensitivity of the subject site and receiving environment has been considered through examination of various technical and scientific assessments as detailed in section 2.3 of this report.

The subject site is not within a European site. The nearest European site to the subject site is 14.5km away (South Dublin Bay and River Tolka Estuary SPA (4024). The closest EPA recorded watercourse is the Grand Canal Main Line (Liffey and Dublin Bay), located c. 850 m south of the site. Section 2.3 of this report notes the presence of a storm drain at the site in a 1m diameter culvert, it appears to be a historical watercourse known as the Blackditch Stream. It flows in a south-easterly direction and emerges from the culvert at Labre Park, Kylmore, approx. 1.5 km south-east of the Site. It then passes underneath the Grand Canal in another culvert and joins with the River Camac a further 1 km downstream, which merges with the River Liffey and reaches the coast in Dublin Bay. As part of the development, it will be re-opened and incorporated as part of the landscaping plans at the site.

As recorded in Table 3 of the report, the only important ecological feature identified in the EcIA is winter birds. The Winter Bird Survey concluded that the site is rarely used by brent geese, in flocks of moderate to high importance. NM Ecology consider it to represent a Site of Local importance.

The development of the site would substantially change the extent and character of grassland at the site, which would reduce it below the 0.7 ha threshold suggested by Benson (2009). It would also increase activity (and thus disturbance) by pedestrians and dog walkers. In combination, these factors would almost certainly make the site unsuitable for brent geese in the future. Geese displaced from the Site would have alternative feeding sites in the broader surroundings. A large-scale study by Scott Cawley identified 2 potential grassland sites within 2 km of the Site, and recorded geese at 1 of them. These sites would be large enough to accommodate the geese displaced from the Site.

Therefore, considering that the Site is rarely used, by relatively low numbers of brent geese, that there is regular anthropogenic disturbance at the Site (by pedestrians, dogs and scramblers), and that there are other sites nearby of higher foraging value, the development of the Site will have an imperceptible impact on brent geese associated with the SPAs in Dublin Bay.

The AA Screening identifies and assesses potential pathways for indirect impacts between the site and European sites. In terms of surface water pathways, the AA Screening found that there is a total hydrological distance of 14.5km between the site and the European sites in Dublin Bat; the intervening waters would dilute any pollutants to negligible concentrations before they could affect any of the qualifying interests of the SPA/ SAC. Therefore, a surface water pathway can be ruled out. In relation to groundwater pathways, the AA Screening concludes If any pollutants soaked to ground within the Site, they would have to pass through at least 14.5 km of intervening subsoils / bedrock before reaching the closest European site. This would reduce any pollutants to negligible concentrations, in which case they would pose no risk of impacts. Therefore, groundwater can be ruled out as a feasible pathway. No feasible pathways over land or air were identified. In summary, potential no feasible pathways were identified between the site and any European Sites.

As noted in the AA Screening: *"There is no risk of direct impacts on European sites. Potential pathways for indirect impacts were considered, but none were found to be feasible. The Site provides an occasional inland feeding site for brent geese (which are a qualifying interest of SPAs in Dublin Bay), but the proposed development will have an imperceptible impact on them. Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. The assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2."*

It is not considered that the proposed development would have an impact on any sensitive watercourses or soil/ ground feature. In particular, the proposed construction measures will ensure that there are no significant adverse effects on hydrology and hydrogeology within the site of the development, or the surrounding area as a result of the daylighting of the culvert.

The subject site is not located within or proximate to any natural amenity features including; wetland feature, coastal zone, mountain or forest area, Nature Reserves or Parks.

The proposed residential development is considered to be appropriately located on serviced greenfield urban land which benefits from supporting community services and infrastructure, including accessibility to the city centre and the wider Dublin city Metropolitan Area which will benefit future residential occupants. The locational characteristics facilitate and support urban regeneration specifically in the form of residential development and the delivery of the calculated housing need as identified in the City Development Plan, at an appropriate, accessible location which has sufficient capacity to accommodate that development.

ii) Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

The detailed sensitivities of the site are outlined in section 2.3 above. There are no recorded monuments situated within the site boundary. There are no structures on the record of protected structures (RPS). It does not lie within a zone of archaeological interest. The absence of features of built, landscape heritage or visual amenity within or immediately adjacent to the subject site, confirms that there is no inherent landscape, cultural and heritage sensitivity of the subject site or its immediate environment.

