



Kategale Limited

STATEMENT IN ACCORDANCE WITH ARTICLE 299B(1)(B)(II)(II)(C) OF THE PLANNING AND DEVELOPMENT REGULATIONS 2001-2021

Proposed Strategic Housing Development, Northwood Crescent, Santry
Demesne, Dublin 9

603510-01 (00)

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RSK



RSK GENERAL NOTES

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Title: Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001-2021 - Proposed Strategic Housing Development, Northwood Crescent, Santry Demesne, Dublin 9

Client: Kategale Limited

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Author	<u>Aisling McParland</u>	Technical reviewer	<u>_____</u>
Signature	<u><i>Aisling McParland</i></u>	Signature	<u>_____</u>
Date:	<u>21 March 2022</u>	Date:	<u>_____</u>
Project manager	<u>James Mangan</u>	Quality reviewer	<u>James Mangan</u>
Signature	<u><i>James Mangan</i></u>	Signature	<u><i>James Mangan</i></u>
Date:	<u>24 March 2022</u>	Date:	<u>24 March 2022</u>

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Kategale Limited

Proposed Strategic Housing Development, Northwood Crescent, Santry Demesne, Dublin 9

603510 01 (00) Section 299B(1)(b)(ii)(II)(C) Statement

CONTENTS

1	INTRODUCTION	2
1.1	Background	2
1.2	Site Description	2
1.3	The Proposed Development.....	3
1.4	Legislation and Policy Context	4
2	STATEMENT ON THE RESULT OF OTHER ENVIRONMENTAL ASSESSMENTS	6
2.1	EU Legislation	6
3	CONCLUSION.....	21

1 INTRODUCTION

1.1 Background

- 1.1.1 This Statement has been prepared by RSK (Ireland) Limited (RSK) on behalf of Kategale Limited in relation to the proposed development of 268 no. Build to Rent apartments, creche and associated site works at Northwood Crescent, Santry Demesne, Dublin 9. (case ref: ABP-311280-21), (hereafter referred to as ‘the proposed development’).
- 1.1.2 The purpose of this Statement is to accompany the Environmental Impact Assessment (EIA) Screening Report prepared by Tom Phillips and Associates Town Planning Consultants (TPA) and provide the information required in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001 (as amended) (“The Regulations”).
- 1.1.3 This Statement along with the EIA Screening Report (TPA) has been prepared to provide supporting information to assist the competent authority, in this instance An Bord Pleanála, in determining whether an EIA is required for the proposed development.

1.2 Site Description

- 1.2.1 The area at Northwood (hereafter referred to as “the site”) is located north of Dublin town centre and comprises the land within the red-line boundary shown in **Error! Reference source not found.** It currently contains a patchwork of undeveloped brownfield site, scrub and emergent woodland and hardstanding. The site is bounded by Northwood Crescent to the south and south-west; The Crescent Building to the north-west; Northwood Avenue to the north; and Northwood Road to the east.
- 1.2.2 The surrounding area includes a mixture of service providers including a gym and nursing home, academic institution and associated accommodation. The broader surrounds include a railway line, a sports ground and district park, hospital and private accommodation.

Figure 1: Proposed site location and red line boundary (Source: Design Team)



1.3 The Proposed Development

- 1.3.1 Kategale Limited intend to apply to An Bord Pleanála for permission for a Strategic Housing Development with a total application site area of c. 1.3 ha, on a site located at Northwood Crescent, Santry Demesne, Dublin 9. The site is bounded by Northwood Crescent to the south and south-west; The Crescent Building to the north-west; Northwood Avenue to the north; and Northwood Road to the east.
- 1.3.2 The development, with a total gross floor area of c. 27,904 sqm, will consist of the construction of 268 no. Build-to-Rent apartment units arranged over 2 no. blocks ranging in height from 5 to 11 storeys (Block A will comprise 54 no. 1-bedroom units and 44 no. 2-bedroom units; Block B will comprise 70 no. 1-bedroom units and 100 no. 2-bedroom units); Residential amenity facilities including a reception, post room and building management office; lounge areas, shared workspace, multimedia/games room, meeting rooms and a single storey residents' gym at podium level (145 sqm); ancillary uses comprising a generator room; utilities room; bin stores; water tank rooms; sprinkler tank room; bicycle stores; storage rooms and plant rooms; the provision of all private and communal open space, including balconies/terraces to be provided for each apartment; and communal open space areas including a first-floor central podium garden connecting Blocks A and B and 2 no. rooftop terraces and a single storey 295 sqm crèche with dedicated outdoor play area.
- 1.3.3 The development will also comprise the construction of a 3-storey office building with a total gross floor area of c.2,868 sqm, including ancillary uses comprising a reception/security area, staff amenities, bike stores, waste room and a plant room. The development will also include the provision of hard and soft landscaping, public realm improvements and amenity areas including public open space, a children's play area and

a community outdoor dining area; the provision of internal roads and pathways; 142 no. undercroft car parking spaces at ground floor level, 8 no. crèche set down spaces, and 662 no. bicycle parking spaces at ground floor level and surface level. The development will also include all associated ancillary development including 2 no.

