# Statement in accordance with Article 103(1A)a of the Planning and Development Regulations 2001, as amended

**PRESENTED TO**

**Zolbury Limited**

**Blackglen Road, Sandyford, Dublin 18**

**DATE**

December 2024

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## Table of Contents

**REPORT LIMITATIONS** **II**

**1. INTRODUCTION** **1**

1.1 BACKGROUND 1
1.2 SCREENING OBJECTIVE 1
1.3 PROJECT OVERVIEW 2
*1.3.1 Construction Phase* *3*
*1.3.2 Operational Phase* *3*
1.1. EIA SCREENING 4

**2 ASSESSMENT OF RELEVANT EU LEGISLATION** **5**

2.1 DIRECTIVE 92/43/EEC (AS AMENDED) THE HABITATS DIRECTIVE 5
2.2 DIRECTIVE 2000/60/EC (AS AMENDED) EU WATER FRAMEWORK DIRECTIVE 6
2.3 DIRECTIVE 2001/42/EC, SEA DIRECTIVE 7
2.4 DIRECTIVE 2002/49/EC, ENVIRONMENTAL NOISE DIRECTIVE 8
2.5 DIRECTIVE 2008/50/EC (AS AMENDED) ON AMBIENT AIR QUALITY AND CLEANER AIR FOR EUROPE 9
2.6 DIRECTIVE 2007/60/EC ON THE ASSESSMENT AND MANAGEMENT OF FLOOD RISKS 10
2.7 INTERNATIONAL CONVENTIONS 11
*2.7.1 Bern and Bonn Convention* *11*
*2.7.2 Ramsar Convention* *12*
2.8 OTHER RELEVANT EU LEGISLATION 13
*2.8.1 Directive 2006/21/EC on the management of waste from extractive industries* *13*
*2.8.2 Directive (EU) 2018/850 on the landfill of waste* *14*
*2.8.3 Directive 2008/98/EC on waste and repealing certain Directives* *15*
*2.8.4 Directive 2010/75/EU on industrial emissions* *16*
*2.8.5 Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register* *17*
*2.8.6 Directive 2000/14/EC (as amended) on noise emission in the environment by equipment for use outdoors* *18*
*2.8.7 Directive 2012/27/EU on energy efficiency* *19*
*2.8.8 Directive 2003/87/EC (as amended) establishing a system for greenhouse gas emission allowance trading within the EU* *20*
*2.8.9 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* *21*
*2.8.10 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* *22*
*2.8.11 Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources* *23*
*2.8.12 Regulation (EU) No 517/2014 on fluorinated greenhouse gases* *24*
*2.8.13 Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC* *25*

**3 CONCLUSIONS** **26**

# 1. INTRODUCTION

## 1.1 Background

Enviroguide Consulting was commissioned by Zolbury Limited to prepare a Statement in accordance with Article 103(1A) a 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 the Proposed Residential Development of 192 residential units (hereafter referred to as 'the Proposed Development') at a site located on lands at Blackglen Road, Sandyford, Dublin 18.

The purpose of this report is to provide information for the relevant competent authority to carry out the screening for Environmental Impact Assessment and will highlight any significant effects, if any, that may arise as a result of the Proposed Development during the construction and operational phases.

## 1.2 Screening Objective

The overall objective of the Screening for EIA is to identify and assess the potential for likely significant effects on the environment associated with the Proposed Development and to determine if EIA is required for the Proposed Development. Projects listed in Schedule 5, Part 1, of the Regulations, are subject to mandatory EIA (Article 4(1) of the EIA Directive 2014/52/EU). Thresholds have been set in respect of projects listed in the Schedule 5, Part 2 of the Regulations. Projects which do not meet the specified threshold may still require EIA if the project is likely to have a significant effect on the environment (sub-threshold projects).

This report documents the methodology employed to complete the screening exercise, having regard to relevant legislation and guidance documents. It also sets out a clear rationale for each decision of this screening exercise. The following documents were consulted:

- Advice Notes on Current Practice in the Preparation of Environmental Impact Statements (EPA 2003);
- Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (EPA May 2022);
- Environmental Assessments of Plans, Programmes and Projects – Rulings of the Court of Justice of the European Union (European Union 2017);
- Environmental Impact Assessment of Projects – Guidance on Scoping (Directive 2011/92/EU as amended by 2014/52/EU) (European Union 2017);
- Guidance of Integrating Climate Change and Biodiversity into Environmental Impact Assessment (European Union 2013);
- Environmental Impact Assessment of Projects – Guidance on the preparation of the Environmental Impact Assessment Report (European Union 2017);
- European Commission 2017. Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU);
- EU Commission Guidance on Interpretation of definitions of project categories of annex I and II of the EIA Directive (2015);

- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (Government of Ireland 2018);
- Key Issues Consultation Paper on the Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems; (Department of Housing, Planning, Community and Local Government 2017);
- Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (European Communities 1999);
- Implementation of Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (European Communities 2003); and
- Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note (2021).