The scheme would change the visual appearance of the site and the landscape character at a local level. The development would introduce a new urban edge along the perimeter of the site fronting Cherry Orchard

Avenue, Blackditch Road, Cherry Orchard Meadow and Croftwood Crescent. There would be a loss of amenity grassland which is used for general recreational amenity for the local population, but landscape proposals would provide for an improved park with landscaping, pathways and planting measures.

4.7 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there are doubts regarding the likelihood of significant effects on the environment arising from the proposed development of a greenfield site with daylighting of a culverted watercourse and to proceed to a Step 3 assessment as per the OPR Guidelines.

5. SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION

Where the requirement to carry out EIA is not excluded at preliminary examination stage, the planning authority must carry out a screening determination.

In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,
- Any further relevant information on the characteristics of the development and its likely significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account, and
- The likely significant effects on certain sensitive ecological sites.

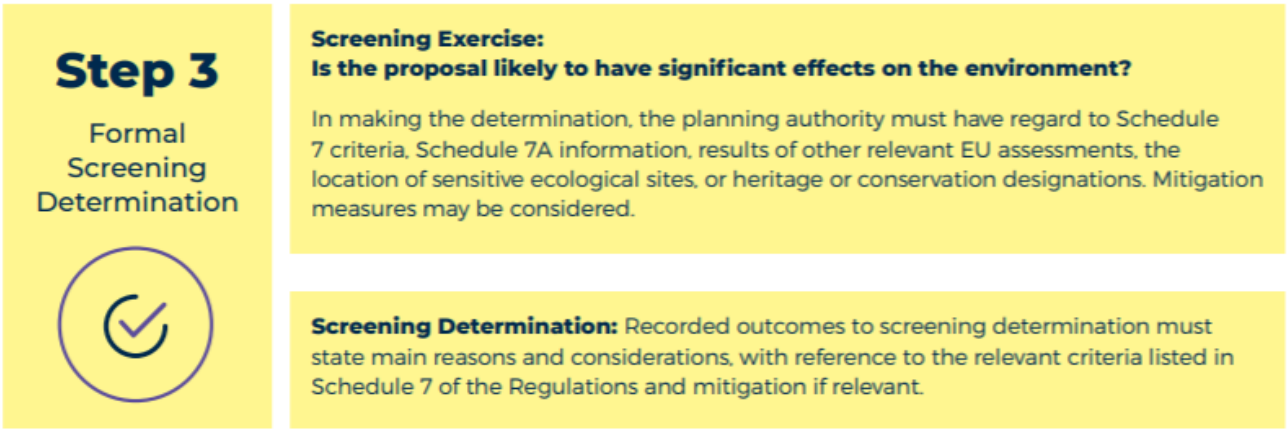


Figure 16: Extract from OPR EIA Screening Guidance Note

5.1 Schedule 7 criteria for determining whether development should be subject to an environmental impact assessment

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7. Schedule 7 criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment.

- Characteristics of the proposed development.
- Location of the proposed development.
- Characteristics of potential impacts.

