



**Statement in accordance with
Article 299B(1)(b)(ii)(II)(C) of
the Planning and Develop-
ment Regulations 2001, as
amended**

FOR
PROPOSED STRATEGIC HOUSING DEVELOPMENT
AT
**A SITE LOCATED NORTH OF MINISTER'S ROAD,
REGLES, LUSK, COUNTY DUBLIN**

March 2022

ON BEHALF OF
DWYER NOLAN DEVELOPMENTS
LTD.

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DOCUMENT CONTROL SHEET

Client	Dwyer Nolan Developments Ltd.
Project Title	Strategic housing development on a site located north of Minister's Road, in the townland of Regles, Lusk, County Dublin.
Document Title	Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended

Rev.	Status	Author(s)	Reviewed by	Approved by	Issue Date
00	Internal Draft	Kamala Yagubova <i>Environmental Consultant</i>	-	-	-
01	Draft for Client Review	Kamala Yagubova <i>Environmental Consultant</i>	Claire Fagan <i>Principal Consultant - Planning</i>	Janet O'Shea <i>Technical Director</i>	22.03.2022
02	Final	Kamala Yagubova <i>Environmental Consultant</i>	Janet O'Shea <i>Technical Director</i>	Jim Dowdall <i>Director</i>	23.03.2022

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1 INTRODUCTION

1.1 Background

Enviroguide Consulting was retained by Dwyer Nolan Development Limited (the Applicant) to prepare a Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended. This Statement is to be read in conjunction with the Environmental Impact Assessment (EIA) Screening Report that was prepared in relation to a Proposed Residential Development (the Proposed Development) at a site located north of Minister's Road, in the townland of Regles, Lusk, County Dublin.

The purpose of this Statement and the EIA Screening Report is to identify and assess any potential for environmental impact as a result of the Proposed Development and to determine if EIA is required for the Proposed Development and indicate how available results of relevant assessments of effects on the environment have been carried out pursuant to relevant European Legislation.

2 PRINCIPAL FEATURES OF THE PROPOSED DEVELOPMENT

Dwyer Nolan Developments Ltd. intend to apply to An Bord Pleanála for permission for a strategic housing development on a site located north of Minister's Road, in the townland of Regles, Lusk, County Dublin.

The development will consist of 312 no. dwellings, comprised of 205 no. 3 & 4 bed, 2 & 3 storey, detached, semi-detached & terraced houses, 40 no. 2 & 3 bed apartment / duplex units in 3 no. 3 storey blocks (comprised of Duplex Types A1, A2, B1 & B2), and 67 no. 1, 2 & 3 bed apartments in 2 no. blocks (comprised of Block C, being 3 storeys, and Block E, being 2-5 storeys over a basement level car park). The development also includes a 1-2 storey crèche (c. 484.6m²) with associated outdoor space to the rear.

Access to the development will be via 2 no. vehicular access points from Minister's Road, along with the provision of a roadside footpath and cycle path along the front of the site at Minister's Road.

The proposed development also provides for: (i) all associated site development works above and below ground, (ii) public open spaces (c. 0.99 ha / 9,999m²), (iii) communal open spaces (c. 1,849m²), (iv) hard & soft landscaping & boundary treatments, (v) basement & surface car parking (Total: 583 no. car parking spaces, including EV parking), (vi) basement & surface bicycle parking (Total: 498 no. bicycle parking spaces), (vii) bin & bicycle storage, (viii) public lighting, and (ix) 2 no. ESB sub-stations, all on an overall application site area of 8.3ha.

2.1 EIA Screening

An EIA Screening Report has been prepared by Enviroguide Consulting on behalf of Dwyer Nolan Developments Limited. The overall objective of the EIA Screening exercise was to identify and assess any potential for environmental impact associated with the Proposed Development and to determine if EIA is required for the Proposed Development, based on best scientific knowledge.