- 1.3.4 ESB switch rooms and 2 no. ESB substations; ground works and foul drainage; stormwater drainage; attenuation tank and related SUDS measures, water supply; service ducting and cabling; electric vehicle charging points; public lighting; boundary treatments; and all ancillary site development and excavation works above and below ground. Vehicular access is proposed via a new entrance on Northwood Road; Vehicular set down area for crèche with access/egress is located on Northwood Crescent. The provision of 2 no. pedestrian crossings on Northwood Crescent and Northwood Road.

1.4 Legislation and Policy Context

- 1.4.1 The planning application for this proposed development is not accompanied by an Environmental Impact Assessment Report (EIAR). In October 2021, An Bord Pleanála (hereafter referred to as “the Board”) issued a Notice of Pre-Application Consultation Opinion with reference to the proposed Strategic Housing Development. This included the following request.

“The information referred to in article 299B(1)(b)(ii)(II) and article 299B(1)(c) of the Planning and Development Regulations 2001-2018, unless it is proposed to submit an EIAR at application stage”.

- 1.4.2 Under Article 299B of the Planning Regulations, the Board must complete a screening for EIA of the proposed development. This statement has been written to submit with the planning application in response to this request.

- 1.4.3 In instances where an application for sub-threshold development is not supported by an EIAR, but where there is “significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development”, Article 299B(1)(b)(ii)(II) of the Planning Regulations requires that the Board must satisfy itself that the Applicant has provided the following:

- *the information specified in Schedule 7A,*
- *any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and*
- *a statement indicating how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account.*

- 1.4.4 In addition, Article 299B(1)(c) of the Planning Regulations indicates that: The information referred to in paragraph (b)(ii)(II) may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.

- 1.4.5 The information supplied by the Applicant in this statement is to allow the Board to carry out an examination for the purposes of a screening determination in accordance with

Articles 299B and 299C of the Planning Regulations. It is provided so that the Board may have regard to all of the matters prescribed at Article 299C(1)(a) of the Planning Regulations.

- 1.4.6 In particular, this statement is provided in accordance with sub-paragraph (C) of Article 299B(1)(b)(ii)(II), so that the Board may reference the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive.
- 1.4.7 To determine whether or not the proposed development constitutes the requirement for EIA, due consideration should be afforded to whether the proposed development is a class set out in Annex I or II of the Directive. These have been broadly transposed into Schedule 5 (Part 1 and 2) of the Planning and Development Regulations 2018 (as amended) with national thresholds included for many of the Annex II classes. Should a project exceed these limits then it must automatically be subject to an Environmental Impact Assessment.
- 1.4.8 There is no class set out under Part 1 of Schedule 5 in relation to the provision of a housing development. Under Part 2 of Schedule 5, in relation to infrastructure projects (10)(b)(i) identifies developments of more than 500 dwelling units (ii) construction of car parks providing more than 400 spaces and (iii) identifies urban development which would involve an area of 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.
- The proposed development is a sub-threshold development, as it comprises 268 no. Build-to-Rent residential apartment units, which is below the 500 dwelling threshold listed in paragraph (1)(b)(i) of Part 2 of Schedule 5 to the Planning Regulations. In combination with the adjacent Northwood Phase 1 development, the cumulative residential units would equate to 466 no. in total, therefore also below the 500 no. dwelling threshold. As such, it is considered that a mandatory EIAR is not required on the basis of number of dwelling units.
 - The site area is c. 0.26ha and is situated in a predominately residential setting, therefore significantly below the area threshold and “urban development” on lands comprising “other parts of a build-up area” other than a business district specified in class 10(b)(iv).
 - Schedule 7 of the Planning and Development (Housing) and Residential Tenancies Act 2016, as amended (the “2016” Act) sets out the criteria for determining whether a development would or would not be likely to have significant effects on the environment.
 - The EIA Screening report prepared by TPA provides the information required under Schedule 7 and Schedule 7A of The Regulations and is not dealt with any further in this statement.

2 STATEMENT ON THE RESULT OF OTHER ENVIRONMENTAL ASSESSMENTS

2.1 EU Legislation

As per Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations the following sections detail EU Legislation governing environmental and project planning.