Table 5: Characteristics of the proposed development

Schedule 7 Criteria	Schedule 7 Criteria Commentary
1.Characteristics of proposed development The characteristics of proposed development, in particular to:	
(a) the size of the proposed development,	The proposed works at the 3.64 ha site consists of the construction of 171 units, 599 sqm retail space, 615 sqm community, arts and culture space and 0.76 ha of public open space. A Resource Waste Management Plan (RWMP) will be in place for the construction phase of the development. With mitigation measures detailed in the CEMP and RWMP no significant negative effects are likely. The proposed development provides an appropriate and compatible form of development on a greenfield site within an urban context on lands which are zoned Z12 Institutional Lands (Future Development Potential). The site is immediately adjacent key services and facilities such as educational and medical uses and is well connected in terms of existing and planned public transport. Having regard to the size and design of the proposed development, which is urban in nature, the potential for significant effects on the environment are not anticipated.
(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,	Section 4.4 (iv) of this report identified relevant permitted planning permission and applications for the assessment of cumulative effects. Together, with the proposed development at the subject site and the other permitted developments in the vicinity of the site are not likely to give rise to significant effects and is likely to positively impact on the area. In arriving at this conclusion, other permitted development as well as a proposed application by DCC in the vicinity of the site has been taken into account.
(c) the nature of any associated demolition works,	The proposal entails the clearance of the site and the construction of 171 no. residential units, retail and community, arts and cultural space. All works will be carried out in accordance with best practice and regulations to ensure no impacts on the environment as a result of the proposed development
(d) the use of natural resources, in particular land, soil, water and biodiversity,	The nature of the proposed use and scale of development is such that its development would not result in a significant use of natural resources. There will be no use of natural resources at the site given the nature of works proposed. The scale and quantity of construction materials used will not be such that would concern in relation to significant effects on the environment. During construction, the contractor will take all appropriate measures to protect against accidental spillages or pollution.

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	The development will generate water demands during the construction and operational phases of the development. Water will be supplied from the public watermain. A Confirmation of Feasibility has been received from Uisce Eireann (UE) (Formerly Irish Water). A Copy of the UE Confirmation of Feasibility Letter is provided in Appendix A of the accompanying Engineering Report prepared by Malone O'Regan. The operation of the scheme would not use such a quantity of water to cause concern in relation to significant effects on the environment. The proposed foul water drainage layout for the development is indicated on Malone O'Regan drawings SHB4-CRD-DR-MOR-CS-P3-130. Foul water from new housing units will be collected within a gravity drainage network and directed towards the existing public sewer system. The proposed surface water drainage system includes a gravity drainage network to manage runoff from roads, footpaths, hard surfaces, and building roofs. The site is divided into separate drainage areas, each incorporating measures to manage water locally. Apartment block runoff is attenuated by a green/blue roof and an attenuation tank designed for a 1:100-year storm event, with outflow controlled by a Hydrobrake device. Sustainable drainage systems (SuDS) such as tree pits, permeable paving, swales, and raingardens are integrated to reduce runoff volume and rate before discharge. A Flood Risk Assessment Report prepared by Malone O'Regan accompanies this application. The report concludes: *"the overall development of the site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere."* The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment. The overall environmental impact under these headings is therefore considered to be low. In addition, the AA screening report accompanying this application concludes that the proposed development will not cause any significant impacts on designated sites, habitats, legally protected species, or any features of ecological importance. An EcIA accompanies this application. The site consists of amenity grassland which can be used by brent geese and other bird species for feeding. The Winter Bird Survey prepared by NM Ecology concludes that the proposed development will not have a significant effect on brent geese, because the site is rarely used and there are sites nearby that can be utilised. These sites would be large enough to accommodate the small

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	number of geese displaced from the Site. Black-tailed godwit do not use the Site on a regular basis or in significant numbers. Black-headed gulls are a generalist species that will continue to use the Site following the proposed development, so it will not be significantly affected. On this basis, it is concluded that the proposed development will not significantly affect the SCI bird species associated with the SPAs in Dublin Bay.
(e) the production of waste,	All inert material and non-hazardous waste will be disposed of from the site in accordance with the categorisation of waste and in accordance with the relevant licencing and regulatory requirements. The scale of the waste production with the use of licenced waste disposal facilities and contractors does not cause concern for likely significant effects on the environment. Normal builders waste (rubble, excess materials) will be generated during the construction phase. All construction works will be carried out in accordance with the CEMP and RWMP prepared as part of this application. During the operational phase, the proposed development will give rise to general non-hazardous waste including paper, cardboard, plastics, metals, electrical equipment and electrical waste commensurate with the residential, retail and community uses at the site. An Operational Waste Management Plan prepared by Traynor Environmental accompanies this application. No significant waste streams during operation are anticipated.
(f) pollution and nuisances,	The construction phase of the project has the potential to be a source of pollution in relation to water, noise, vibration, dust and traffic. There will likely be potential for localised dust and noise produced during the demolition and construction phases. This will be managed by ensuring construction work largely operates within the approved hours of construction. Standard dust and noise prevention mitigation measures will be employed and monitored. As such, pollution and nuisances are not considered likely to have the potential to cause significant effects on the environment. The CEMP report prepared by Panther Environmental Ltd addresses dust control and a number of mitigation measures have been proposed for the development. A variety of plant will be in use during the construction phase. There will be vehicular movement to and from the site that will make use of existing roads. Due to the nature of these activities, there is potential for the generation of elevated levels of noise.