## 1.3 Project Overview

The development will consist of 192 no. residential units ranging from 2-5 storeys in height, associated resident amenity facilities, a childcare facility, all boundary treatment and landscaping works, site services connections and all site development works to include:

a) Construction of 192 no. residential units, in the form of 6 no. new apartment buildings (A1 – B4), 40 duplexes (C1, C2, C2A) and 14 houses (D1 & D2), to include 33 no. 1-beds, 84 no. 2 -beds, 61 no. 3-beds and 14 no. 4-beds as follows:
   - Block A1 (4 storeys) comprising 15 no. apartments (3 no. 1 bed units, 6 no. 2 bed units & 6 no. 3 bed units); a crèche facility of approx. 378.2 sq. m with associated outdoor play space of approx. 170 sq. m; and resident amenity facilities of approx. 31.6 sq. m.
   - Block A2 (3-4 storeys) comprising 26 no. apartments (2 no. 1 bed units, 20 no. 2 bed units and 4 no. no. 3 bed units) and resident amenity facilities of approx. 353.6 sq. m.
   - Blocks B1 and B2 (2-5 storeys) comprising 51 no. apartments (15 no. 1 bed units, 29 no. 2 bed units, 7 no. 3 bed units).
   - Blocks B3 and B4 (2-5 storeys) comprising 46 no. apartments (13 no. 1 bed units, 23 no. 2 bed units and 10 no. 3 bed units).
   - Duplex Units C1 (4 storeys), C2 and C2A (3 storeys) comprising 40 duplexes (6 no. 2 bed units, 20 no. 3 bed units and 14 no. 4 bed units).
   - House Units D1 and D2 (2 storeys) comprising 14 houses (14 no. 3 bed units).

b) Total Open space (approx. 10,854 sq. m) is proposed in the form of public open space (approx. 8, 686 sq. m), and residential communal open space (approx. 2,168 sq. m). Each residential unit is afforded with associated private open space in the form of a garden/terrace/balcony.

c) The development will be served via a new vehicular access via Blackglen Road. This will be designed as a priority junction with pedestrian and cycle crossings where required to tie in with the Blackglen Road Improvement Scheme.

d) A new toucan crossing is proposed across Blackglen Road just to the east of the new vehicular access. This toucan crossing has been designed as per TL607 of the Cycle Design Manual to allow crossing of pedestrians and cyclists to the northern side of Blackglen Road for improved public transport access.

e) Emergency access only is proposed via Woodside Road.

f) A dedicated wildlife corridor is proposed to the east/south-east side of the site and a public open space (approx. 307 m in length) tree trail to the west/north-west side of the site.

g) Basement/Podium car park areas are proposed below Blocks B1, B2, B3 and B4. A total of 226 no. car parking spaces are proposed, which includes 2 no. car club spaces, 12 no. accessible spaces and 47 no. EV charging spaces (198 no. long-stay spaces, 18 no. visitor space & 10 no. car parking spaces for creche use), in addition to 9 no. motorcycle spaces.

h) A total of 484 no. bicycle spaces are proposed in the form of 442 no. long stay bicycle spaces 42 short-term stay visitor parking.

i) 2 no. ESB substations at surface level.

j) Bin Storage areas for the Duplex blocks are proposed at ground level adjacent to the Duplex blocks.

k) All associated site and infrastructural works to include provision for water services; foul and surface water drainage and connections; internal roads, attenuation proposal; permeable paving; all landscaping works including green infrastructure zones; green roofs; and general plant areas; photovoltaic panels; landscaped boundary treatment; footpaths; public lighting; and electrical services.

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### 1.3.1 Construction Phase

The construction phase is estimated to be approximately 42 months in total. Subject to the grant of planning permission, construction works will begin in quarter one of 2026.

The construction works will follow the below sequence:

- Enabling works – site clearance, vegetation clearance and site preparation (erecting hoarding and welfare facilities);
- Excavation, utilities, and foundation works – including ground excavation, diversion and construction of utility infrastructure;
- Substructure and structural works – construction of the residential buildings;
- Building fit out; and
- Landscaping works.

A Construction and Environmental Management Plan (CEMP) has been completed by O'Connor, Sutton, Cronin Multidisciplinary Consulting Engineers (hereafter referred to as OCSC) (November, 2024) for the Proposed Development. All construction works will be completed in accordance with the CEMP.