The Proposed Development was assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive', as amended, and relevant provisions of national law transposing same, including under the 2001 Regulations.

The EIA Screening Report concluded that having regard to:

- the nature and scale of the Proposed Development on an urban site served by public infrastructure,
- the absence of any significant environmental sensitivities in the area, and
- the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

The Proposed Development would not be likely to have significant effects on the environment. Therefore, a mandatory Environmental Impact Assessment Report (EIAR) has not been prepared for this Proposed Development.

3 ASSESSMENT OF RELEVANT EU LEGISLATION

3.1 Directive 92/43/EEC, The Habitats Directive

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora

Summary of Relevance

The EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive 1992) provides protection to designated species and habitats throughout Europe. The Habitats Directive has been transposed into Irish law through, inter alia, the EC (Birds and Natural Habitats) Regulations 2011.

The Habitats Directive aims to protect some 220 habitats and approximately 1000 species throughout Europe. The habitats and species are listed in the Directives annexes, where Annex I covers habitats and Annex II, IV and V cover species. There are 59 Annex I habitats in Ireland and 33 Annex IV species which require strict protection wherever they occur. The Directive requires the designation of Special Areas of Conservation for areas of habitat deemed to be of European interest. The SACs together with the SPAs from the Birds Directive form a network of protected sites called Natura 2000.

Assessment Reports Completed as part of Application Process

1. Appropriate Assessment Screening Report

Prepared by: Enviroguide Consulting
Report Date: March 2022

2. Ecological Impact Assessment

Prepared by: Enviroguide Consulting
Report Date: March 2022

3. Landscape and Visual Impact Assessment

Prepared by: AECOM
Report Date: March 2022

Conclusions

According to the Assessment Reports that have been prepared to support the application for the Proposed Development, it is concluded that, there will be no possibility of significant effects on any of the qualifying interests of the identified Natura 2000 Sites.

Based on the successful implementation of the proposed mitigation measures, it is deemed that there will be no significant negative ecological impacts to any valued habitats, designated sites or individual or group of species, arising from Construction and Operational Phases of the Proposed Development. Furthermore, it is noted that the Proposed Development will likely have a positive impact on the ecology of the Site, in particular, the management of the proposed outer boundary hedgerows at the Site in a semi-natural state; through a low-intervention management regime, will benefit bird species such as the endangered Yellowhammer.

3.2 Directive 2000/60/EC, EU Water Framework Directive

Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

Summary of Relevance

The EU Water Framework Directive (WFD) 2000/60/EC is an important piece of environmental legislation which aims to protect and improve water quality. It applies to rivers, lakes, groundwater, estuaries, and coastal waters. The Water Framework Directive was agreed by all individual EU member states in 2000, and its first cycle ran from 2009 – 2015. The Directive runs in 6-year cycles, so the second (current) cycle runs from 2016 – 2021. The aim of the WFD is to prevent any deterioration in the existing status of water quality, including the protection of good and high water quality status where it exists. The WFD requires member states to manage their water resources on an integrated basis to achieve at least 'good' ecological status, through River Basin Management Plans (RBMP), by 2027.

Assessment Reports Completed as part of Application Process

1.	<p>Appropriate Assessment Screening Report Prepared by: Enviroguide Consulting Report Date: March 2022</p>
2.	<p>Ecological Impact Assessment Prepared by: Enviroguide Consulting Report Date: March 2022</p>
3.	<p>Engineering Services Report Prepared by: DBFL Consulting Engineers Report Date: March 2022</p>
4.	<p>Outline Construction Management Plan Prepared by: Dwyer Nolan Developments Ltd. Report Date: N/A</p>
5.	<p>Construction and Demolition Waste Management Plan Prepared by: Ayrton Group Report Date: March 2022</p>

Conclusions

According to the Assessment Reports that have been prepared to support the planning application 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.

