

DEVOY BARRACKS SHD EIA SCREENING REPORT

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Client:

The Land Development Agency

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1 Introduction

The Land Development Agency (LDA) is seeking permission for a Strategic Housing Development (SHD) on lands at the former Devoy Barracks, Naas, Co. Kildare ('the proposed development').

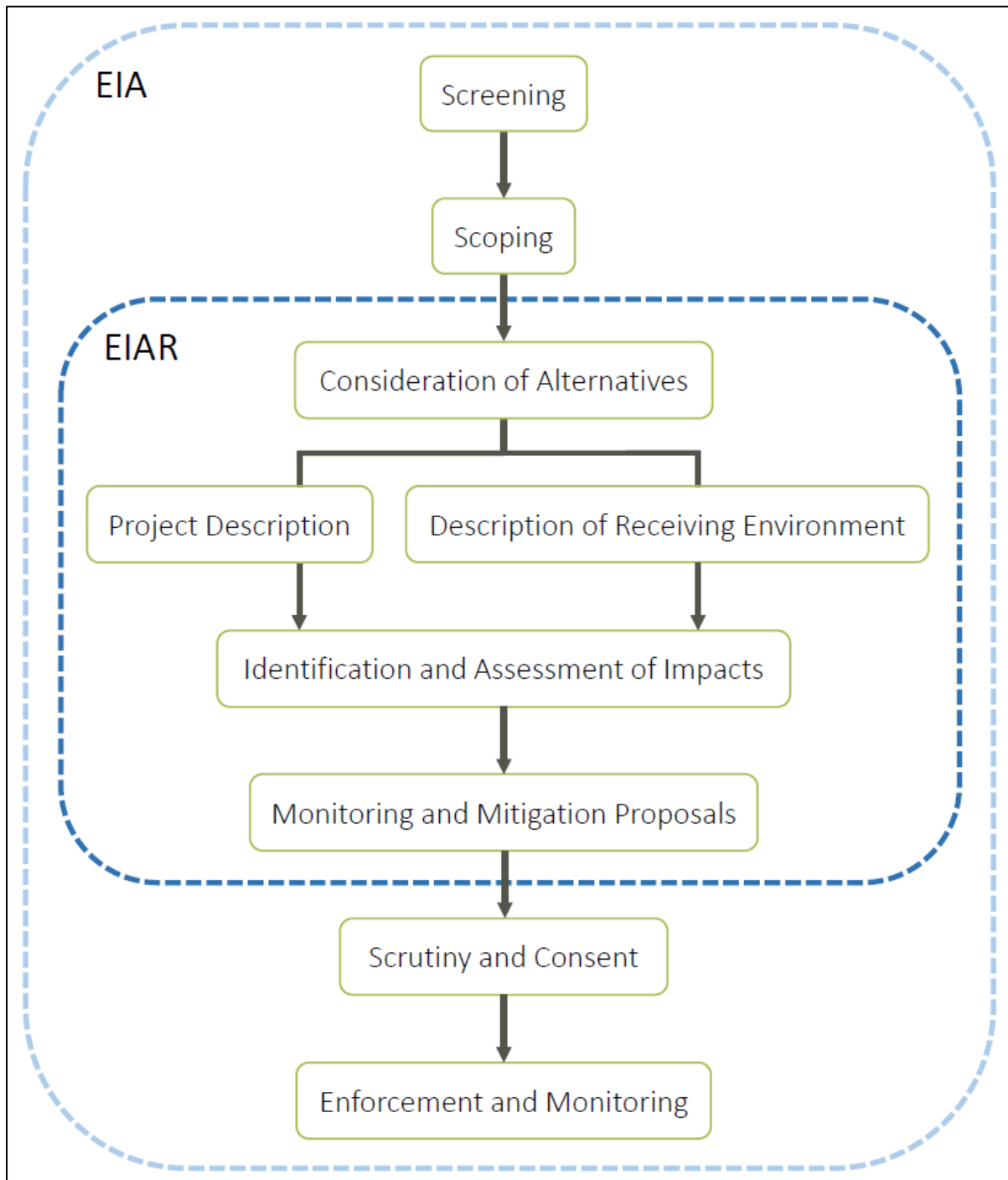
Brady Shipman Martin (BSM) was appointed by the Applicant to prepare this EIA Screening Report to facilitate the Competent Authority, An Bord Pleanála, in completing the screening exercise for Environmental Impact Assessment (EIA). EIA screening is the first stage in the EIA process (**Figure 1.1**). Its objective is to ascertain whether there is a real likelihood that a project's effects on the environment would be significant and, therefore, whether a full EIA (and the preparation of an Environmental Impact Assessment Report (EIAR)) is required.

