

**Statement in accordance with Article 299B^{(1)(b)(ii)(II)(C)} of
the Planning and Development Regulations 2001-2021, as
amended for the proposed Strategic Housing Development at
Knockrabo, Goatstown, Dublin 14.**



29ND OCTOBER 2021

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On behalf of: Knockrabo Investments DAC.

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1. INTRODUCTION

Altemar Ltd. at the request of Knockrabo Investments DAC have prepared this statement in accordance with Article 299B (l)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, (the "Planning Regulations") in relation to the proposed Strategic Housing Development (SHD) with a total application site area of c. 1.78 ha, on a site located at Knockrabo, Mount Anville Road, Goatstown, Dublin 14. This statement is to provide information and assist An Bord Pleanála in completing an examination for the purposes of a screening determination in accordance with Articles 299B and 299C of the Planning Regulations.

In particular, it is provided so that the Board may have regard to the "the available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive" in accordance with Article 299C(1)(a)(iv) of the Planning Regulations.

It should be noted that Altemar Limited. has been requested to prepare this statement and is totally reliant on multiple parties for the provision of the information contained within this statement. Altemar is providing this information based on a summary of information to assist An Bord Pleanála and is not responsible for the original material that is referenced within the statement. Any matters in relation to the material contained within this statement should be referred to the authors of the original documentation that is referenced in this statement. It is based on the material provided to Altemar, in good faith, and the conclusions drawn in this statement are based on the provision of accurate and truthful reporting from other consultants.

BACKGROUND TO ALTEMAR LTD.

Since its inception in 2001, Altemar has been delivering ecological and environmental services to a broad range of clients. Operational areas include residential, infrastructural, renewable, oil & gas, private industry, local authorities, EC projects and State/semi-State Departments. Bryan Deegan is the managing director of Altemar, is an environmental scientist and marine biologist with 25 years' experience working in Irish terrestrial and aquatic environments, providing services to the State, Semi-State and industry. He is currently contracted to Inland Fisheries Ireland as the sole "External Expert" to environmentally assess internal and external projects. Bryan Deegan (MCIEEM) holds a MSc in Environmental Science, BSc (Hons.) in Applied Marine Biology, NCEA National Diploma in Applied Aquatic Science and a NCEA National Certificate in Science (Aquaculture).

2. LEGISLATIVE BACKGROUND

The proposed SHD development is below the 500 dwelling threshold at paragraph (1)(b)(i) of Part 2 of Schedule 5 to the Planning Regulations and is not accompanied by an Environmental Impact Assessment Report (EIAR). However, the Board is required to carry out a screening for EIA purposes, taking into account the EIA Screening report furnished by the applicant. The specific requirement for a SHD application to be accompanied by a statement in relation to assessments under EU legislation other than the EIA Directive for the purposes of EIA Screening is referred to (and highlighted in bold below) under Article 299B of the Planning Regulations, which provides as follows:

299B-Requirements in relation to environmental impact assessment for subthreshold development where no screening determination was made under section 7 of Act of 2016.

“1) a) Paragraph (b) applies where—

- (i) a planning application for a sub-threshold development is made and a request for a determination under section 7(1)(a)(i)(I) of the Act of 2016 was not made, and*
- (ii) such application is not accompanied by an ELAR.*
- (b) (i) The Board shall carry out a preliminary examination of, at the least, the nature, size or location of the development.*
 - (ii) Where the Board 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 satisfy itself that the applicant has provided to the Board*
 - (A) the information specified in Schedule 7A,*
 - (B) any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, and*
 - (C) 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.***
- (c) 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.*
- (2) (a) Where the information referred to in sub-article (1)(b)(ii)(II) was not provided by the applicant, the Board shall refuse to deal with the application pursuant to section 8(3)(a) of the Act of 2016.*
- (b) (i) Where the information referred to in sub-article (1)(b)(ii)(II) was provided by the applicant, the Board shall carry out an examination of, at the least, the nature, size or location of the development for the purposes of a screening determination.*
 - (ii) The Board shall make a screening determination and—*
 - (I) if such determination is that there is no real likelihood of significant effects on the environment arising from the proposed development, it shall determine that an EIA is not required, or*
 - (II) if such determination is that there is a real likelihood of significant effects on the environment arising from the proposed development, it shall*
 - (A) determine that the development would be likely to have such effects, and*
 - (B) refuse to deal with the application pursuant to section 8(3)(a) of the Act of 2016.”¹*

The requirement for the Board to consider for the purposes of EIA screening, where relevant, the available results of preliminary verifications or assessments under EU legislation other than the EIA

¹ Emphasis added.