### 1.3.2 Operational Phase

During the operational phase, the Proposed Development will be operational as a residential development.

## 1.1. EIA Screening

An EIA Screening Report has been prepared by Enviroguide on behalf of Zolbury Limited. The Proposed Development was assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive'.

It is concluded that, by reason of the nature, scale and location of the Proposed Development site, and the proposed mitigation measures outlined in the other assessments completed for this planning application, the Proposed Development does not require a mandatory Environmental Impact Assessment Report (EIAR).

# 2 ASSESSMENT OF RELEVANT EU LEGISLATION

## 2.1 Directive 92/43/EEC (as amended) 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.<br><br>The Habitats Directive aims to protect approximately 220 habitats and 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**<br>Prepared by: Enviroguide<br>Report Date: December 2024 |
| **2.** | **Ecological Impact Assessment**<br>Prepared by: Enviroguide<br>Report Date: December 2024 |
| **Conclusions** | |
| On the basis of the AA screening exercise carried out , and on the basis of the best scientific knowledge available, the possibility of significant effects on the below listed European sites whether arising from the project itself or in combination with other plans and projects, **may be excluded**<br><br>• North Dublin Bay SAC (000206);<br>• South Dublin Bay SAC (000210);<br>• The Murrough Wetlands SAC (002249);<br>• Rockabill to Dalkey Island SAC (003000);<br>• Wicklow Mountains SAC (002122);<br>• North Bull Island SPA (004006);<br>• South Dublin Bay and River Tolka Estuary SPA (004024);<br>• North-west Irish Sea SPA (004236);<br>• Dalkey Islands SPA (004172); and<br>• Wicklow Mountains SPA (004040).<br><br>Thus, it was not required to proceed to Stage 2 of the AA process and a NIS was not required. | |

## 2.2 Directive 2000/60/EC (as amended) 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 aims to protect and improve water quality. It applies to rivers, lakes, groundwater, estuaries, and coastal waters. The Directive requires that management plans be prepared on a river basin basis and specifies a structured method for developing these plans. River Basin Management Plans (RBMPs) are plans to protect and improve the water environment and are prepared and reviewed every six years. The Water Framework Directive was agreed by all individual EU member states in 2000, and its first RBMP ran from 2010 – 2015. The second cycle plan ran from 2018 – 2021. The 3rd cycle of River Basin Management Plan for the period of 2022-2027 has been prepared by Department of Housing, Local Government and Heritage (DHLGH) in line with the EU Water Framework Directive (WFD) (2000/60/EC).<br><br>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.** | **Engineering Services Report**<br>Prepared by: OCSC[1]<br>Report Date: November 2024 |
| **2.** | **Construction Environmental Management Plan**<br>Prepared by: OCSC<br>Report Date: December 2024 |
| **3.** | **Site Specific Flood Risk Assessment**<br>Prepared by: OCSC<br>Report Date: November 2024 |
| **Conclusions** | |
| Based on the measures detailed within the Engineering Services Report and Construction Environmental Management Plan, appropriate surface water management and discharge measures will be undertaken to ensure no likely significant adverse effects arise. Good practice management measures will be implemented at all times in relation to all construction activities to avoid any accidental pollution events occurring to the nearby water courses. A Site-Specific Flood Risk Assessment (SSFRA) was carried out which concluded the site is located mostly within flood zone C, with a portion of the southern site boundary locates in flood zone A. | |

[1] O'Connor Sutton Cronin will be referred to as OCSC hereafter in this103(1A)(a) Statement.

## 2.3 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.<br><br>The Dún Laoghaire – Rathdown County Development Plan 2022 – 2028 sets out policies and objectives to guide how and where development will take place in the council area 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).<br><br>The Dún Laoghaire – Rathdown County Development Plan 2022 – 2028 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 have ensured full integration and consideration of environmental issues throughout the action plan preparation process. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | **Planning Report**<br>Prepared by: Brock McClure<br>Report Date: |
| **2.** | **Dún Laoghaire – Rathdown County Development Plan 2022 - 2028**<br>Prepared by: Dún Laoghaire – Rathdown County Council<br>Report Date: 2022 |
| **Conclusions** | |
| The above reports have been consulted when preparing the relevant assessment reports. The following policies and plans were reviewed and considered for possible in-combination effects with the Proposed Development:<br><br>• Dún Laoghaire – Rathdown County Development Plan 2022 - 2028<br>• Eastern Midlands Regional Waste Management Plan 2015 – 2021<br><br>No further assessment is required. | |