1.1 Qualifications

This EIA Screening Report has been prepared by Lorraine Guerin, Environmental Consultant at BSM. Lorraine holds a BSc (Hons) in Ecology from University College Cork, and a MSc in Environmental Management & Policy from Lund University, Sweden. Lorraine has three years of experience in environmental assessment – EIA and AA – and is a member of the Irish Environmental Law Association (IELA).

This document has been reviewed by Thomas Burns B.Agr.Sc. (Landscape); Dip. EIA Management; Ad. Dip. Planning and Environmental Law; MILI, MIELA, and Partner with BSM.

Figure 1.1 The EIA process¹



¹ EPA (2017). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports*.

2 Legislative Context

The key legislative provisions of relevance to the EIA screening exercise are:

- Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment
- Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment
- Planning and Development Act 2000, as amended
- Planning and Development Regulations 2001, as amended

The EIA Directive is the cornerstone of EIA legislation. It aims to ensure a high level of protection for the environment and human health. It requires that an assessment of the 'likely significant effects' a project will have on the environment is carried out, where relevant, before development consent is given. EIA screening is the first stage in the EIA process (**Figure 1.1**). Its objective is to ascertain whether there is a real likelihood that a project's effects on the environment would be significant and, therefore, whether a full EIA (and the preparation of an Environmental Impact Assessment Report (EIAR)) is required.

The EIA Directive entered into force in 1985 (Directive 85/337/EEC). It was amended three times (in 1997, 2003 and 2009) and subsequently codified by Directive 2011/92/EU, which was itself amended in 2014 by Directive 2014/52/EU. Directive 2014/52/EU provides for a simplified EIA screening exercise, and updated screening criteria.

The EIA Directive is transposed into Irish legislation by the Planning and Development Act 2000 (as amended) ('PDA 2000' hereafter) and the Planning and Development Regulations 2001 (as amended) ('PDR 2001' hereafter).

Part 1 of Schedule 5 of the PDR 2001 list the classes of development for which EIA is a mandatory requirement. Part 2 of Schedule 5 sets out specific thresholds for classes of development at or above which EIA is a mandatory requirement. 'Sub-threshold development' refers to developments of a class listed in Part 2 of Schedule 5, which do not meet or exceed the stated threshold.

Schedule 7 of the PDR 2001 sets out the criteria that must be considered in determining whether a sub-threshold project should be subject to EIA. Schedule 7A of the PDR 2001 lists the information that the applicant must submit to the planning authority for the purposes of an EIA screening determination, i.e. the information that must be contained in the EIA Screening Report.

3 Methodology

3.1 Guidelines

This assessment has been completed in accordance with the relevant legislation (as detailed above), case law, and the following guidance documents:

- Department of Housing, Planning and Local Government (DoHPLG) (2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*.
- Environmental Protection Agency (EPA) (2017). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (Draft)*.
- EPA (2003). *Advice Notes on Current Practice (in the Preparation of Environmental Impact Statements)*.
- EPA (2002). *Guidelines on the Information to be Contained in Environmental Impact Statements*.
- European Commission (2017). *Environmental Impact Assessment of Projects – Guidance on Screening*.
- Office of the Planning Regulator (OPR) (2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening*.

3.2 EIA Screening Process

EIA Screening follows a three-stage process (DoHPLG, 2018; OPR, 2021):

1. Pre-screening;
2. Preliminary examination; and
3. Screening determination.

3.2.1 Pre-screening

This stage establishes whether full EIA is a mandatory requirement (in which case screening is not required); and whether the project is sub-threshold, with reference to Parts 1 and 2 of Schedule 5 of the PDR 2001.

1. If the project is not of a class of development in Parts 1 or 2 of Schedule 5, it is not sub-threshold, and no EIA or EIA screening is required.
2. If the project is of a class set out in Parts 1 or 2 of Schedule 5, and meets or exceeds a stated threshold, or where no threshold applies, full EIA is required.
3. If the project is of a class set out in Parts 1 or 2 of Schedule 5, but does not meet or exceed a corresponding threshold, it is sub-threshold development and must be screened for the requirement for EIA. The EIA screening process proceeds to Step 2 (Preliminary Examination); or to Step 3 (Screening Determination) in cases in which Schedule 7A information has been provided.