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	According to the accompanying Acoustics Design Statement prepared by Wave Dynamics, the construction noise impact is predicted to exceed the BS 5228 requirements without any mitigation measures for all stages of the project. General and site-specific mitigation measures have been provided in the Acoustics Design Statement to bring the construction noise levels down within the limits of BS 5228. Following the noise mitigation recommendations in the report, the construction phase is expected to meet the requirements of BS 5228 based on the information provided. In addition to the mitigation measures, guidance has been provided in this report for construction noise monitoring during the construction period to manage noise levels to manage construction noise. All DCC requirements set out in the Air Quality Monitoring and Noise Control Unit's Good Practice Guide for Construction and Demolition (2022) will be observed during the construction phase by the contractor. All construction activities will take place between 7:00am and 6:00pm Mondays to Fridays, between 8:00am to 2pm on Saturday and not at all on Sundays and public holidays. Any works which, by necessity, are required to be carried out outside of these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. An operational noise impact assessment from the noise generated in the communal amenity space, the traffic generated from the proposed development has been undertaken by Wave Dynamics. It is predicted that the development will not cause a negative noise impact on the nearby noise sensitive locations An Operational Waste Management Plan will be put in place with measures to avoid and / or mitigate pollution from operational waste. The potential sources of traffic pollution can be mitigated, and these measures are detailed in the CEMP prepared for the development. With the implementation of these mitigating measures, there are no likely residual significant effects on the environment.
(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and	Standard construction practices will be employed throughout the construction phase. There are no technologies or substances to be used in the development which may cause concern for having likely significant effects on the environment. There is no significant risk of accidents or disasters. No significant effects are anticipated from any Seveso sites.

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	The subject site is located within a Flood Zone C. The accompanying FRA concludes that the development site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere. The Hydraulic Assessment by JBA also modelled increased rainfall as a result of climate change representing the MRFS and HEFS were also tested. Results show that climate change scenarios have comparable results to the present day Q100 and Q1000 events. It is therefore anticipated that the risk of accidents and/or disasters will be insignificant due to the nature of the proposed development, site management and adherence to all standards health and safety procedures.
(h) the risks to human health (for example, due to water contamination or air pollution).	The project is unlikely to give rise to risks to human health arising from contamination or pollution. There is no likely impact on sensitive water bodies, rivers or environmental designations.

Table 6: Location of the proposed development

Schedule 7 Criteria	Schedule 7 Criteria Commentary
2. Location of proposed development. The environmental sensitivity of geographical areas likely to be affected by proposed development, having regard in particular to:	
a) the existing and approved land use,	The subject site is currently a greenfield site. The proposed use on site is compatible with the land use zoning of the subject lands which is Z12 Institutional Land. No significant impacts are likely. In determining the zoning of the subject site, the Planning Authority will have thoroughly assessed the nature of the site as part of the Strategic Environmental Assessment and Appropriate Assessment for the Dublin City Development Plan 2022-2028 and Park West & Cherry Orchard LAP to ascertain its capacity to accommodate such development and merit a zoning as designated. As with any greenfield site, development will change its existing character (open amenity space). A new urban edge will be established along the perimeter of the site while a central linear public open space will be delivered that incorporates the daylighted culvert into the landscaping plans. The existing open space amenity at the site will be improved as part of the development proposal. The addition of this development is not considered to have a significant impact on the environmental sensitivities of the area.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,	The nature of the proposed development is such that the natural resources used in its development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site.