The lack of hydrological connection between the Proposed Development and the remaining due and any designated sites within a 15km radius of the Site, and the distances between the Site of the Proposed Development and any of the listed designated sites; there is no possibility for potential

significant impacts on water quality at these sites, and/or any other adverse impact, as a result of the Proposed Development.

The key impacts during the proposed construction works relate to the potential for siltation and pollution of watercourses and groundwater from works or associated spillages. Appropriate surface water management and discharge measures will be employed to ensure that no significant impacts arise. It is proposed that the overall drainage system, serving this development, will contain a range of surface water treatment methods, as outlined within the Engineering Services Report, which will improve the quality of surface water being discharged from the Proposed Development.

It is not anticipated that there will be adverse impacts to groundwater or any watercourses in the vicinity of the Proposed Development due to adherence to appropriate control measures, as outlined in the outline Construction Management Plan (CMP), Construction Demolition and Waste Management Plan (CDWMP) and the Construction Industry Research and Information Association (Construction Industry Research and Information Association (CIRIA), 2001) guidance document 'Control of Water Pollution from Construction Sites, Guidance for Consultants and Contractors, CIRIA - C532'.

Mitigation measures during the construction phase of the Proposed Development will be in accordance with CIRIA Good Practice Guidelines (C532 – Control of Water Pollution from Project No. B986 34 Issue No. 3, 31.08.21 Construction Sites). These control measures will ensure that there will be no significant impact on the receiving surface water and groundwater environment. The Site Manager will be responsible for the pollution prevention programme and will ensure that at least daily checks are carried out to ensure compliance. A record of these checks will be maintained.

3.3 Directive 2001/42/EC, SEA Directive

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (SEA Directive)

Summary of Relevance

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 SEA Directive seeks to ensure a high level of environmental protection. The aim is to ensure that environmental considerations are regarded in the preparation, adoption, and implementation of such plans.

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), and 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).

The Fingal Biodiversity Action Plan 2010–2015 has been prepared in accordance with the requirements of the Planning and Development (Strategic Environmental Assessment) Regulations 2004 and Article 6 of the Habitats Directive 92/43/EEC. The SEA and AA process, carried out in tandem with the preparation of the Biodiversity Action Plan, have ensured full integration and consideration of environmental issues throughout the action plan preparation process.

Assessment Reports Completed as part of Application Process

1. Environmental Impact Assessment Screening Report

Prepared by: Enviroguide Consulting
Report Date: March 2022

Conclusions

The Fingal Development Plan 2017-2023 and the Fingal Biodiversity Action Plan 2010-2015 has been consulted when preparing the relevant Assessment Reports. The content of the core strategy detailed in the Fingal Development Plan has been informed by Strategic Environmental Assessment (SEA). No further assessment is required.

3.4 Directive 2002/49/EC, Environmental Noise Directive

Directive 2002/49/EC on the assessment and management of environmental noise	
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>These 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, in quiet areas in open country, near schools, near hospitals, and near other noise-sensitive buildings and areas. They are intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.</p>	
Assessment Reports Completed as part of Application Process	
1.	<p>Construction and Demolition Waste Management Plan Prepared by: Ayrton Group Report Date: March 2022</p>
2.	<p>Outline Construction Management Plan Prepared by: Dwyer Nolan Developments Ltd. Report Date: N/A</p>
Conclusions	
<p>During construction, temporary and intermittent impacts are predicted due to potential noise and dust, however these impacts will be localised and last only for the duration of this phase. The control measures identified in the outline CMP and CDWMP will ensure that there will be no nuisance or impacts from the Construction Phase of Proposed Development beyond the Site boundary.</p>	