It should be noted that projects often consist of several elements, each of which should be carefully considered in respect of Schedule 5. Any element of a project could trigger the need for full EIA or EIA screening of the project as a whole.

3.2.2 Preliminary Examination

As stated in the Ministerial guidelines (DoHPLG, 2018, p. 15):

“For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment. This is initiated by the competent authority following the receipt of a planning application or appeal.

A preliminary examination is undertaken, based on professional expertise and experience, and having regard to the ‘Source – Pathway – Target’ model, where appropriate. The examination should have regard to the criteria set out in Schedule 7 to the 2001 Regulations.”

The preliminary examination of the likelihood of significant effects is carried out by the Competent Authority on the basis of, at least:

1. The nature of the project, including the production of wastes and pollutants;
2. The size of the project; or
3. The location of the project, including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area. This will require consideration of the overlap with Appropriate Assessment (AA) and consideration will need to be given to hydrological and other connections to European sites.

In accordance with Article 103(3)(a)(v) of the PDR 2001, the ‘sensitive sites’ referred to above include:

- (i) European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) under the Habitats and Birds Directives, respectively;
- (ii) An area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000);
- (iii) An area designated as a Natural Heritage Area (NHA) 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 proposed Natural Heritage Area (pNHA).

On the basis of the preliminary examination, the Competent Authority shall conclude that:

- (a) There is ***no real likelihood of significant effects on the environment***, in which case an EIA is not required;
- (b) There is ***significant and realistic doubt in regard to the likelihood of significant effects on the environment***, in which case the Applicant is required to submit to the Competent Authority the

information specified in Schedule 7A of the PDR 2001 for the purposes of a screening determination; or

- (c) There is a ***real likelihood of significant effects on the environment***, in which case an EIAR is required to be submitted.

3.2.3 Screening Determination

At this stage, the Competent Authority makes a screening determination as to whether there is a real likelihood of significant effects on the environment, with regard to:

- The Schedule 7 criteria of the PDR 2001;
- The Schedule 7A information as listed in the PDR 2001;
- Any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment;
- Any mitigation measures proposed by the Applicant;
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation (e.g. Appropriate Assessment); and
- The likely significant effects on certain sensitive ecological sites, as listed in Article 103(3)(a)(v) of the PDR 2001.

The screening determination should have regard to any mitigation measures and / or design features proposed by the Applicant to prevent what might otherwise be significant effects, but monitoring and / or compensation² measures fall under the scope of full EIA and cannot be considered at screening stage.

The screening determination is completed with regard to the environmental factors as specified in paragraph (b)(i)(I) to (V) of Section 171A of the PDA 2000 (paraphrased):

- Population and human health;
- Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;
- Land, soil, water, air and climate;
- Material assets, cultural heritage and the landscape; and
- The interaction between the above-listed.

EIA screening needs to ensure that the aims of the EIA Directive are implemented, while striking a balance between adopting a precautionary approach (where appropriate) and an approach that is proportionate to the likelihood of significant effects:

“Screening has to implement the Directive’s overall aim, i.e. to determine if a Project listed in Annex II is likely to have significant effects on the environment and, therefore, be made subject to a requirement for Development Consent and an assessment, with regards to its effects on the environment. At the same time, Screening should ensure that an EIA is carried out only for those Projects for which it is thought that a significant impact on the environment is possible, thereby ensuring a more efficient use of both public and private resources. Hence, Screening has

² Measures taken to offset residual effects (i.e. effects predicted to occur in spite of mitigation), e.g. creation of ‘replacement’ habitat off-site to wholly or partially offset the loss of habitat (or associated ecosystem services) as a result of a project (adapted from CIEEM, 2019).

to strike the right balance between the above two objectives.” (European Commission, 2017, p. 23)

This report provides the above-listed information, to facilitate the Competent Authority in carrying out a screening determination as to whether there is a real likelihood of significant effects on the environment.