Directive is referred to (and highlighted in bold below) under Article 299C of the Planning Regulations provide as follows:

299C-Requirements in relation to environmental impact assessment for subthreshold development where no screening determination was made under section 7 of Act of 2016.

(1) (a) The Board shall, in carrying out its screening determination under article 299B(2)(b) whether there is no real likelihood of significant effects on the environment arising from a proposed development or there is a real likelihood of significant effects on the environment arising from the proposed development, have regard to—

(i) the criteria set out in Schedule 7,

(ii) the information submitted pursuant to Schedule 7A,

(iii) the information referred to in article 299B(1)(b)(ii)(II) and the description, if any, referred to in article 299B(1)(c),

(iv) the available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and

(v) in respect of a proposed development which would be located on, or in, or have the potential to impact on—

(I) a European site,

(II) an area the subject of a notice under section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No.38 of 2000),

(III) an area designated as a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000,

(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).

(V) land designated as a refuge for flora or as a refuge for fauna under section 17 of the Wildlife Act 1976,

(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, or

(VII) a place or site which has been included by the Minister for Culture, Heritage and the Gaeltacht in a list of proposed Natural Heritage Areas published on the National Parks and Wildlife Service website, the likely significant effects of the development on such site, area, land, place or feature, as appropriate.

(b) The Board shall—

(i) include, or refer to, in its screening determination under article 299B the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7, on which the determination is based, and

(ii) cause such determination to be placed and kept with the documents relating to the planning application.

(2) (a) Paragraph (b) applies where the screening determination is that the proposed development would not be likely to have significant effects on the environment and the applicant has provided, under article 299B(1)(c), 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.

(b) The Board shall specify such features, if any, and such measures, if any, in the screening determination. (3) Article 299B and this article shall not apply to an application for a proposed strategic housing development in respect of which a determination under section 7(1)(a)(i)(I) of the Act of 2016 has been made.

(3) Article 299B and this article shall not apply to an application for a proposed strategic housing development in respect of which a determination under section 7 (1)(a)(i)(I) of the Act of 2016 has been made.”

3. STATEMENT IN ACCORDANCE WITH ARTICLE 299B

A) DESCRIPTION OF THE PROPOSED PROJECT

Knockrabo Investments DAC intend to apply to An Bord Pleanála for permission for a Strategic Housing Development with a total application site area of c. 1.78 ha, on a site located at Knockrabo, Mount Anville Road, Goatstown, Dublin 14.

The proposed development relates to Phase 2 of the development on the 'Knockrabo' lands. Phase 1 of 'Knockrabo' was granted under Dún Laoghaire-Rathdown County Council (DLRCC) Reg. Ref. D13A/0689/An Bord Pleanála (ABP) Ref. PL06D.243799 and DLRCC Reg. Ref. D16A/0821 (Phase 1) and DLRCC Reg. Ref. D16A/0960 (Phase 1A) and comprises a total of 125 no. units.

The proposed development will consist of the amendment of the permitted 'Phase 2' residential development of 93 no. units, childcare facility and community/leisure uses (DLRCC Reg. Ref. D17A/1124) on a site of 2.75ha. The proposed development will provide for the reconfiguration and redesign of the approved residential development. The Knockrabo Way entrance road (constructed) permitted under D17A/1124 and the childcare facility and community/leisure uses are proposed to remain as previously granted.

The site is bounded to the south-east by Mount Anville Road; to the south by 'Mount Anville Lodge' and by the rear boundaries of 'Thendara' (a Protected Structure – RPS Ref. 812), 'The Garth' (a Protected Structure – RPS Ref. 819), 'Chimes', 'Hollywood House' (a Protected Structure – RPS Ref. 829); to the south-west by existing allotments; to the north by the reservation corridor for the Dublin Eastern Bypass (DEBP); and to the east by the site of residential development 'Knockrabo'.