3.5 Directive 2008/50/EC on ambient air quality and cleaner air for Europe

Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe

Summary of Relevance

The ambient air quality and CAFÉ Directive establishes air quality objectives and merges most of the existing air quality legislation into a single directive. The Directive includes certain limits or target values specified by the five published directives that apply limits to specific air pollutants for the improvement of human health and environmental quality. The Directive outlines assessment methodologies and provides corrective actions if the standards are not met. The CAFE Directive has been transposed into Irish legislation by the Air Quality Standards Regulations (S.I. No. 180 of 2011). National authorities are required to designate specific bodies to assess compliance with thresholds, limit values and target values for each pollutant covered by the directive. The regulations further provide for the distribution of public information. This includes information on any exceedances of target values, the reasons for exceedances, the area(s) in which they occurred, and the relevant information regarding effects on human health and environmental impacts. In Ireland, the EPA is the competent authority for the purpose of the CAFE Directive and develops an annual report on all pollutants covered by the legislation.

Assessment Reports Completed as part of Application Process

1. **Outline Construction Management Plan**
Prepared by: Dwyer Nolan Developments Ltd.
Report Date: N/A

2. **Mobility Management Plan**
Prepared by: DBFL Consulting Engineers
Report Date: March 2022

3. **Traffic and Transport Assessment**
Prepared by: DBFL Consulting Engineers
Report Date: March 2022

4. **Construction and Demolition Waste Management Plan**
Prepared by: Ayrton Group
Report Date: March 2022

5. **DMURS Compliance Statement**
Prepared by: DBFL Consulting Engineers
Report Date: March 2022

Conclusions

The Proposed Development involves construction works which may temporarily impact on air quality due to dust and exhaust emissions. Construction works will be carried out in such a way as to limit the emissions to air of pollutants. The site will be managed in accordance with the outline CMP and CDWMP to minimise potential effects on air quality from construction.

In accordance with the Traffic Impact Assessment, the traffic impact of the Proposed Development is expected to be minimal. In relation to traffic generation during the operational phase, a Mobility

Management Plan (MMP) has been prepared by DBFL for this development and is submitted as part of this application. A successfully implemented MMP can provide reductions in car usage, particularly influencing levels of single-occupancy car travel, with increased trips made by public transport, walking and cycling. Therefore, it is considered that the Proposed Development will result in fewer road users and a reduction in associated GHG emissions.

3.6 Directive 2007/60/EC on the assessment and management of flood risks

Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (Text with EEA relevance)

Summary of Relevance

The Directive on the assessment and management of flood risks establishes a framework for measures to reduce the risk of floods within the EU and requires EU countries to assess the risk of flooding in coastal regions and river basins by collecting historical data and defining the natural / physical environment. EU countries must also establish flood-risk management plans that are coordinated at the level of the river basin or coastal districts. These plans establish objectives for the management of flood risks, focusing mainly on prevention (e.g., avoiding construction in areas that may flood), protection (measures to reduce the likelihood of floods in a specific place) and preparedness (informing the public about flood risks and what do to in the event of flooding). The Directive was transposed into Irish legislation by the European Communities (Assessment and Management of Flood Risks) Regulations 2010.

Assessment Reports Completed as part of Application Process

- | | |
|-----------|--|
| 1. | <p>Site Specific Flood Risk Assessment
Prepared by: DBFL Consulting Engineers
Report Date: March 2022</p> |
| 2. | <p>Engineering Services Report
Prepared by: DBFL Consulting Engineers
Report Date: March 2022</p> |