## 2.4 Directive 2002/49/EC, Environmental Noise Directive

| Directive 2002/49/EC on the assessment and management of environmental noise | |
|---|---|
| **Summary of Relevance** | |
| The Environmental Noise Directive relates to the assessment and management of environmental noise. 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. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | **Construction Environmental Management Plan**<br>Prepared by: OCSC<br>Report Date: December 2024 |
| **2.** | **Noise Impact Assessment**<br>Prepared by: Enfonic<br>Report Date: October, 2024 |
| **Conclusions** | |
| There will be an increase in noise and vibration levels during the Construction Phase.<br>Construction operations will be carried out in accordance with any granted planning conditions. It is expected that normal working hours will be from 07:00 – 19:00 Monday to Friday and from 08:00 – 14:00 on Saturdays. There will be no construction works carried out on Sundays or public holidays. It may be necessary for some specific construction activities to take place outside of these times and in those case, a specific derogation will be sought from the Planning Authority, Dún Laoghaire – Rathdown County Council.<br>Construction noise impacts will be localised, intermittent, and last only for the duration of this phase. The CEMP and Noise Impact Assessment have outlined noise mitigation measures to be implemented which, along with best practice noise and vibration control measures, will ensure no significant adverse noise and vibration related effects. | |

## 2.5 Directive 2008/50/EC (as amended) 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 Cleaner Air For Europe (CAFE) 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 2022. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | **Construction Environmental Management Plan**<br>Prepared by: OCSC<br>Report Date: December 2024 |
| **Conclusions** | |
| The Construction Phase of the Proposed Development could give rise to short-lived dust and air quality effects. However, it is not predicted that these impacts will be significant as they will be temporary and short-term in duration (18 to 24 months). Adequate dust mitigation measures will be put in place for the duration of the Construction Phase of the Proposed Development as outlined within the CEMP. | |

## 2.6 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 | |
|---|---|
| **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).<br><br>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.** | **Site Specific Flood Risk Assessment**<br>Prepared by: OCSC<br>Report Date: November 2024 |
| **Conclusions** | |
| A Site Specific Flood Risk Assessment (SSFRA) was carried out which concluded the site is located predominantly within Zone C, with a portion of the southern boundary located within Zone A.<br><br>The SSFRA found that in accordance with the Planning System and Flood Risk Management Guidelines for Planning Authorities, there is no significant risk for flooding in the proposed development. | |

## 2.7 International Conventions

### 2.7.1 Bern and Bonn Convention

| Convention on the Conservation of European Wildlife and Natural Habitats - Bern Convention<br>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 Report**<br>Prepared by: Enviroguide<br>Report Date: December 2024 |
| **Conclusions** | |
| The Ecological Impact Assessment (EcIA) Report has assessed designated sites, habitats and species within the Site of the Proposed Development and surrounding area. The report concluded that provided the mitigation measures proposed within EcIA, together with all best practice development standards as outlined in the CEMP are carried out in full, there will be no significant negative impact to any Key Ecological Receptor (KER) habitat, species group or biodiversity as a result of the Proposed Development including those listed under the Bern and Bonn Convention. | |

### 2.7.2 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 Report**<br>Prepared by: Enviroguide<br>Report Date: December 2024 |
| **Conclusions** | |
| The Ecological Impact Assessment (EcIA) Report has assessed designated sites, habitats and species within the site and surrounding area.<br><br>The EcIA concluded that provided the mitigation measures proposed within EcIA, together with all best practice development standards as outlined in the Outline CEMP are carried out in full, there will be no significant negative impact to any Key Ecological Receptor (KER) habitat, species group or biodiversity as a result of the Proposed Development including those listed under the Ramsar Convention. | |

## 2.8 Other Relevant EU Legislation

### 2.8.1 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.<br><br>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** | |
| **1.** | Directive not relevant to the Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.2 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<br><br>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.** | **Resource and Waste Management Plan**<br>Prepared by: OCSC<br>Report Date: November 2024 |
| **Conclusions** | |
| There will be an increase in construction and operational waste during the construction and operational phase of the Proposed Development. A Resource and Waste Management Plan (RWMP) has been prepared for the Proposed Development. The waste management objective for both the RWMP will be to prevent waste arising in the first place, and to re-use, recycle or recover waste materials where possible. | |

### 2.8.3 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.** | **Resource and Waste Management Plan**<br>Prepared by: OCSC<br>Report Date: November 2024 |
| **Conclusions** | |
| There will be an increase in construction and operational waste during the construction and operational phase of the Proposed Development. A Resource and Waste Management Plan (RWMP) has been prepared for the Proposed Development. The waste management objective for both the RWMP will be to prevent waste arising in the first place, and to re-use, recycle or recover waste materials where possible. | |