There are 3 no. Protected Structures located in the overall 'Knockrabo' landholding, but which are outside the application boundary. These include 'Cedar Mount' (a Protected Structure - RPS Ref. 783), 'Knockrabo Gate Lodge (West)' (a Protected Structure - RPS Ref. 796), including Entrance Gates and Piers, and 'Knockrabo Gate Lodge (East)' (a Protected Structure – RPS 740) including Entrance Gates and Piers. For clarity no works are proposed to any Protected Structures as part of this proposed development.

The development, with a total gross internal area of c. 23,097.2 sqm, will consist of the construction of 227 no. residential units in 4 no. apartment blocks ranging in height from Part 2 – Part 8 storeys including semi-basement podium.

The development will provide 76 no. 1 bed units, 145 no. 2 bed units and 6 no. 3 bed units as follows: Block E (c. 1015.3 sqm GIA) is a 5-storey including semi-basement podium apartment block comprising of 8 no. units (1 no. one bed unit and 7 no. 2 bed units).

Block F (c. 8042.2 sqm GIA) is a Part 2 to Part 8 storeys including semi-basement podium apartment block comprising 84 no. units (53 no. 1 bed units and 31 no. 2 bed units).

Block G (c. 8626.5 sqm GIA) is a Part 6 including semi-basement podium to Part 8 storey including semi-basement podium apartment block comprising of 82 no. units (37 no. 1 bed units, 40 no. 2 bed units and 5 no. 3 bed units).

Block H (c. 5413.7 sqm GIA) is a Part 6 to Part 7 storey apartment block including semi-basement podium comprising 53 no. units (7 no. 1 bed units, 45 no. 2 bed units and 1 no. 3 bed unit).

Residential Tenant Amenities comprising c. 537.2 sqm are provided at Level 00 of Block G and H to serve all residential units within this application.

Balconies/Wintergardens are provided on all elevations at all levels for the 4 no. apartment blocks, with (Private) Terraces provided at top floor levels and a communal Roof Terrace of c. 198 sqm to be provided on Block F.

The development will also provide 178 no. car parking spaces, which comprises 125 no. residential podium parking spaces, 35 no. on-street parking spaces, 16 no. visitor/drop off parking and 2 no. car sharing on-street parking spaces are provided; Provision of 389 no. private residential bicycle parking spaces and 130 no. visitor bicycle parking spaces; Provision of 12 no. motorcycle parking spaces;

All other ancillary site development works to facilitate construction, site services, piped infrastructure, 2 no. sub-stations, plant, public lighting, bin stores, bike stores, boundary treatments, provision of public, communal and private open space areas comprising hard and soft landscaping, site services all other associated site excavation, infrastructural and site development works above and below ground.

The development will be served by the permitted access road 'Knockrabo Way' (DLRCC Reg. Ref. D13A/0689; ABP Ref. PL.06D.243799, DLRCC Reg. Ref. D16A/0821 and DLRCC Reg. Ref. D16A/0960). The application does not impact on the future access to the Reservation for the Dublin Eastern Bypass.

B) EIAR SCREENING

An Environmental Impact Assessment Report (EIAR) Screening is submitted by Tom Phillips + Associates (TPA), Town Planning Consultants on behalf of our Client, Knockrabo Investments DAC, in respect of the proposed residential development. The EIAR Screening concludes that:

“The subject project does not require mandatory EIA under Annex I of the EIA Directive. Having regard to Annex II of the EIA Directive (where EIA may be required) and Annex III of the EIA Directive the subject screening has found the following:

Annex II of the EIA Directive (Schedule 5 Part 2 of the Regulations)

<i>TYPE / CLASS</i>	<i>SUMMARY</i>	<i>COMMENT</i>	<i>EIA REQUIRED ?</i>
<i>Part 2 Class 10(b)(i)</i>	<i>Construction of more than 500 dwellings</i>	<i>Proposal involves construction of 227 no. dwellings</i>	NO
<i>Part 2 Class 10(b)(iv)</i>	<i>Urban development on area greater than 10 ha in built-up area</i>	<i>Site area is c. 1.78 ha.</i>	NO
<i>Part 2 Class 15</i>	<i>Any project not meeting thresholds of Part 2 but would still be likely to have significant environmental impacts having regard to criteria in Schedule 7</i>	<i>Proposal is not likely to have significant impacts</i>	NO

It is our opinion that by virtue of its nature, size, and location, the proposed project as set out and described in this EIA Screening Statement would not be likely to have a significant effect on the environment and thus EIA is not required.”