Conclusions

A Site-Specific Flood Risk Assessment (SSFRA) has been carried out for the Site of the Proposed Development. There are no reported incidents of flooding in the vicinity of the Proposed Development (based on information from the OPW's website). The SSFRA has determined that the Proposed Development Site is located within Flood Zone C, i.e. is not considered at risk from Fluvial Flooding. The SSFRA has further concluded that the Proposed Development Site is not at risk from tidal, fluvial or groundwater flooding due to its geographic location, topography and existing drainage ditch. However, there is a moderate risk of pluvial flooding of the drainage infrastructure and moderate risk of flooding of the site due to the potential surcharging and blockage of the new drainage network. A regularly maintained drainage system would ensure that the network remains effective and in good working order should a large pluvial storm occur. In the event of extreme pluvial flooding then overland flood routes would direct water towards the open space areas. Should extreme pluvial flooding occur in excess of the development's drainage capacity i.e. exceeding 1%AEP, then overland flood routes towards the on-site open spaces would protect the development and houses with lowest proposed floor levels a low probability of flooding. The development is outside of 'Flood Zone A & B', therefore, a Justification test is not required for the Proposed Development in accordance with The Planning System and Flood Risk Management Guidelines for Planning Authorities.

Good construction management practices will minimise the risk of pollution from construction activities at the site in line with measures as will be outlined within the Outline CMP, CDWMP, and the Construction Industry Research and Information Association (Construction Industry Research and

Information Association (CIRIA), 2001) guidance document 'Control of Water Pollution from Construction Sites, Guidance for Consultants and Contractors, CIRIA - C532'.

3.7 Other Relevant EU Legislation

3.7.1 Bern and Bonn Convention

Convention on the Conservation of European Wildlife and Natural Habitats - Bern Convention Convention on the Conservation of Migratory Species of Wild Animals – Bonn Convention	
Summary of Relevance	
The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1982) was enacted to conserve all species and their habitats. The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention 1979, enacted 1983) was introduced to give protection to migratory species across borders in Europe.	
Assessment Reports Completed as part of Application Process	
1.	Ecological Impact Assessment (EclA) Prepared by: Enviroguide Consulting Report Date: March 2022
Conclusions	
According to the EclA Report, the Site of the Proposed Development does not host significant species populations as designated under the Bern and Bonn Convention. Therefore, no adverse impacts are expected in this regard.	

3.7.2 Ramsar Convention

The Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat	
Summary of Relevance	
The Ramsar Convention on Wetlands is an intergovernmental treaty signed in Ramsar, Iran, in 1971. The treaty is a commitment for national action and international cooperation for the conservation of wetlands and their resources. In Ireland there are currently 45 Ramsar sites which cover a total area of 66,994 Ha.	
Assessment Reports Completed as part of Application Process	
1.	Ecological Impact Assessment (EclA) Prepared by: Enviroguide Consulting Report Date: March 2022
Conclusions	
According to the EclA report, the Site of the Proposed Development is not located within, or in close proximity to, a Ramsar site. Therefore, no adverse impacts are expected in this regard.	

3.7.3 Directive 2006/21/EC on the management of waste from extractive industries

Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC

Summary of Relevance

The management of waste from extractive industries Directive was introduced in 2006 and is transposed into Irish Legislation through S.I. No. 566/2009 - Waste Management (Management of Waste From the Extractive Industries) Regulations 2009.

The purpose of this Directive and subordinate regulations is to provide for measures, procedures and guidance to prevent or reduce as far as possible any adverse effects on the environment arising from the management of waste from extractive industries. The regulations focus in particular on the impact on water, air, soil, fauna and flora and landscape, and any resultant risks to human health.

Assessment Reports Completed as part of Application Process

Directive not relevant to the Proposed Development.
No reports have been prepared.

Conclusions

Not relevant to the Proposed Development.

3.7.4 Directive (EU) 2018/850 on the landfill of waste

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

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

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.

Assessment Reports Completed as part of Application Process

1. Construction and Demolition Waste Management Plan (CDWMP)

Prepared by: Ayrton Group
Report Date: March 2022

3. Outline Construction Management Plan

Prepared by: Dwyer Nolan Developments Ltd.
Report Date: N/A

Conclusions

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

3.7.5 Directive 2008/98/EC on waste and repealing certain Directives

Directive 2008/98/EC on waste and repealing certain Directives as amended by Directive 2018/851/EU

Summary of Relevance

Directive 2008/98/EC has applied since December 2010 and Amending Directive 2018/851/EU has applied since July 2020. This Directive establishes a legal framework for treating waste in the EU and is designed to protect the environment and human health by emphasising the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.