It summarises the outcomes of individual assessments prepared for the proposed scheme and measures being implemented in compliance with relevant European Union Legislation other than the Environmental Impact Assessment Directive (Directive 2014/52/EU).

2.1.1 Directive 92/43/EEC, the Habitats Directive

Directive:
Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora
Summary of Relevance:
<p>The European Council (EC) Directive on the conservation of natural habitats and of wild fauna and flora 1992 (the "Habitats Directive") along with the Birds Directives (Directive 2009/147/EC), aim to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the EU Members States. It requires member states to designate areas of their territory containing a representative sample of important habitats and species.</p> <p>Special Areas of Conservation (SAC) are designated under the Conservation of Natural Habitats and of Wild Fauna and Flora Directive 92/43/EEC (Habitats Directive) which is transposed into Irish law by the EC (Birds and Natural Habitats) Regulations 2011 to 2015.</p> <p>Special Protection Areas (SPA) are legislated for under the Birds Directive (Council Directive 79/409/EEC on the Conservation of Wild Birds). Collectively, SACs and SPAs are referred to as Natura 2000 network, supporting species and/or habitats that should be maintained or restored at favourable conservation status according to the terms of the Directives.</p> <p>Article 6(3) and (4) of the Directive require that an 'Appropriate Assessment' be carried out for these sites where projects, plans or proposals are likely to have an effect on a designated sites conservation objectives. Sites designated under the Ramsar Convention (Ramsar sites) are afforded the same consideration.</p> <p>The requirements of Articles 6(3) and 6(4) of the Habitats Directive have been transposed into Irish legislation by means of the Habitats Regulations, 1997 (S.I. No. 94 of 1997) and the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 / 2011).</p>

Assessments carried out as part of this SHD Planning Application:

RSK, AA Screening Report, March 2022

RSK, Ecological Impact Assessment, March 2022

NM Ecology Ltd. (on Behalf of RSK) Bat Report, March 2022

Ait Urbanism + Landscape Ltd, Landscape and Visual Impact Assessment, March 2022

Statement:

AA screening

Live and recently approved planning applications in the vicinity of the site were reviewed on the online planning records of Fingal County Council. Two planning applications were identified in the area in the last five years (Granted under Planning Ref. F19A/0401 and F19A/0419) for a total of 183 units; and a mixed used development comprising 198 residential units and office space with retail / café unit granted permission in 2019 (under Planning Ref. F18A/0438 and F18A/0421) at a site <50m to the west of the site adjoining Northwood Crescent. Construction of the mixed-use development to the west of the site is projected to initiate in 2022.

The site is not located within or adjacent to any Natura 2000 sites, so there is no risk of habitat loss, fragmentation or any other direct impacts.

It is concluded that the master plan will not lead to direct or indirect impacts on any Natura 2000 sites, either alone or in combination with other plans or projects, so progression to a stage 2 Appropriate Assessment is not required.

The Appropriate Assessment Screening Report concluded that, there will be no possibility of significant effects on any of the qualifying interests of the identified Natura 2000 Sites.

Ecological Impact Assessment

The Ecological Impact Assessment concluded that the site boundary is not within 15 km of any Natural Heritage Areas (NHAs). Although it is within 15 km of 11 potential Natural Heritage Areas (pNHAs), the site is not considered hydrologically linked to any pNHAs, nor are there any additional obvious impact pathways.

The habitat survey identified a range of local importance habitats within the site, such as mixed broadleaved woodland, scrub, hedgerows, recolonising bare ground and amenity grassland, improved grassland, recolonising bare ground and artificial surfaces. No priority habitat was observed on site.

Data was retrieved that demonstrated the presence of twenty-nine protected species / species of conservation concern within the local area but unlikely to be using the area within the site boundary.

No evidence of smooth newt was found on site and there was no suitable habitat present within the development area. Although there is a pond in Santry Park, located just under 1km north-east of the site, there is limited habitat connectivity due to the

urban setting of the surrounding area. Therefore, smooth newts are not considered to be a constraint to the proposed development.

No evidence of the common lizard was found on site. Therefore, common lizard are not considered to be a constraint to the proposed development.

All areas of trees and scrub are considered optimal locations for breeding birds. A dedicated survey for breeding birds was not undertaken, however a total of 5 species were noted during the habitat survey.

The potential for effects on bats has been fully addressed in the Bat Report concludes that the site has negligible importance for roosting, commuting and foraging bats.

No signs of badger were found within the development site, or within a 25m radius of the site. Additionally, the desktop study revealed no records of badger on site. Therefore, badgers are not considered to be a constraint to the proposed development.