B) ASSESSMENT OF RELEVANT EU LEGISLATION

The following section details the other preliminary assessments (Non EIA Directive) EU Directives relevant to the proposed development and the results thereof for the purposes of EIA screening, which have been taken into account in the EIA Screening Report submitted by the applicant. This section details the relevant studies and reports that deal with the corresponding Directives:

- 1) DIRECTIVE 92/43/EEC, THE HABITATS DIRECTIVE & BIRDS DIRECTIVE (DIRECTIVE 2009/147/EC on the conservation of wild birds). The European Communities (Birds and Natural Habitats Regulations 2011 (S. I. No. 477 of 2011) transpose the Habitats Directive and the Birds Directive. The 2011 Regulations were amended by:

S.I. No. 290 of 2013

S.I. No. 499 of 2013

S.I. No. 355 of 2015

Planning, Heritage and Broadcasting (Amendment) Act 2021 (no.11 of 2021), Chapter 4

S.I. No. 293 of 2021

a) Assessment Reports

i) Appropriate Assessment Screening

Appropriate Assessment Screening

The concluding statement of the Appropriate Assessment Screening carried out by Altemar Limited for the purposes of Article 6(3) of the Habitats Directive states that *“The proposed site is located 2.5 km from the nearest Natura 2000 site. There is no direct pathway to Natura 2000 sites. The development is not proximate to watercourses and there is no direct pathway to Natura 2000 sites. However, there is an indirect pathway via the public surface water network and the Elm Park Stream. In addition, there is an indirect pathway via the foul water network via the WwTP plant at Ringsend. Foul water from the development will be processed in the existing Ringsend Treatment works. The indirect pathways of surface water or, foul water to Ringsend will not result in a likely significant effect on the Natura 2000 site.*

As outlined in the Hydrological & Hydrogeological Risk Assessment “It is concluded that there are no pollutant linkages as a result of the construction or operation (without mitigation) of the proposed development which could result in a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay.”

Having taking into consideration the proposed project, the effluent discharge from the proposed development works and operation, the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites, it is concluded that this development that would not give rise to any likely significant effects to designated sites. The construction and operation of the proposed development will not impact on the conservation objectives of features of interest of Natura 2000 sites.”

ii) Ecological Impact Assessment including bat assessment (Altemar)

The EcIA has been prepared by Altemar Ltd. The EcIA includes a desk-based assessment of the potential species and habitats of conservation importance and field surveys. The EcIA concludes *“Construction would result in the removal of the majority existing habitats, with the exception of the trees that are to be protected from the construction works. But, due to the fact that the site is poor in species diversity and no species of conservation importance, except foraging bats, were found these impacts would be limited, localised and reversible depending on the planting regime. Despite the site being of relatively low biodiversity importance a robust series of standard mitigation measures are proposed. Mitigation will include pre construction surveys for bats, invasive species and mammals, the clearance of the site outside of bird nesting season, measures to prevent contaminated surface water runoff and the presence of an ecologist to monitor site works. However, none of the measures proposed are necessary for the protection of Natura 2000 sites.*

The outlined construction and operational mitigation proposed for the proposed development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the application the standard construction and operational phase controls in addition to a sensitive lighting plan. The overall impact on the ecology of the proposed development will result in a long term minor adverse, not significant impact on the ecology of the area and locality overall. This is primarily as a result of the loss of terrestrial habitats on site, increased light spill, increased human activity. No significant negative environmental effects will be as a result of the proposed greenway development.”

2) DIRECTIVE 2007/60/EC, FLOODS DIRECTIVE

Flood Risk Assessment

As outlined in the Flood Risk Assessment provided by Waterman Moylan “*The subject lands have been analysed for risks from tidal flooding from the Irish Sea and the local fluvial systems, pluvial flooding, ground water and failures of mechanical systems. Table 4, below, presents the various residual flood risks involved.*

Source	Pathway	Receptor	Likelihood	Consequence	Risk	Mitigation Measure	Residual Risk
Tidal	Irish Sea (Dublin Bay)	Proposed development	Extremely low	None	Negligible	None	Negligible
Fluvial	Fear English River (tributary of the River Blackwater)	Proposed development	Low	Low	Extremely Low	Setting of floor levels, overland flood routing	Extremely Low
Pluvial	Private & Public Drainage Network	Proposed development, downstream properties and roads	Ranges from high to low	Moderate	Ranges from high to low	Appropriate drainage, SuDS and attenuation design, setting of floor levels, overland flood routing	Low
Ground Water	Ground	Underground services, ground level of buildings, roads	High	Moderate	High	Appropriate setting of floor levels, flood routing, damp proof membranes	Low
Human/Mechanical Error	Drainage network	Proposed development	High	Moderate	High	Setting of floor levels, overland flood routing, regular inspection of SW network	Low