Assessment Reports Completed as part of Application Process

1. Construction and Demolition Waste Management Plan
Prepared by: Ayrton Group
Report Date: March 2022

3. Outline Construction Management Plan
Prepared by: Dwyer Nolan Developments Ltd.
Report Date: N/A

Conclusions

A CDWMP and outline CMP has been prepared for the Proposed Development and has been designed to ensure the highest possible levels of waste reduction, waste reuse, and waste recycling are achieved for the Proposed Development during the Construction Phase. The CDWMP and outline CMP has estimated the category and quantity of waste generated by the Proposed Development and includes recommendations for the bespoke management of various waste streams. The plan provides further guidance in relation to the collection and transport of waste to prevent issues associated with litter or environmental pollution.

During the Operational Phase, all waste will be collected by appropriately authorised waste collection contractors and will be disposed of using suitably licensed waste disposal or materials recovery facilities. An Operational Waste Management Plan (OWMP) will be prepared for the Proposed Development. The OWMP will ensure that the management of waste during the Operational Phase of the Proposed Development is undertaken in accordance with the current legal and industry standards. The aim of the OWMP is to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. Furthermore, the OWMP will provides guidance on the appropriate collection and transport of waste to prevent issues associated with litter or more serious environmental pollution (contamination of land or water resources).

3.7.6 Directive 2010/75/EU on industrial emissions

Directive 2010/75/EU on industrial emissions	
Summary of Relevance	
<p>Directive 2010/75/EU has been applied since 2011. The Directive implements rules for the prevention or, where this is not practical, the reduction of industrial emissions to air, water, and land and to prevent the generation of waste, in order to achieve a high level of protection.</p> <p>This legislation covers industrial activities in sectors such as: energy, metal production and processing, minerals, chemicals, and others. All installations covered by the directive must prevent and reduce pollution by applying the best available techniques (BATs) and address efficient energy use, waste prevention and management and measures to prevent accidents and limit their consequences.</p>	
Assessment Reports Completed as part of Application Process	
	<p>Directive is not relevant to the Proposed Development. No reports have been prepared.</p>
Conclusions	
<p>Not relevant to the Proposed Development.</p>	

3.7.7 Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register

Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (Text with EEA relevance)

Summary of Relevance

This Regulation establishes the European Pollutant Release and Transfer Register which is a publicly available electronic database of key environmental data from industrial facilities in Europe. The register contains information on releases of pollutants to air, water and land, as well as off-site transfers of pollutants present in wastewater and waste.

Assessment Reports Completed as part of Application Process

Directive is not relevant to the Proposed Development.
No reports have been prepared.

Conclusions

Not relevant to the Proposed Development.

3.7.8 Directive 2000/14/EC on noise emission in the environment by equipment for use outdoors

Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors

Summary of Relevance

This Directive aims to improve the control of noise emissions by 57 types of equipment used outdoors, such as compressors, excavator-loaders, various saws, mixers, etc. The Directive further aims to improve the health and wellbeing of citizens by reducing the noise emitted by outdoor equipment. This Directive was transposed into Irish law by European Communities (Noise Emission by Equipment for use Outdoors) Regulations 2001 S.I. no. 632 of 2001.

Assessment Reports Completed as part of Application Process

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| 1. | <p>Outline Construction Management Plan
Prepared by: Dwyer Nolan Developments Ltd.
Report Date: N/A</p> |
| 2. | <p>Construction and Demolition Waste Management Plan
Prepared by: Ayrton Group
Report Date: March 2022</p> |

Conclusions

In accordance with the outline CMP and CDWMP, all reasonable precautions will be taken for the operation of plant and equipment to avoid nuisance and excess noise impact on the surrounding residents. The Proposed Development will comply with BS 5228 "Noise Control on Construction and open sites Part 1: Code of practice for basic information and procedures for noise control" and all works will be limited to normal daytime working hours.