3.3 Assessment of Likelihood of Significant Effects

Where EIA screening is required, the assessment of the likelihood of significant effects is informed by the source-pathway-receptor model, which dictates that, for an environmental effect to occur, there must be a source, a receptor which is sensitive to the effect in question, and a pathway by which the effect can reach the receptor. The assessment has regard to the sensitivity / vulnerability of the receptor to the effect in question. Where a risk of significant effects is identified, and where the most reliable information available leaves doubt as to the absence of same, the precautionary principle has been applied, e.g. a worst-case scenario has been assumed.

Unless otherwise stated, effects are characterised herein in accordance with the EPA criteria (2017), as set out in **Appendix 1**.

4 Pre-Screening

*This section should be read in conjunction with **Appendix 2 – Schedule 5 Checklist**.*

The proposed development relates to the provision of 219 no. residential units and associated development on a site of c. 4.1 hectares at the former Devoy Barracks, Naas, Co. Kildare.

The classes of development listed in Part 1 of Schedule 5 of the PDR 2001 are major industrial and infrastructural projects, and the proposed development does not correspond to any of the stated classes of development for which EIA would be required under this provision.

The proposed development does correspond to a type of development listed in two categories under Class 10 ‘Infrastructure Projects’ in Part 2 of Schedule 5, namely:

*“(b)(i) Construction of **more than 500 dwelling units**.”*

[...]

*“(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, **10 hectares in the case of other parts of a built-up area** and 20 hectares elsewhere.*

(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)”³

Given that the proposed development provides for 219 dwelling units on c. 4.1 hectares, it follows that it does not meet or exceed the stated thresholds (500 units and 10 hectares) at which there is a mandatory requirement for EIA under these provisions. It follows that the proposed development is sub-threshold, and screening is required to determine whether full EIA must be carried out.

It is also noted that the proposed development includes for a small element of demolition. Paragraph 11 of Part 2 of Schedule 5 lists the following class of project:

“Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.”

However, the extent of proposed demolition works in this case is not of a nature or scale that is likely to have significant effects on the environment. The only envisaged demolition works relate to a small shed structure of 10.7 m² in area. The noise, dust and waste materials generated by its demolition will be negligible. Therefore, EIA is not a mandatory requirement under this provision. Nonetheless, as detailed above, EIA screening for sub-threshold development is required under subsections 10(b)(i) and (iv) of Part 2 of Schedule 5 of the PDR 2001.

³ Emphasis added

5 Preliminary Examination

As detailed in **Section 3.2.2**, above, the preliminary examination of the likelihood of significant effects is carried out by the Competent Authority on the basis of, at least:

1. The nature of the project, including the production of wastes and pollutants;
2. The size of the project; or
3. The location of the project, including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area. This will require consideration of the overlap with Appropriate Assessment (AA) and consideration will need to be given to hydrological and other connections to European sites.

This report; which provides the information required by the Competent Authority to carry out a screening determination as to whether there is a real likelihood of significant effects on the environment, as specified in Schedule 7A of the PDR 2001, and with regard to the criteria in Schedule 7 of the PDR 2001; provides sufficient information in relation to the above-listed characteristics to permit the Competent Authority to carry out a preliminary examination.

6 Information for the Purposes of Screening Determination

This section provides the information required to allow the Competent Authority to carry out a screening determination as to whether there is a real likelihood of significant effects on the environment, as specified in Schedule 7A of the PDR 2001, and with reference to the criteria in Schedule 7 of the PDR 2001.

6.1 Description of the Proposed Development

Schedule 7A of the PDR 2001 requires the Applicant to provide:

- “1. A description of the proposed development, including in particular—
(a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works ...”

Sections 6.1.1 – 6.1.5, below, provide a description of the physical characteristics of the proposed development, including the proposed demolition works. The information herein has been compiled with reference to the criteria set out in Schedule 7 of the PDR 2001.

6.1.1 Overview

The proposed development is for the construction of 219 no. residential units, comprising:

- 42 no. 3-bed houses;
- 64 no. 1-bed duplex / apartment units;
- 105 no. 2-bed duplex / apartment units;
- 8 no. 3-bed duplex / apartment units.

The proposed development will also include a 59 place childcare facility (with c. 11 staff members during the operational phase), car and bicycle parking, internal road network, open space and all

associated site works and infrastructure. The proposed buildings will range in height from 2 to 5 storeys, with the prevailing building height across the site being in the range of 2 – 3 storeys.