Table 4 | Summary of the Flood Risks from the Various Components

As indicated in the above table, the various sources of flooding have been reviewed, and the risk of flooding from each source has been assessed. Where necessary, mitigation measures have been proposed. As a result of the proposed mitigation measures, the residual risk of flooding from any source is low.”

3) DIRECTIVE 2002/49/EC, ENVIRONMENTAL NOISE DIRECTIVE.

Construction Management Plan (CMP)

The CMP has been prepared by Waterman Moylan and describes the mitigation measures that will be in place in relation to noise and vibration. In relation to noise and vibration the CMP states that:

“10.1 County Development Plan 2016 – 2022

Section 8.2.9.2: Noise Pollution of the County Development Plan 2016 – 2022 notes that The Planning Authority will use the Development Management process for larger developments;

To require developers to produce a Sound Impact Assessment and Mitigation Plan where deemed necessary, for any new development that the Planning Authority considers will impact negatively on pre-existing environmental sound levels.

10.2 Existing Noise Sources

During daytime periods, the dominant source of noise in the area of Knockrabo is traffic on the adjacent road network and local construction activity.

The night-time noise levels are predominantly attributed to traffic noise on the local road network.

10.3 Construction Noise Management

In the absence of any statutory Irish guidance relating to the maximum permissible noise level that may be generated during the construction phase of a project, it is proposed that the construction works will incorporate:

- Best practice measures relating to the control and minimisation of as set out in BS 5228 (2009) Parts 1 and 2 noise during all phases of the work.;*
- Selection of quiet plant including proprietary acoustic enclosures to compressors and generators;*
- Control of noise sources including reduction of resonance effects by stiffening and / or the application of damping compounds to panels and / or cover plates;*
- Control of rattling and grinding noises by fixing resilient materials between the contact surfaces.*
- Screening by demountable enclosures;*
- The siting of mechanical plant as far away from residential areas as possible; and*
- Regular maintenance of all plant;*

Ref: British Standard BS 5228 (2009): Code of Practice for Control of Noise and Vibration on Construction and Open Sites Part 1: Noise. 3”.

10.4 Construction Vibration Management

In the absence of any statutory Irish guidance relating to the maximum permissible vibration level that may be generated during the construction phase of a project, it is proposed that the construction works will incorporate:

- Selection of quiet plant with low vibration emissions;*
- Provision of anti-vibration mounts on reciprocating plant;*
- Limitation of vibration from construction activities to the levels recommended in BS 5228;*
- Strip and pad foundations in lieu of piling;*
- Materials to be lowered rather than dropped; and*
- Resilient materials to be provided on surfaces onto which materials are being lowered.*

Ref: British Standard BS 5228 (2009): Code of Practice for Control of Noise and Vibration on Construction and Open Sites Part 2: Vibration.

Details of mitigation measures are outlined and the Board is referred to the contents of the CMP in that regard.

4) Directive 2000/60/EC, Water Framework Directive

As outlined in Hydrological Risk Assessment carried out by AWN “A review of historical maps of this zone was conducted (Geohive web maps; OPW, 2021), and no additional historical rivers were identified in the vicinity of the proposed development site.”

The nearest surface water receptors lie to the north and to the west of the proposed development site (refer Figure 1.1 above). These are identified as follows:

- Slang River (WFD code: IE_EA_09D010900; EPA code: 09S04) which is located c. 1.2km to the east of the site. This stream flows towards the north where it joins the Dodder River (EPA Code: 09D01) c. 2.0Km to the northwest of the site. The Dodder River outfalls into the Liffey River at Ringsend.
- Elm Park Stream (WFD code: IE_EA_09B130400; EPA code: 09E01) which is located c. 550m to the north of the site. This stream site outfalls into South Dublin Bay at Merrion Gates.

The existing site is 1.78 Ha and is currently greenfield and falls sharply from south to north ranging in level from 76.5m in the south east to 59.6m in the north. The site is not currently connected to the public sewer network.”