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	The land may be categorised as urban infill greenfield development land, well serviced by infrastructure, public transport, community services and where the objective is to maximise its development potential in the interests of sustainable development and compact growth. This is consistent with the established residential character of the locality. An AA Screening and CEMP have been prepared and informed the preparation of this EIA Screening. An assessment of the project has shown that significant effects are not likely to occur at these area alone or in combination with other plans or projects. In relation to biodiversity on the site, the EcIA states: *"The proposed development will require the removal of existing habitats of Negligible importance. The loss of these habitats will be compensated by the landscaping scheme for the proposed development, which will include native trees, meadows and bird nest boxes. These measures are expected to result in a net gain in the biodiversity value of the Site compared to the baseline habitats. This will ensure compliance with Policy GI 16 of the Dublin City Development Plan.* *Brent geese have been recorded at the Site. However, we conclude that the proposed development will have an imperceptible impact on this species, because the Site is rarely used and only by relatively low numbers, and there are several alternative sites nearby of higher foraging value. Black-headed gulls were also present, but they are generalists that will continue to use the Site following the proposed development, so they will not be significantly affected.* *In summary, it can be concluded that the proposed development will not cause any significant negative impacts on designated sites, habitats, legally protected species, or any other features of ecological importance."* The Blackditch Stream culvert is located along the site and will be daylighted as part of the proposed development. The site is underlain with dark limestone and shale bedrock and the soil type is made ground. The site itself is underlain by a region of 'moderate' groundwater vulnerability. The subject site is underlain by an aquifer which is identified as a "Locally Important Aquifer". It is identified that the Bedrock is Moderately Productive only in local zones. In addition, during construction all appropriate best practice construction methods and measures are being employed at the subject site. The construction of the project will be managed

Schedule 7 Criteria	Schedule 7 Criteria Commentary
	and carried out by a suitably qualified and experienced nominated contractor who will ensure that best practice measures are used in terms of the subject site and its environs to ensure the safeguarding of natural resources (such as soil, land and water).
c) the absorption capacity of the natural environment, paying particular attention to the following areas:	
(i) wetlands, riparian areas, river mouths;	The closest EPA recorded watercourse to the site is the Grand Canal and Camac river. The Camac River is located c. 1.1km from the site. A local authority storm drain passes underneath the Site in a 1m diameter culvert. It will be re-opened as part of the proposed development, and incorporated into the central landscaped area. It appears to be a historical watercourse known as the Blackditch Stream. Under the Water Framework Directive status assessment 2016-2021, the River Camac has a "poor" status and is deemed to be "at risk"., While the Grand Canal's status is "Good" and is deemed not at risk. River quality in the Blackditch Stream is not monitored as part of the Water Framework Directive Status Assessments (2016 – 2021). The proposed development provides a minimum set-back of 21m to 46m from the top of the watercourse in order to create an appropriate riparian zone. The proposed development is not likely to give rise to significant effects on wetlands, riparian areas, and river mouth.
(ii) coastal zones and the marine environment;	The site is not located proximate to a coastal zone or marine environment. No direct or indirect impacts are considered to arise.
(iii) mountain and forest areas;	Not applicable due to location of scheme
(iv) nature reserves and parks;	The proposed project is not located on or adjoining any nature reserves or parks.
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;	According to the AA Screening that accompanies this application, the project is not located within a Natura 2000 site, and is unlikely have any direct impact, or indirect impact on any Natural 2000 site due to the of construction and activity during operation.
(vi) 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;	It is not expected that any environmental quality standards will be exceeded by construction or operation phases of the proposed development. There will be no direct discharges to groundwater or surface water during the construction phase of the development.

Schedule 7 Criteria	Schedule 7 Criteria Commentary
(vii) densely populated areas;	The site is located within an existing neighbourhood of Cherry Orchard. The site's proximity to a wide range of services and facilities, along with the proposed uses such as retail and community space at the site can assist in serving the needs generated from the proposed development. The Study Area experienced a population increase of between 2016 and 2022. Over the 6 year period, the population of the Study Area rose from 43,061 to 44,202, equivalent to a 2.6% increase. While in the same period, the County also experienced a population growth from 554,554 to 592,713, equivalent to a 7% increase between 2016 and 2022. The proposed development will result in the enhancement and delivery of upgraded neighbourhood facilities in the form of a new community and cultural space, and open space. The site is located in an urban context which is served with public transport, commercial services and other community facilities. It is supported by existing educational, residential, retail, services, churches, in the broader area and recreational facilities.
(viii) landscapes and sites of historical, cultural or archaeological significance	No archaeological monuments are located on the proposed development site. There are no protected structures located proximate to the subject site. Having regard to the proposed scheme, it is considered that the proposed project will not have a significant negative impact on landscapes and sites of historical, heritage, cultural or archaeological significance.