Vehicular access during the operational phase will be provided via a tie-in of the proposed development's internal road network with an existing unused roundabout spur on John Devoy Road, at the subject site's south-eastern boundary. Pedestrian and cyclist access to the development shall initially be provided at the following 2 no. locations, as follows:

- The primary access on John Devoy Road, at the site's south-eastern boundary; and
- A pedestrian connection adjacent to the Mid-Eastern Region Innovation Think Space (MERITS) building on the Kildare County Council (KCC) lands, at the site's eastern boundary (the exact location and design details of which will be agreed with KCC as part of the detailed design process).

The design of the proposed development will allow for the future provision of 5 no. additional pedestrian and cycle connection opportunities to the north, west and east, as required.

The proposed development shall include a total of 314 no. car parking spaces, of which:

- 84 no. spaces shall be assigned to houses;
- 216 no. spaces shall be for the use of apartment / duplex residents and visitors;
- 6 no. spaces shall be reserved for crèche staff; and
- 8 no. spaces shall operate as set down spaces for the crèche.

The proposed provision equates to an average of 1.4 no. car parking spaces per residential unit (2 no. spaces per house and 1.2 no. spaces per apartment / duplex). A total of 24 no. spaces will be equipped with EV charging points, and these will be distributed in pairs across the site. All other car parking spaces within the development shall include ducting to facilitate the rapid future installation of additional EV charging points. All individual houses shall be constructed to have provision for fitting EV charging points. A total of 14 car parking spaces will be designated wheelchair accessible.

To prevent on-street car parking becoming visually dominant within the proposed development, an undercroft car park is proposed within the southernmost residential block. This will accommodate 111 no. car parking spaces, and its entrance will be situated close to the vehicular access on John Devoy Road, in order to minimise traffic on the internal road network.

The proposed development shall include a total of 482 no. bicycle parking spaces, comprising:

- 184 no. internal bike storage spaces to serve apartment / duplex residents;
- 114 no. bike spaces within the terraces of ground floor apartment / duplex units;
- 84 no. bike spaces within the curtilages of houses (2 no. spaces per unit);
- 90 no. publicly accessible short-stay bicycle parking spaces for apartment / duplex visitors; and
- 10 no. bicycle parking spaces for crèche staff and parents.

The development is anticipated to be a mix of social and affordable housing (both sale and cost rental), subject to commercial feasibility. The Management Company wishes to reserve the right to determine the final allocation of spaces between housing, duplexes and apartments based on the affordable sales and / or affordable rental model adopted.

Sustainable drainage systems (SuDS) measures; including rainwater butts, permeable paving, bio-swales, soakaways, constructed wetlands, tree pit drainage systems, road gullies, soft landscaping and a hydrocarbon interceptor; shall be incorporated into the proposed development. Separate surface

water and foul drainage networks shall be provided at the site. Both systems will discharge to existing municipal infrastructure on John Devoy Road. Potable water will be supplied to the site via a connection to the existing watermain on John Devoy Road.

A Confirmation of Feasibility (COF) letter (dated 24 August 2021) has been received from Irish Water, confirming that connections from the proposed development to the existing water and wastewater networks are feasible without upgrade. Further details of the proposed on-site infrastructure, including water supply and surface water and foul water drainage networks, are provided in CS Consulting's Engineering Services Report, submitted under separate cover.