3.7.9 Directive 2012/27/EU on energy efficiency

Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC Text with EEA relevance

Summary of Relevance

The Directive on energy efficiency aimed to improve energy efficiency by 20% by 2020 compared to 1990 levels. All EU countries were required to set national energy efficiency targets to achieve this. It employs a common framework of measures across the EU which cover every stage of the energy chain, from generation to distribution and final consumption.

This directive, as revised by Directive (EU) 2018/2002, along with the revised Renewable Energy directive and a new Governance Regulation are part of the Clean Energy for All Europeans package. Directive 2012/27/EU, together with its amendment, aims to adapt EU energy law in line with the 2030 energy efficiency and climate goals and contribute towards the Energy Union strategy which involves reducing dependence on imported energy, cutting emissions, driving jobs and growth, strengthening consumer rights, and alleviating energy poverty.

Assessment Reports Completed as part of Application Process

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| 1. | <p>Building Lifecycle Report
Prepared by: Armstrong Fenton Associates
Report Date: March 2022</p> |
| 2. | <p>Sunlight, Daylight and Shadow Assessment
Prepared by: Chris Shackleton Consulting
Report Date: N/A</p> |

Conclusions

The Building Lifecycle Report which has been prepared for the Proposed Development, sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and cost throughout the building lifecycle. The report further states that the Proposed Development will comply with Part L 2019 (Housing) and Part L 2020 (Other than Housing) of the Near Zero Energy Building (NZEB) standard. A Building Energy Rating (BER) Certificate will be provided for each dwelling in the proposed development which will provide detail of the energy performance of the dwellings. 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.

The Sunlight, Daylight and Shadow Assessment concluded that, the design meets with the principles of the BRE guide - 'Site Layout Planning for Daylight and Sunlight' (Littlefair, 2011), and BS 8206-2: 2008 - 'Lighting for Buildings - Part 2: Code of Practice for Daylighting' (British Standard Institution, 2008) for new apartments with good quality daylight available across a substantial portion of the development. 100% of tested shared & Public amenity spaces receive > 2hrs of sunlight over 50% of its area on the 21st of March.

Therefore, it is considered that the Proposed Development will make a positive contribution towards 2030 energy efficiency and climate goals and towards the Energy Union strategy.

3.7.10 Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the EU

Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (Text with EEA relevance)

Summary of Relevance

The aim of this Directive is to establish the EU emissions trading system (ETS) which is the cornerstone of the EU's policy to tackle climate change by reducing greenhouse gas emissions in a cost-effective and economically efficient way. The current (third) phase of the EU ETS runs from 2013 to 2020 and applies to emissions from power plants, energy-intensive industrial sectors, and aircraft (flying between EU airports, Norway and Iceland).

Assessment Reports Completed as part of Application Process

Directive is not relevant to Proposed Development.
No reports have been prepared.

Conclusions

Not relevant to the Proposed Development.

3.7.11 Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013

Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (Text with EEA relevance)

Summary of Relevance

This Regulation applies obligations to Member States in relation to their minimum contributions for the period 2021-2030 in fulfilling the EU target of reducing its greenhouse gas emissions by 30% below 2005 levels in 2030 from IPCC source categories of energy, industrial processes and product use, agriculture and waste, and contributing towards achieving the objectives of the Paris Agreement. This Regulation also lays down rules on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contribution.

Assessment Reports Completed as part of Application Process

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| 1. | <p>Building Lifecycle Report
 Prepared by: Armstrong Fenton Associates
 Report Date: March 2022</p> |
| 2. | <p>Sunlight, Daylight and Shadow Assessment
 Prepared by: Chris Shackleton Consulting
 Report Date: N/A</p> |

Conclusions

The Building Lifecycle Report which has been prepared for the Proposed Development, sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and cost throughout the building lifecycle. The report further states that the development complies with the Part L requirements

Therefore, it is considered that the Proposed Development will make a positive contribution towards fulfilling the EU target of a 30% reduction in GHG emissions from 2005 levels by 2030.