“The EPA (2020) on-line mapping presents the available water quality status information for water bodies in Ireland. The River Slang and the River Dodder have a Water Framework Directive (WFD) status (2013-2018) of ‘Moderate’ and a WFD risk score of ‘At risk of not achieving good status’. This moderate status is related to its biological status (invertebrate and fish) and dissolved oxygen conditions (which fails in relation to its percentage saturation); all remaining chemical condition have been classified as ‘good’. Its most recent quality data (2019) also indicate that it is ‘Slightly polluted’. The EPA does not collect water quality data for the Elm Park Stream and does not have an assigned status and risk currently. However, it is likely to be in similar condition to the Slang.

The Dodder catchment discharges to the Liffey Estuary Lower which has a WFD status (2013-2018) of ‘Good’, and Dublin Bay has a WFD status of ‘Good’. The Liffey Estuary Lower waterbody has a WFD risk score of ‘At risk of not achieving good status’ while the Dublin Bay waterbody has a WFD risk score of ‘Not at risk’. The most recent surface water quality data for the Liffey Estuary Lower and Dublin Bay (2019-2020) indicate that they are ‘Unpolluted’. Under the 2015 ‘Trophic Status Assessment Scheme’ classification of the EPA, ‘Unpolluted’ means there have been no breaches of the EPA’s threshold values for nutrient enrichment, accelerated plant growth, or disturbance of the level of dissolved oxygen normally present.”

“Presently, from the GSI (2021) National Bedrock Aquifer Map, the GSI classifies the bedrock aquifer beneath the subject site as a ‘Poor Aquifer – Bedrock which is Generally Unproductive except for Local Zones’. The site of the Proposed Development is within the ‘Kilcullen’ groundwater body and is classified as ‘Poorly productive bedrock’. The most recent WFD groundwater status for this water body (2013-2018) is ‘Good’ with a current WFD risk score of ‘Not at risk’.

Aquifer vulnerability is a term used to represent the intrinsic geological and hydrological characteristics that determine the ease with which groundwater may be contaminated generally by human activities. The GSI (2021) guidance presently classifies the bedrock aquifer vulnerability in the region of the subject site as ‘Moderate’ (to the northwest), ‘High’ and ‘Extreme’ (to the southeast) which indicates a general overburden depth potential of from 5-10 m (‘Moderate’ zone) to <3 m (‘Extreme’ zone). This shows that the aquifer is moderately protected by low permeability glacial clays.” As a result based on this assessment the aquifer is moderately protected from impact by low permeability glacial clays.

As outlined in the EcIA by Altemar Limited “The outlined construction and operational mitigation proposed for the proposed development satisfactorily addresses the mitigation of potential impacts on the sensitive receptors through the

application the standard construction and operational phase controls in addition to a sensitive lighting plan. The overall impact on the ecology of the proposed development will result in a long term minor adverse, not significant impact on the ecology of the area and locality overall. This is primarily as a result of the loss of terrestrial habitats on site, increased light spill, increased human activity. No significant negative environmental effects will be as a result of the proposed greenway development.”

5) DIRECTIVE 2001/42/ EC, SEA DIRECTIVE

Strategic Environmental Assessment or SEA is the term which has been given to the environmental assessment of plans and programmes, which help determine the nature and location of individual projects taking place. Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive). The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004), the Planning and Development (Strategic Environmental Assessment) Regulations 2001 (SI No 436 of 2004, European Communities (Environmental assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) Regulations 2011 (SI 201 of 2011).

A Strategic Environmental Assessment (SEA) Environmental Report has been prepared for the Dún Laoghaire-Rathdown County Development Plan 2022-2028. It has been undertaken by CAAS Ltd. on behalf of Dún Laoghaire-Rathdown County Council. The Plan sets out an overall strategy for the proper planning and sustainable development of the functional area of Dún Laoghaire- Rathdown County Council for the period 2022- 2028.

Reports in the current submission that are relevant to this Directive include the Environmental Impact Assessment Screening Report, Planning Report, Statement of Consistency and the Material Contravention Statement, all of which have been written by Tom Philips Associates.