Butterfly-bush (*Buddleia*) was recorded occasionally scattered throughout the site. This species is present on the Invasive Species Ireland 'Amber List - uncertain risk' and can represent a significant impact on native species or habitats if allowed to spread. No invasive species listed on the Third Schedule were recorded.

Following consideration of the residual impacts it is considered that the development will not result in any significant impacts on any of the identified Key Ecological Receptors (KER).

Approximately 6000 square meters of habitat of local value will be lost, so there will be a slight residual impact resulting from this habitat loss.

It is concluded that provided the project is constructed and operated in accordance with the design, best practice and mitigation measures incorporated within, it will not result in significant impacts on flora and fauna in the local environment.

Landscape

Ait Urbanism + Landscape Ltd have completed a LVIA, which accompanies this submission. As detailed in the report, following the visual assessment of the twenty-nine photomontages prepared by Sketchrender, the overall visual impact during construction works will be significant, negative but short-term.

Implementation of best practice during constructions works will assist in reducing negative impacts at the construction stage of the project. These negative impacts will cease once construction works are complete and the proposed development is opened and occupied. Of the twelve medium to long range views, the proposed development will not be visible in any of them. In these views, the proposed development will be obscured by the intervening built environment, vegetation, and distance from the viewer. Of the seventeen short to medium distance views, the proposed development will be visible in fourteen of them. In these views, the development has the most visual impact within View 4, View 6, View 8, View 9, and View 15. In the cases of View 15, 8, and 6, the proposed development will have a noticeable but positive impact on the receiving environment without affecting its sensitivities. In View 4, the proposed development will have a noticeable and neutral impact on the receiving environment without affecting its sensitivities. In View 9, the proposed development will have a

neutral impact on the receiving environment and the change will be consistent with existing and emerging trends occurring within that environment.

On this basis, it is anticipated that the presence of a sensitively designed, high-quality, mixed-use development in combination with the landscape proposals within and around the boundaries of the scheme, will reduce the visual impacts to slight and positive in the long term once all landscape works have been implemented and trees and planting have established.

2.1.2 Directive 2007/60/EC, The Floods Directive

Directive:
Directive 2007/60/EC, the Floods Directive
Summary of Relevance:
<p>The Directive was transported into Irish legislation by the European Communities (Assessment and Management of Flood Risk) Regulations 2010.</p> <p>The Floods Directive requires Member States to assess if all watercourses and coastlines are at risk from flooding, to map the flood extent and assets and humans at risk in these areas and to take adequate and coordinated measures to reduce this flood risk by collecting historical data and defining the physical and natural environment.</p> <p>The Directive also reinforces the rights of the public to access this information and to participate in the planning process.</p>
Assessments carried out as part of this SHD Planning Application:
Waterman Moylan, Flood Risk Assessment, March 2022
Statement:
<p>Tidal Flooding is caused by elevated sea levels or overtopping by wave action. The lowest finish floor level is 54.15m above the highest tide recorded in the Dublin Coastal area, hence the residual risk from tidal flooding is considered extremely low and no flood mitigation measures are required for the proposed development.</p> <p>Fluvial flooding is caused by rivers, watercourses or ditches overflowing and the subject site is to the south of the Santry River. The CFRAM fluvial flood extent map for the Santry River (E09SAY/EXFCD/F1/02) dated December 2017, indicates the development in the 'current scenario' is not at risk of flooding during a 1 in 100-year or a 1 in 1000-year event. The residual risk from fluvial flooding is therefore considered extremely low and no flood mitigation measures are required for the proposed development.</p> <p>Pluvial flooding is from heavy rainfall and is often referred to as flooding from surface water. Surface water flooding can occur because of overland flow or ponding during</p>

periods of extreme prolonged rainfall. Pathways include: on-site drainage system surcharging, flooding from the existing surrounding drainage system surcharging, surface water discharge from the subject site causing downstream flooding and overland flooding from surrounding areas are all considered low.

Following a site investigation water was not encountered in any of the boreholes or the trial pits, therefore It has been concluded the residual risk of flooding from groundwater is extremely low and will not be encountered on the subject site. Mitigation measures are not required.

The subject site has been analysed for risks from tidal and fluvial flooding from the Santry River, pluvial flooding, groundwater and drainage system failures due to human error or mechanical system failure. As the flood risk from all sources can be mitigated, reducing the flood risk to low or extremely low, the proposed development is considered acceptable in terms of flood risk.