5.1.1 Types and Characteristics of Potential Impacts

The likely significant effects on the environment of proposed development relate to those criteria set out in paragraph (b)(i)(I) to (V) of 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),

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,

h) the possibility of effectively reducing the impact.

The OPR's Practice Note on EIA Screening considers what are ***likely significant effects.*** Refer to Box 1 below.

Box 1: Likely Significant Effects

1. **Are the effects identified likely to occur?**
   This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.

2. **Are the effects, which are likely to occur, significant?**
   EPA draft guidelines define a *'significant effect'* as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.

3. **Will identified likely significant effects impact the environment?**
   Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.

   The factors of the environment to be described and assessed are:

   - **population and human health;**
   - **biodiversity, with particular attention to protected species and habitats;**
   - **land, soil, water, air and climate;**
   - **material assets, cultural heritage and the landscape;** *and*
   - **the interaction between the factors.**

The following table summarises the likelihood of effects on the environmental factors listed in the box above, having regard to the analysis set out in sections 2 and 4 of this assessment.

Table 7: Screening Considerations

Screening Considerations

Aspect	Phase	Potential Effect	Extent	Probability	Significance of Effect	Quality of Effect	Duration
Landscape	Construction (C)	Greenfield site will be replaced by 171 no. residential units, retail units, community, arts and culture space and public open space that incorporates the daylighting of the Blackditch Stream culvert	Local	Likely	Moderate	Negative	Permanent
	Operation (O)	Re-opening of the Blackditch Stream culvert and planting selection comprises mix of various species will ensure appropriate character for the area and enhance landscape at the subject lands.	Local	Likely	Moderate	Positive	Permanent
Visual	C	Perceived negative changes due to emergence of plant and machinery and site clearance works	Local	Likely	Moderate	Negative	Short Term
	O	Changes to existing character of site with residential, retail and community development	Local	Likely	Moderate	Positive	Permanent
Biodiversity	C	Reduction of grassland area visited by winter birds, specifically brent geese. The EcIA concludes that the proposed development will have an imperceptible impact on brent geese, because the site is only used by relatively low numbers and rarely used, and there are several alternative sites nearby of higher forging value.	Local	Likely	Moderate	Negative	Permanent
	O	Planting selection comprises mix of various species and provision of measures to enhance natural habitats and biodiversity enhancement measures are proposed as part of the landscaping plans.	Local	Likely	Moderate	Positive	Permanent
Land & Soil	C	Loss of subsoil from site Potential contamination due to accidental spillage.	Local Local	Likely Not Likely	Moderate Imperceptible	Negative Neutral	Permanent Brief

	O	Site clearance works, residential, retail, community, arts and culture and public open space development	Local	Likely	Moderate	Positive	Permanent
Population & Human Health	C	Construction noise, dust and traffic	Local	Likely	Moderate	Neutral	Short-term
	O	Delivery of residential, retail, community, culture and arts and public open space development	Local	Likely	Moderate	Positive	Permanent
Water	C	Accidental pollution events occurring to waterways or the groundwater table	Local	Not Likely	Imperceptible	Neutral	Brief - Temporary
	O	Discharge of treated attenuated surface water to existing surface water network Discharge of foul and wastewater to existing wastewater network	Local Local	Likely Likely	Imperceptible Imperceptible	Neutral Neutral	Permanent Permanent
Air Quality & Climate	C	Reduction of air quality as a result of construction traffic and HGVs, and emissions from construction and plant machinery	Local	Likely	Not significant	Neutral	Temporary
	O	Improved air quality associated with energy efficient design measures and modal shift.	Local	Likely	Moderate	Positive	Permanent
Noise	C	Increase in noise as a result of construction activity, and operation of plant and machinery	Local	Likely	Slight	Negative	Temporary
	O	Increase in noise level as a result of vehicular movements in and out of the development	Local	Likely	Imperceptible	Neutral	Permanent
Cultural Heritage: Built Heritage	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
Cultural Heritage: Archaeology	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-