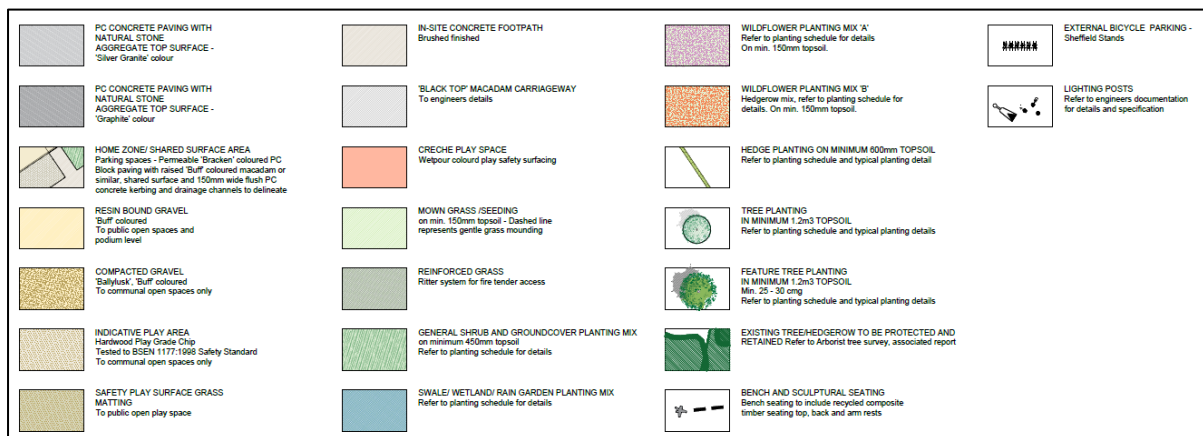
The energy efficiency strategy for the proposed development is to, in the first instance, maximise the passive benefits of the buildings fabric, orientation, etc.; followed by the inclusion of highly efficient mechanical and electrical (M&E) systems. A preliminary Dwelling Energy Assessment Procedure (DEAP) assessment of the proposed residential units indicates that a Building Energy Rating (BER) of A2 / A3 will be achieved. For further information in this regard, refer to the Energy Strategy & BER Report prepared by JV Tierney & Co and submitted under separate cover as part of the planning application for the proposed development.

The operational phase of the proposed development will be typical of residential developments of this nature and scale, and will also involve the operation of the proposed crèche. All roads, paths and public open spaces are to be taken in charge by KCC. On-street parking, 'home zones' and communal open space will be retained and managed by the Applicant or an Owner's Management Company.

Figure 5.1 Site layout



Figure 5.2 Landscape Masterplan



6.1.2 Previous Application

On 15 April 2021, the Applicant lodged a SHD application with An Bord Pleanála (ABP) for a previous iteration of the scheme (ABP ref. [TA09.309954](#)). On 29 July 2021, permission was refused on the grounds that:

- The level of car parking provision was considered to be deficient; and
- It was considered that the street environment would be dominated to an unacceptable degree by surface car parking, undermining the sense of enclosure and overall amenity.

In the interim, the scheme has been revised to address these and other matters raised. Changes included the substantial reduction of on-street parking, the addition of under-croft car parking, the omission of a residential block to provide greater setback from the stream / drainage ditch to the south, and an increase in the quantum of terraced housing along the south-western boundary.

6.1.3 Construction Methodology

The envisaged construction period is c. 36 months (i.e. 3 years). It is expected that the construction phase will be executed in two phases, as indicated in **Figure 5.3**, below. The envisaged construction methodology may be summarised as follows:

- Set up site perimeter hoarding, maintaining existing pedestrian and traffic routes adjacent to the site;
- Site clearance (including minor demolition works);
- Reduced level excavations and piling mat to soft spot areas;
- Foundations piled and strip, ground beams and floor slabs;
- Site services installations (drainage, power, water and the like);
- Construct house, duplex and apartment frames and blockwork; and
- Finish interior and exterior landscaping.

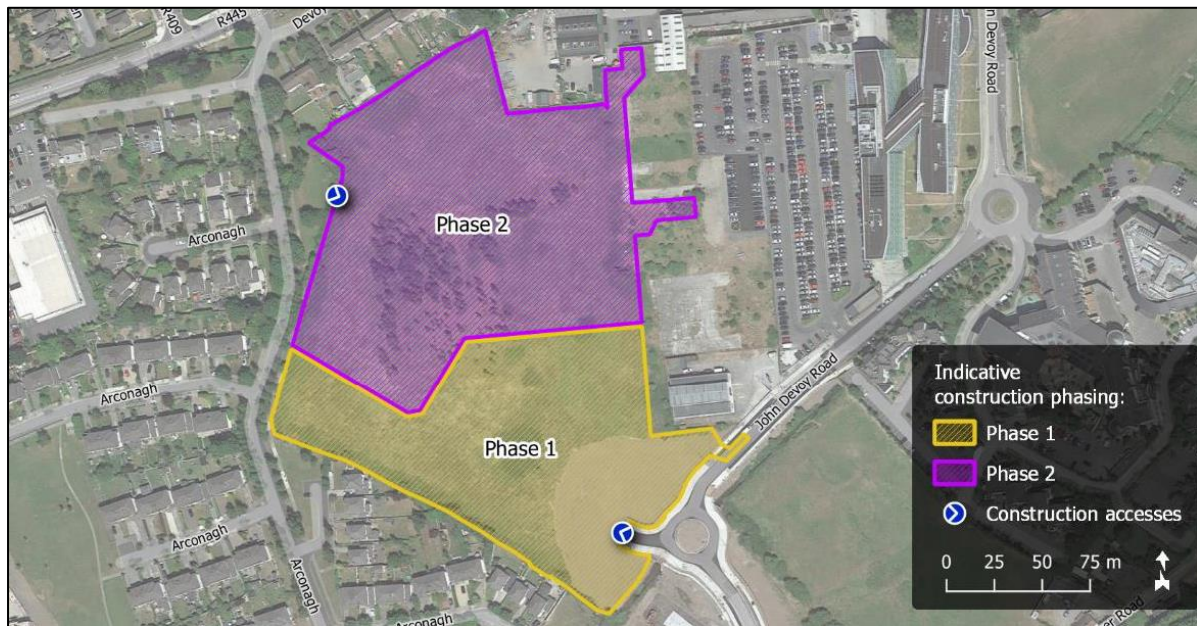
Generally, site access and egress will be via the John Devoy Road, although a second access point may be needed via the Arconagh Road to the west of the site, as the works progress, and in agreement with KCC. It may also be beneficial to install a pedestrian only entrance to the site to segregate vehicular and pedestrian movements to and from site. The site will appropriately secured with perimeter hoarding and security, including controlled access, security personnel and CCTV.