The Dún Laoghaire-Rathdown County Development Plan 2022-2028 has been consulted throughout the process of the design and preparation of assessment reports for this project. The Dún Laoghaire-Rathdown County Development Plan 2022-2028 has been informed by the SEA Environmental Report for the Dún Laoghaire-Rathdown County Development Plan 2016-2022. As a result, no further assessment in relation to DIRECTIVE 2001/42/ EC, SEA DIRECTIVE is required.

6) DIRECTIVE 2004/107/EC RELATING TO ARSENIC, CADMIUM, MERCURY, NICKEL AND POLYCYCLIC AROMATIC HYDROCARBONS IN AMBIENT AIR.

EIAR Screening

As outlined in the EIAR Screeninig “*Best practice methods will be utilised during construction to mitigate potential impacts from pollution on the local environment during construction. Please refer to AA Screening prepared by Altemar and Hydrological and Hydrogeological Risk Assessment prepared by AWN which concludes as follows in relation to water pollution;*

‘A conceptual site model (CSM) has been prepared following a desk top review of the site and surrounding environs. Based on this CSM, plausible Source-Pathway-Receptor linkages have been assessed assuming an absence of any measures intended to avoid or reduce harmful effects of the proposed project (i.e. mitigation measures) in place at the proposed development site.

There is no direct source pathway linkage between the proposed development site and open water (i.e. South Dublin Bay SAC/pNHA and South Dublin Bay and River Tolka SPA). There are indirect source pathway linkages from the proposed development through public sewers which discharge to the Elm Park Stream which ultimately outfalls into Dublin

Bay (2.7 km downgradient of the site). There is also an indirect connection through the foul sewer which will eventually discharge to the Ringsend WWTP and ultimately discharges to Dublin Bay. The future development has a peak foul discharge that would equate to 0.063% of the licensed discharge at Ringsend WWTP (peak hydraulic capacity).

It is concluded that there are no pollutant linkages as a result of the construction or operation (without mitigation) of the proposed development which could result in a water quality impact which could alter the habitat requirements of the Natura 2000 sites within Dublin Bay.

Finally, in line with good practice, preventive measures are included during construction to minimise the potential for any accidental releases off site. These measures are to be included in the design of any such developments. During operation, the potential for an impact to ground or storm water is negligible and there are design measures incorporated within the proposed development to manage stormwater run-off quality. These specific measures will provide further protection to the receiving soil and water environments. However, the protection of downstream European sites is in no way reliant on these measures.’

There may be possible short-term nuisances to human beings from noise, vibration, dust and traffic. These are not likely to be at such a quantity or of such a significance that would warrant the completion of a sub threshold ELAR. Noise, vibration and dust will be subject to specific control measures as described in the Construction Management Plan prepared by Moylan Waterman.”

Construction Management Plan (CMP)

The CMP has been prepared by Waterman Moylan. In relation to the Pre-Construction Plan “*A site compound(s) including offices and welfare facilities will be set up by the main contractor in locations to be decided within the subject site.*

The main contractor will be required to schedule delivery of materials daily. The main contractor will be required to provide a site compound on the site for the secure storage of materials.

Measures will be implemented throughout the construction stage to prevent contamination of the soil and surrounding watercourses from oil and petrol leakages and significant siltation. Suitable bunded areas will be installed for oil and petrol storage tanks. Designated fuel filling points will be put in place with appropriate oil and petrol interceptors to provide protection from accidental spills. Spill kits will be provided by the Contractor to cater for any other spills.”

6) SEVESO III DIRECTIVE (2012/18/EU)

The proposed development site is within the DMR east Garda region. Following an assessment of the Seveso sites proximate to the proposed development site no Seveso Sites are within the DMR East Region². The nearest Seveso sites are located at Ringsend (i.e. Dublin Bay Power, N.O.R.A., Dublin Waste to Energy and ESB Poolbeg. The proposed development is not proximate to a Seveso site and there is no pathway to these sites. The proposed development will cause any significant effect on Seveso sites.

CONCLUSION

This Statement has been carried out in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001-2021, as amended, for the proposed Strategic Housing Development at Knockrabo, Mount Anville Road, Goatstown, Dublin 14. This statement summarises the assessments carried out for the purposes of the EIA Screening Report in relation to the proposed development and identifies that the proposed project “*would not be likely to have a significant effect on the environment*”. This statement should be read in conjunction with the reports referred to in this statement.

² <https://www.arcgis.com/apps/webappviewer/index.html?id=a01b5a0a6ff24f10adff30beaa3b6fd0>