Table 8: Characteristics of Potential Impacts

Schedule 7 Criteria	Schedule 7 Criteria Commentary
3. 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)	The project is constrained in its extent. It is unlikely that the impact of the project will extend beyond the local vicinity of the subject site area during construction.
(b) the nature of the impact	There is potential for interaction of effects during the construction phase in relation to soil, water and biodiversity. The negative impacts arise from potential risk of pollution, dust and noise. However, best practice construction measures will be put in place during the construction phase and these measures will continue to be employed in the completion and construction of the remaining elements of the proposed development which will ensure that there are no significant effects on the environment. The nature of impacts arising during operation are long-term, permanent and localised in terms of scale and spatial extent. Such effects might manifest in terms of increase in population, greater demand on services and a better-quality living environment resulting in an overall improved landscape.
(c) the transboundary nature of the impact	Not applicable due to scale and location of scheme.
(d) the intensity and complexity of the impact,	Construction impacts will be temporary and of typically low intensity. The construction methodology adopted will ensure potential impacts are mitigated.
(e) the probability of the impact,	The design of the proposals, best practice construction measures mitigates against significant effects arising.
(f) the expected onset, duration, frequency and reversibility of the	Temporary environmental impacts are likely to occur. These are not likely to be significant, within the meaning of the Directive.
(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	It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the environment. No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.
(h) the possibility of effectively reducing the impact	It is likely that the operation of the scheme will be neutral to positive. The proposed mitigation measures proposed in the CEMP will mitigate any significant effects identified such that there are no residual effects. The mitigation measures proposed for this application provides a number of recommendations for construction and operational phases of the proposed development that will mitigate any potential effects as a result of the works at the subject site.

5.2 Schedule 7A information

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

Response

Refer to Section 5.1 of this report.

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

Response

Refer to Section 5.1 of this report.

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

Response

Refer to Section 5.1 of this report.

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,

Response

The Construction and Environmental Management Plan related to the development will include mitigation measures that will ensure there is no likely significant effects on the environment. Waste and emissions arising during the operational phase are not considered to be significant within the meaning of the Directive.

(a) the use of natural resources, in particular soil, land, water and biodiversity.

Response

Refer to 5.1 of this report.

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

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response –

The Planning Authority are referred to the information submitted with this report to support the conclusions included in it, this comprises:

- Appropriate Assessment (AA) Screening by NM Ecology
- Ecological Impact Assessment (EcIA) by NM Ecology

- Winter Bird Survey by NM Ecology
- Engineering Report by Malone O'Regan Consulting Engineers
- Construction Environmental Management Plan by Panther Environmental
- Landscape drawings and report by Mitchell + Associates
- Flood Risk Assessment Report by Malone O'Regan
- Hydromorphology Assessment Report by JBA
- Hydraulic Assessment by JBA
- Operational Waste and Recycling Management Plan by Traynor Environmental
- Archaeological Impact Assessment by John Purcell Archaeological Consulting
- Archaeological Test Excavation Report by Archer Heritage Planning

5.4 Any mitigation measures

A range of construction measures have been developed to avoid, reduce or mitigate likely significant negative effects on the environment with specialist input retained to advise the design team, as detailed in accompanying reports and CEMP. Please refer to the CEMP for a comprehensive overview of the construction measures proposed for the development of the site. The accompanying CEMP also includes construction measures for the daylighting of the culvert.

The accompanying EcIA provides a number of biodiversity enhancement measures that will result in a net gain in the biodiversity value of the site.

In relation to the daylighting of the Blackditch Stream culvert, JBA have recommended a number of mitigation measures in section 5.2 of the Hydromorphology Assessment Report to be implemented during detailed design and post-construction stages of the development. In addition, a post-construction monitoring regime is proposed to support adaptive management of the scheme.