2.1.3 Directive 2002/49/EC, the Environmental Noise Directive

Directive:
Directive 2002/49/EC, the Environmental Noise Directive
Summary of Relevance:
<p>The Environmental Noise Directive relates to the assessment and management of environmental noise. The Directive has been transposed into Irish law through the Environmental Noise Regulations 2006, as amended, which came into effect on 3rd April 2006.</p> <p>The Regulations apply to environmental noise to which people are exposed, in particular in built up areas, in public parks or other quiet areas in an agglomeration, near hospitals and schools, in quiet areas in open country, and near other noise-sensitive areas and buildings. They are intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.</p> <p>The following key areas of focus for this Directive are set out below:</p> <ul style="list-style-type: none"> • The determination of exposure to environmental noise; • Ensuring that information on environmental noise and its effects is made available to the public; • Preventing and reducing environmental noise where necessary and • Preserving environmental noise quality where it is good.
Assessments carried out as part of this SHD Planning Application:
RSK, Noise Impact Assessment of Proposed Mixed-Use Residential Development at Northwood Avenue, Santry, Co. Dublin, Acoustic Design Statement, March 2022

Statement:

Baseline noise measurements were conducted, in accordance with ISO 1996-2:2017, at four locations representative of dwelling facades as well as unattended measurements.

In conducting this assessment, reference is made to the stated *Desirable Low* and *Undesirable High* Sound levels as presented in the Draft *Dublin Agglomeration Environmental Noise Action Plan, December 2018 – July 2023, Volume 3, Fingal County Council* (NAP). The measured noise levels typically fall between the *Desirable Low* and the *Undesirable High* sound level categories, indicating that the impact of environmental noise sources on the proposed development will be medium risk.

Reference to the Fingal Development Plan (2017 – 2023) allows the site to be reviewed in relation to the Dublin Airport noise zones, which are categorized as Zones A to D. The proposed site lies in Zone D. The Zone D objective is as follows:

To identify noise sensitive developments which could potentially be affected by aircraft noise and to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.

All noise sensitive development within this zone is likely to be acceptable from a noise perspective. An associated application would not normally be refused on noise grounds, however where the development is residential-led and comprises non-residential noise sensitive uses, or comprises 50 residential units or more, it may be necessary for the applicant to demonstrate that a good acoustic design has been followed.

In order to ensure “good acoustic design”, reference is made to *The Professional Guidance on Planning & Noise* (ProPG), May 2017. The two primary stages of the ProPG assessment are the “Stage 1” initial noise risk assessment of the proposed site and “Stage 2” detailed appraisal of the proposed development and preparation of an Acoustic Design Statement.

The site noise survey has been used to assess the sites noise risk categories, as per the ProPG “Stage 1” assessment. The ProPG noise risk categories for the facades most exposed to road traffic noise are as follows:

- Daytime: **Medium**
- Night-time **Medium**

Recommendation to mitigate noise emissions, as specified in the “Stage 2” Acoustic Design Statement, include the following:

- Provision of glazing with minimum sound insulation properties as specified in the Acoustic Report.
- Provision of acoustic attenuation to ventilation systems for the dwellings specified in the Acoustic Report.

In summary, it is considered that the site is suitable for residential development subject to the provision of the noise control recommendations as outlined in this report.

During the construction phase of the project there will be some negative impact on nearby noise sensitive locations due to noise/vibration emissions from construction activity. The implementation of suitable control measures will ensure that the impact is minimised. The residual impact from construction noise/vibration is Negative, Moderate and Short-Term.

Operational phase outward noise impacts will typically consist of:

- noise from new building services plant;
- increased noise due to additional vehicular traffic on public roads, and;
- car parking on site.

The implementation of suitable control measures will ensure that the impact is minimised. The anticipated residual impact from the operational phase of the development is Slight, Negative and Permanent.

2.1.4 Directive (2000/14/EC) noise emissions in the environment by equipment used outdoors

Directive:
Directive (2000/14/EC) noise emissions in the environment by equipment used outdoors
Summary of Relevance:
<p>The European Communities (Noise Emissions by equipment for use outdoors) Regulations (S.I.no. 632 of 2001) transposed the Directive into Irish Legislation.</p> <p>The Directive intends to improve the health and wellbeing of citizens by reduction in noise produced by outdoor plant and equipment which is typically used on construction sites. These involve heavy plant and machinery, saws, compressors, cement mixers, jack hammers, etc.</p>
Assessments carried out as part of this SHD Planning Application:
Waterman Moylan Consulting Engineers Ltd., Construction Management Plan, March 2022.
Statement:
The main contractor will deal with the immediate dangers to hearing etc. associated with high noise levels and the impact of same on construction operatives, using risk assessment and mitigation/precautionary measures and equipment, all pursuant to the current health and safety legislation.

Appropriate mitigation measures based on standard best practice policies and guidance will be implemented during the construction phase in order to avoid any significant effects on the environment.

Working hours will in conducted in compliance with BS 5228 covering Noise Control on Construction and Open Sites.