3.7.12 Regulation (EU) 2018/841 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (Text with EEA relevance) Text with EEA relevance

Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (Text with EEA relevance)

Summary of Relevance

This Regulation sets out commitments of Member States for the IPCC Sector of land use, land use change and forestry ("LULUCF") which contributes to achieving the objectives of the Paris Agreement and meeting the GHG emission reduction target of the EU for the period 2021 to 2030. The rules for accounting of emissions and removals from LULUCF and for checking compliance of Member States with those commitments are also laid down within this Regulation.

Assessment Reports Completed as part of Application Process

Directive is not relevant to Proposed Development.
No reports have been prepared.

Conclusions

Not relevant to the Proposed Development.

3.7.13 Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources

Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (Text with EEA relevance.)

Summary of Relevance

This Directive establishes a common system to promote the use of energy from renewable sources across different sectors and aims to set a binding EU target for its share in the energy mix in 2030; regulate self-consumption; and establish a common set of rules for the use of renewables in electricity, heating and cooling, and transport in the EU. The increased use of energy from renewable sources is an important part of the package of measures needed to reduce greenhouse gas emissions and to comply with the 2015 Paris Agreement on Climate Change and the EU policy framework for climate and energy (2020 to 2030).

Assessment Reports Completed as part of Application Process

- Building Lifecycle Report**
Prepared by: Armstrong Fenton Associates
Report Date: March 2022

Conclusions

The Building Lifecycle Report which has been prepared for the Proposed Development, sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and cost throughout the building lifecycle.

The Irish Building Regulations Part L for Buildings other than Dwellings was updated in 2017 to implement the European Energy Performance Buildings Directive (EPBD). This directive introduces requirements for Nearly Zero Energy Buildings (NZEB) which the Proposed Development will comply with in full. Therefore, it is considered that the Proposed Development will make a positive contribution towards the increased use of energy from renewable sources.

3.7.14 Regulation (EU) No 517/2014 on fluorinated greenhouse gases

Regulation (EU) No 517/2014 of the European Parliament and of the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 Text with EEA relevance

Summary of Relevance

This Regulation has been designed to assist in mitigating climate change and protecting the environment by reducing emissions of fluorinated greenhouse gases (F-gases). The Regulation prohibits the intentional release of F-gases (unless technically necessary) and provides an obligation for operators of equipment containing F-gases to take every precaution to avoid any leakage. It aims to cut F-gases by two thirds of today's levels by 2030.

Assessment Reports Completed as part of Application Process

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| 1. | <p>Building Lifecycle Report
 Prepared by: Armstrong Fenton Associates
 Report Date: March 2022</p> |
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Conclusions

According to the Building Lifecycle Report several renewable and low carbon technologies were considered during the preliminary design process. An Exhaust Air Heat Pump technology is being proposed as a heating source for the Proposed Development. Heat pumps contain F-gas. The specific requirements for the operators and end-users will be determined by the CO₂ equivalent of the unit. The CO₂eq is calculated based on the volume of F-gas (in kilograms) contained in the unit and the Global Warming Potential (GWP) of that F-gas type.

3.7.15 Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC

Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC Text with EEA relevance

Summary of Relevance

This Directive aims to control major accidents hazards involving dangerous substances, especially chemicals and has amended legislation to give the public stronger rights and provide them with better access to information surrounding the risks which may occur from nearby industrial installations and how to react in the event of an accident.

Assessment Reports Completed as part of Application Process

Directive not relevant to Proposed Development.
No reports have been prepared.

Conclusions

Not relevant to the Proposed Development.

4 CONCLUSIONS

This Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, 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.