### 2.8.4 Directive 2010/75/EU on industrial emissions

| Directive 2010/75/EU on industrial emissions | |
|---|---|
| **Summary of Relevance** | |
| 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.<br><br>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. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | Directive is not relevant to the Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.5 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 | |
|---|---|
| **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** | |
| **1.** | Directive is not relevant to the Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.6 Directive 2000/14/EC (as amended) 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. 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 and has been amended by S.I. No. 241/2006 - European Communities (Noise Emission by Equipment for Use Outdoors) (Amendment) Regulations 2006. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | **Construction Environmental Management Plan**<br>Prepared by: OCSC<br>Report Date: December 2024 |
| **2.** | **Noise Impact Assessment**<br>Prepared by: Enfonic<br>Report Date: October 2024 |
| **Conclusions** | |
| In accordance with the Construction Environmental Management Plan, the Construction Phase of the Proposed Development will comply with best practice control measures for construction sites for noise and vibration. Mitigation measures have been detailed in the CEMP and Noise Impact Assessment which will reduce the potential impact of noise and ensure there is no significant adverse impact on surrounding receptors. | |

### 2.8.7 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 | |
|---|---|
| **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.<br><br>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** | |
| **1.** | **Building Lifecycle report**<br>Prepared by: Aramark<br>Report Date: November 2024 |
| **Conclusions** | |
| The Building Lifecycle Report considers potential energy efficient options being evaluated for the Proposed Development. These include: Natural ventilation, Mechanical Ventilation Heat Recovery (MVHR), Air Source Heat Pumps, Exhaust air heat pump, and Photovoltaic (PV) Solar Panels.<br><br>The development will meet the requirements for Conservation of Fuel and Energy in Dwellings (Part L, Building Regulations Technical Guidance Document, 2021) and as such will meet the requirements for compliance with Nearly Zero Energy Building Standards providing improved energy performance and reducing the Proposed Development overall carbon emissions. | |

### 2.8.8 Directive 2003/87/EC (as amended) 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 | |
|---|---|
| **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 third phase of the EU ETS was in place from 2013 to 2020 and applied to emissions from power plants, energy-intensive industrial sectors, and aircraft (flying between EU airports, Norway and Iceland).<br><br>Directive (EU) 2018/410 (amending Directive 2003/87/EC) enhances cost-effective emission reductions and low-carbon investments. The revised EU ETS Directive entered into force on 8 April 2018 and sets the framework for the fourth trading period from 2021 to 2030.<br><br>On 14 July 2021, the European Commission proposed the revision of the EU ETS Directive under the "*Fit for 55*" package of legislative proposals, in view to achieve climate neutrality in the EU by 2050, including the intermediate target of an at least 55% net reduction in greenhouse gas emissions by 2030. | |
| **Assessment Reports Completed as part of Application Process** | |
| **1.** | Directive is not relevant to Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.9 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 | |
|---|---|
| **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** | |
| **1.** | **Building Lifecycle report**<br>Prepared by: Aramark<br>Report Date: November 2024 |
| **Conclusions** | |
| The Building Lifecyle Report sets out a number of sustainable, low energy technologies which will be incorporated into the Proposed Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs throughout the building lifecycle.<br><br>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. | |

### 2.8.10 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

| 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 | |
|---|---|
| **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** | |
| **1.** | Directive is not relevant to Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.11 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 | |
|---|---|
| **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** | |
| **1.** | **Building Lifecycle report**<br>Prepared by: Aramark<br>Report Date: November 2024 |
| **Conclusions** | |
| The Building Lifecycle Report sets out a number of sustainable, low energy technologies which will be incorporated into the Proposed Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs throughout the building lifecycle.<br><br>Therefore, it is considered that the Proposed Development will make a positive contribution towards the increased use of energy from renewable sources. | |

### 2.8.12 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 | |
|---|---|
| **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** | |
| **1.** | Directive not relevant to Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

### 2.8.13 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 | |
|---|---|
| **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** | |
| **1.** | Directive not relevant to Proposed Development.<br>No reports have been prepared. |
| **Conclusions** | |
| Not relevant to the Proposed Development. | |

# 3 CONCLUSIONS

This Statement in accordance with Article 103(1A)a 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, by reason of the nature, scale and location of the Proposed Development site, and the proposed mitigation measures outlined in the other assessments completed for this planning application, the Proposed Development does not require a mandatory Environmental Impact Assessment Report (EIAR).