2.1.5 Directive 2000/60/EC, the Water Framework Directive

Directive:
Directive 2000/60/EC, the Water Framework Directive
Summary of Relevance:
<p>These Directive sets a framework for comprehensive management of water resources in the European Community.</p> <p>The fundamental objective of the Water Framework Directive aims to prevent any deterioration in the existing status of water quality, including the protection of good and high water quality status where it exists. It was given legal effect in Ireland by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). It applies to rivers, lakes, groundwater, and transitional coastal waters.</p> <p>Ireland is required to produce a river basin management plan under the Water Framework Directive (WFD). On 17 April 2018 the Government published the River Basin Management Plan (RBMP) for Ireland 2018-2021 (2022 -2027). Its sets out the actions that Ireland will take to improve water quality and achieve ‘good’ ecological status in water bodies (rivers, lakes, estuaries and coastal waters) by 2027.</p>
Assessments carried out as part of this SHD Planning Application:
<p>RSK, AA Screening, March 2022</p> <p>RSK, Ecological Impact Assessment, March 2022</p> <p>RSK, Hydrology & Hydrogeology Impact Assessment, March 2022</p> <p>RSK, Construction & Demolition Management Plan, March 2022</p> <p>Waterman Moylan, Flood Risk Assessment, March 2022</p>
Statement:
<p>According to the Flood Risk Assessment the proposed on-site surface water drainage sewers have been designed to accommodate flows from a 5-year return event which indicates that the site-wide drainage system may surcharge during rainfall events with a return period in excess of five years.</p> <p>Therefore, the likelihood of surcharging of the on-site drainage system is considered high over the lifetime of the development. However, the risk of flooding is mitigated by providing SUDS for the development which can store water for the 1 in 100 year storm</p>

event plus a 20% allowance for climate change within an underground attenuation tank. In addition, the designed levels fall away from the building so as to route any surcharged surface water away from buildings. Therefore, the residual risk is considered medium.

The proposed development site is a greenfield with a vacant car park. The development, as designed, will increase the impermeable area on site. As a result, the volume of run-off from the site will increase. However, to mitigate against this, permeable paving, swales, filter strips, waterbutts, and a detention basin will be used to reduce the volume of run-off from the site during low storm events. Surface water discharge from the development will be limited by a hydrobrake with a peak discharge equal to or less than greenfield rates before discharging to the existing surface water network and ultimately into the Santry River. This will reduce the effects of the development on developments downstream of the site. The likelihood of the proposed development resulting in pluvial flooding downstream of the site is therefore considered low.

The CMP also concluded that the excavations for the undercroft parking, drainage pipes, water supply, utilities and foundations are not anticipated to affect the sites ground water. In the event that ground water is present on-site during construction, the quality of the water will be improved through the provision of settlement tanks and will be regularly monitored visually for hydrocarbon sheen and suspended solids. The water will be pumped from excavations and discharged to the public sewer. Periodic laboratory testing of discharge water samples will be carried out in accordance with the requirements of Fingal County Council before discharge to the surrounding drainage network. Appropriate discharge licenses will be acquired from Fingal County Council in respect of discharges from dewatering operations.

According to the Assessment Reports and Technical Notes that have been prepared to support the pre-application planning submission for the Proposed Development, it is concluded that appropriate surface water management and discharge measures will be undertaken to ensure no significant impacts arise. Furthermore, it is considered that there is an adequate intervening distance between the Proposed Development and the nearest surface watercourse.

2.1.6 Directive 2001/42/EC, the Strategic Environmental Assessment Directive

Directive:
Directive 2001/42/EC, the Strategic Environmental Assessment Directive
Summary of Relevance:
<p>The process of SEA was introduced under European Directive 2001/42/EC12 on the assessment of the effects of certain plans and programmes on the environment (SEA Directive) and came into force in 2001.</p> <p>SEA is a systematic process for evaluating the environmental consequences of proposed plans or programmes to ensure environmental issues are fully integrated and</p>

addressed at the earliest appropriate stage of decision making, with a view to promoting sustainable development.

The SEA Directive pertains to a broad range of public plans and programmes. The public plans and programmes covered by the Strategic Environmental Assessment (SEA) Directive are subject to an environmental assessment during their preparation prior to their adoption.

The Fingal Development Plan 2017-2023 sets out policies and objectives to guide how and where development will take place in the city over the lifetime of the Plan. The Plan has been prepared in accordance with the requirements of the Planning and Development Act, 2000 (as amended), the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 as amended. The content of the core strategy of the Development Plan has been informed by Strategic Environmental Assessment (SEA).