5.5 Available Results under other EU Enviornmental Legislation

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]
- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC

Table 9: EU Legislation

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is compatible with the zoning under the Dublin City Development Plan 2022-2028. The Proposed scheme also generally complies with the Park West & Cherry Orchard LAP. Both plans have been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application. Having taking into consideration the proposed development works and operation, the lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is concluded that this development that would not give rise to any significant effects to designated sites. The AA screening concludes that: *"In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:* ***1. No likelihood of significant effects*** *Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.* ***2. Significant effects cannot be excluded*** *Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.* *Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:* • *The Site is not within or adjacent to any European sites, so there is no risk of direct effects* • *There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects* • *Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.* *Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the*

Directive	Results
	proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out. *Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.* *In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion."*
Water Framework Directive [2000/60/EC]	Foul water will discharge to the public sewer. Surface water will discharge to the public sewer following implementation of SUDS measures and attenuation on site. Rainwater is unpolluted, so it will not pose a risk to surface water or groundwater, and there is no risk that the surface water outflow could have a negative impact. The Hydromorphological Report prepared by JBA considered that the proposed daylighting design would result in classification of the likely hydromorphological condition of the watercourse as Moderate and that daylighting the watercourse would represent a fundamental improvement to its current culverted condition.
Marine Strategy Framework Directive	The site is located inland, away from the coast, there is no likely impact given the distance.
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	n/a to proposed development
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	The site is not located on or immediately surrounding a source for major accidents or hazards. Having Regard to the distance from the identified Seveso Sites, it is concluded that this development would not give rise to any significant effects.
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	The subject site is located within a Flood Zone C. A FRA has been prepared by Malone O'Regan and accompanies this application. The report concludes that the development of the site is not expected to result in an adverse impact to the existing hydrological regime of the area or to result in an increased flood risk elsewhere. The potential impact of climate change has been considered for in the design of the surface water drainage network and storage systems.

5.6 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

i) a European site,

Response

An appropriate assessment (AA) screening report accompanies this application. The AA screening concludes:

"In Section 3 of the OPR guidance (OPR 2021), it is stated that the first stage of the AA process can have two possible conclusions:

1. ***No likelihood of significant effects***

   Appropriate assessment is not required and the planning application can proceed as normal. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file.

2. ***Significant effects cannot be excluded***

   Appropriate assessment is required before permission can be granted. A Natura Impact Statement (NIS) will be required in order for the project to proceed.

Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is no likelihood of significant impacts on any European sites. This is based on three key conclusions:

- *The Site is not within or adjacent to any European sites, so there is no risk of direct effects*
- *There are no surface water (or other) pathways linking the Site to any European sites, so there is no risk of indirect effects*
- *Habitats within the Site are unsuitable for any of the birds associated with nearby SPAs.*

Appropriate Assessment Screening must consider the potential implications of a project both in isolation and in combination with other plans and projects in the surrounding area. An 'in-combination effect' can occur when a project will have a perceptible but non-significant residual effect on a European site (when considered in isolation), that subsequently becomes significant when the additive effects of other plans and projects are considered. However, as the proposed development poses no risk of impacts on European sites in isolation, the risk of in-combination effects can also be ruled out.

Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be concluded that the proposed development will not be likely to have a significant effect on any European sites. On this basis, the assessment can conclude at Stage 1 of the Appropriate Assessment process, and it is not necessary to proceed to Stage 2.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion."

ii) an area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

Response

It is not subject to a notice under Section 16(2)b of the Wildlife Act 2000.

iii) an area designated as a Natural Heritage Area (NHA) under Section 18 of the Wildlife (Amendment) Act 2000),

Response

No likely significant effects on a Natural Heritage Areas have been identified.

iv) land established or recognised as a nature reserve within the meaning of Section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),

Response

No likely significant effects on a nature reserve have been identified.

v) land designated as a refuge for flora or as a refuge for fauna under Section 17 of the Wildlife Act 1976,

Response

No likely significant effects on a refuge for flora or a refuge for fauna have been identified.

vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed,

Response

The AA Screening and EcIA documents have not identified any likely significant effect on a place, site or feature of ecological interest.

vii) a proposed Natural Heritage Area (pNHA).

Response

The AA Screening and EcIA documents have not identified any likely significant effect on any pNHA.

6. SCREENING CONCLUSION

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is concluded that an environmental impact assessment report is not required.

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