Assessments carried out as part of this SHD Planning Application:

TPA, Statement of Consistency, March 2022

Statement:

A Statement of Consistency has been prepared by Tom Philip & Associates Town Planning Consultants to accompany the planning application. The Statement highlights how the proposed development is consistent with the relevant planning policies at national, regional and local levels.

The statement details how the proposed development is consistent with the policies and objectives of the Fingal Development Plan 2017-2023, which is the key planning policy document at a local level.

The site is located within the administrative area of Fingal County Council and is therefore subject to the land use policies and objectives of the County Development Plan 2017-2023. The Fingal Development Plan 2017-2023 was subject to Strategic Environmental Assessment and included the preparation of SEA statements.

The site is zoned for 'ME' Metro Economic Corridor in the Fingal Development Plan 2017-2023. This zoning objective proposes to:

“Facilitate opportunities for high-density mixed-use employment generating activity and commercial development and support the provision of an appropriate quantum of residential development within the Metro Economic Corridor.”

The proposed scheme, which includes residential and commercial office uses, is therefore permitted in principle. Notably, the subject site is located outside the Outer Airport Noise Zone, indicated by a yellow line on Zoning Map 11, and is outside the designated Masterplan lands (for which a Masterplan is required to be prepared).

2.1.7 Directive 2008/50/EC, the Clean Air for Europe Directive

Directive:
Directive 2008/50/EC, the Clean Air for Europe Directive
Summary of Relevance:
<p>The ambient air quality and CAFÉ Directive defines objectives for ambient air quality designed to avoid, prevent or reduce harmful effects on human health and the environment as a whole.</p> <p>It sets out measures for the assessment of ambient air quality in Member States as well as for obtaining information on ambient air quality in order to help combat air pollution and nuisance.</p> <p>The Directive aims at increasing cooperation between the Member States in reducing air pollution. The Directive was transposed into Irish legislation by the Air Quality Standards Regulations (S.I. No. 180 of 2011).</p>
Assessments carried out as part of this SHD Planning Application:
<p>Waterman Moylan Consulting Engineers Ltd., Construction Management Plan, March 2022.</p> <p>RSK Dust Management Plan, March 2022</p>
Statement:
<p>Environmental policies at national, regional and local level including but not limited to the National Planning Framework, Regional Spatial Economic Strategy and Fingal County Development Plan, have been prepared in accordance with the Directive and include objectives to encourage a shift towards more sustainable modes of travel.</p> <p>As detailed in the Statement of Consistency prepared by TPA the scheme proposes higher densities due to its location within the Metro Economic Corridor zoned lands in the Fingal County Development Plan. Residents of the proposed scheme will benefit from being 600m walking distance from the proposed Northwood stop. The metro north project will provide high frequency public transport connectivity to the City Centre, Dublin airport and Swords and will integrate with existing high frequency public transport routes resulting in a highly accessible residential and employment location.</p> <p>In accordance with the CMP submitted, dust prevention measures will be put in place for any particulate pollution. The CMP will include a range of measures to control construction related impacts including transport, waste, landscape / visual, dust and noise / acoustics.</p> <p>Construction dust can be generated from many on-site activities such as excavation and backfilling. The extent of dust generation will depend on the type of activity undertaken, the location, the nature of the dust, i.e. soil, sand, etc and the weather. In</p>

addition, dust dispersion is influenced by external factors such as wind speed and direction and/or, periods of dry weather.

Construction traffic movements also have the potential to generate dust as they travel along the haul route. The measures below will also prevent construction debris arising on the public road network.

Best construction site practices will be adhered to and agreed Construction and Demolition Management Plan will ensure that construction activities are properly controlled and mitigated.

2.1.8 Seveso Directive

Directive:
Seveso-Directive 82/501/EEC, Seveso-II-Directive 96/82/EC, and Seveso-III-Directive 2012/18/EU
Summary of Relevance:
<p>Seveso Sites are defined as Industrial sites that, because of the presence of dangerous substances in sufficient quantities, are regulated under Council Directives 96/82/EC and 2003/105/EC, commonly referred to as the Seveso II Directive.</p> <p>Seveso Sites are categorised as Lower, or Upper, by the type and quantity of hazardous substances stored at the site.</p> <p>The Seveso III Directive (2012/18/EU) aims at the prevention of major accidents involving dangerous substances. However, as accidents may nevertheless occur, it also aims at limiting the consequences of such accidents not only for human health but also for the environment.</p>
Assessments carried out as part of this SHD Planning Application:
<p>Directive is not relevant to Proposed Development.</p> <p>No reports have been prepared.</p>
Statement:
<p>A desk study was carried out to determine the risk based on proximity to identified SEVESO sites (data available from HSA lists and EPA database).</p> <p>The subject lands are not proximate to any Seveso/COMAH designated sites.</p>

2.1.9 Directive (2018/850/EU) Landfill of Waste

Directive:
Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste
Summary of Relevance:
<p>Directive 1999/31/EC has applied since July 1999. Amending Directive (EU) 2018/850 was introduced in 2018 and was transposed into Irish legislation by the European Union (Landfill) Regulations 2020.</p> <p>This Directive and relevant amendments, aims to prevent, or reduce as much as possible, any negative impact from landfill on surface water, groundwater, soil, air or human health.</p> <p>This Directive lays down some amendments to Council Directive 1999/31/EC on the landfill of waste. The amendments include; management of waste from land-based extractive industries and waste that has been separately collected for preparing for re-use and recycling among other aspects. A new paragraph in article 5, stipulates that Member States shall endeavour to ensure that as of 2030, all waste suitable for recycling or other recovery, in particular in municipal waste, shall not be accepted in a landfill with the exception of waste for which landfilling delivers the best environmental outcome in accordance with article 4 of Directive 2008/98/EC.</p> <p>Further addenda are inserted: which include instruments to promote a shift to a more circular economy, determination of the permeability coefficient for landfills and European Union standard for sampling of waste.</p> <p>The main features of the Landfill proposal include:</p> <ul style="list-style-type: none"> • a ban on the landfilling of separately collected waste; • reducing the share of municipal waste landfilled to 10% by 2035 • requiring the Commission to consider, by end-2024, setting a quantitative per capita target on landfilling.
Assessments carried out as part of this SHD Planning Application:
<p>RSK, Construction & Demolition Waste Management Plan (C&D WMP), March 2022</p> <p>Waterman Moylan, Construction and Demolition Waste Management Plan (CDWMP), March 2022</p>
Statement:
<p>A CDWMP and CMP have been prepared for the Proposed Development. The aim of these plans is to ensure maximum recycling, reuse, and recovery of waste with diversion from landfill, wherever possible. The plans provide further guidance in relation</p>

to the collection and transport of waste to prevent issues associated with litter or environmental pollution (contamination of land or water resources).

2.1.10 Directive (2018/2001/EU) promotion and use of energy from renewable sources

Directive:
Directive (2018/2001/EU) promotion and use of energy from renewable sources
Summary of Relevance:
The Directive promotes the use of energy from renewable sources and establishes a binding energy mix target to be achieved by 2030. It also serves to establish common rules for the use of renewables in heating, cooling electricity, and transport in the EU. Increasing the use of energy from renewable sources is an important part of the measures required to cut the production of greenhouse gasses in order to meet the international agreements on managing climate change and global warming.
Assessments carried out as part of this SHD Planning Application:
Balrath Engineering, Sustainability/Energy Report prepared, March 2022 TPA, Statement of Consistency, March 2022
Statement:
<p>The Statement of Consistency references that the development is being designed to achieve 'A' rated BER's for the apartments. In the design of this scheme consideration has been given to the principles of improving the energy efficiency of the buildings. The A rating achieved will demonstrate that the apartments have been designed to ensure energy efficiency.</p> <p>This is reiterated in the Balrath Engineering's Energy and Sustainability Report which outlines that the proposed development will comply with Part L (2019). As part of the development's efforts to reduce energy consumption, the project is targeting an A3 BER (Building Energy Rating) throughout. Extensive work has been carried out to develop a balanced design approach to achieve these onerous targets with a number of sustainable features being incorporated into the design from the early stages.</p> <p>The report concludes that the sustainable design elements of the proposed NW2 Northwood Santry, contributes to a scheme that significantly exceeds the Building Regulations in terms of primary energy consumption and carbon dioxide emissions.</p> <p>The preliminary building energy ratings for the residential elements of the scheme are consistent with those achieved for comparable high specification developments in Dublin.</p> <p>The passive measures included in the design, such as maximising the use of daylight and minimising solar gain (glazing selection), reducing fabric heat loss through the</p>



building envelope and improving the air tightness significantly contribute towards reducing the loads on the active systems within the building Blocks.

3 CONCLUSION

This Statement is completed in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, in respect of the proposed Strategic Housing Development application on lands located at Northwood Crescent, Santry Demesne, Dublin 9. It should be read in conjunction with the reports referred and submitted with the planning application.

It details how the available results of all relevant assessments of the effects on the environment from the Proposed Development have been carried out pursuant to relevant European Legislation.

This Statement, in conjunction with the EIA Screening, has determined that, based on best scientific knowledge, the Proposed Development is unlikely to result in significant effects on the environment and, as such, an Environmental Impact Assessment is not required.