A site compound will be established within the site, containing materials storage areas, offices and welfare facilities (toilets, canteen, etc.). There shall be limited on-site parking. Areas shall be identified for car parking to avoid congestion in the surrounding areas.

No in-stream works are proposed. Minor demolition works will be required to facilitate the build. The only structure to be demolished is a small, existing brick-and-mortar shed of 10.7 m² area. The noise, dust and waste materials generated by its demolition will be negligible. Types and volumes of waste materials generated during the construction phase will be typical of building development of this nature and scale on a greenfield site.

For further information, refer to the Construction Management Plan, prepared by CS Consulting and submitted under separate cover as part of the planning application.

Figure 5.3 Envisaged construction phasing



6.1.4 Mitigation Measures Proposed

6.1.4.1 Construction Phase

During the construction phase, the following mitigation measures will be implemented:

- The construction phase will be executed during normal day-time working hours (07:00 – 19:00 Monday to Friday, and 08:00 – 14:00 Saturdays). Where it is necessary to carry out works outside of these hours (e.g. service diversions, concrete finishing, fit-out works, etc.), prior agreement shall be obtained from KCC.
- The construction phase will be executed in accordance with a Construction Waste Management Plan, in order to ensure that waste generated during the construction phase is managed in accordance with the waste hierarchy and the provisions of the relevant legislative provisions and policies. Refer to CS Consulting's Stage 1 Construction Waste Management Plan, submitted under separate cover. A suitably qualified and experienced Construction & Demolition Waste Manager will be appointed to oversee the implementation of the Construction Waste Management Plan.
- The construction phase will be executed in accordance with the Construction Management Plan (CMP), prepared by CS Consulting and submitted under separate cover as part of the planning application. The CMP contains a range of measures to avoid / minimise the environmental impacts of the proposed works, including in relation to noise monitoring and noise control at source, dust monitoring, minimising dust emissions due to trackout, dust suppression, adherence to vibration limits, storage of potential pollutants, waste management, and construction traffic management. Refer to the CMP submitted under separate cover for further details of these measures. Prior to works commencing, the CMP will be updated in agreement with KCC. The measures contained in the CMP shall be implemented in full. A suitably qualified and experienced person will be appointed to oversee the implementation of the CMP throughout the duration of the construction phase.

- Together with the implementation of the CMP, the following best practice water protection measures will be adopted:
 - All watercourses, drainage ditches and the newly constructed storm water systems will be protected from ingress of silt, debris and deleterious material during all phases of construction.
 - Appropriately designed silt prevention measures will be installed if necessary and will be regularly maintained and retained *in situ* for the duration of the construction phase, until such time as all proposed permanent surface water protection measures are installed and operational.
 - Discharge Licences – It will not be permitted to discharge into any newly constructed storm water systems or watercourse without adhering to the conditions of the discharge licence and agreeing the same with the Site Manager and Local Authority Area Engineer.
 - Discharge of surface water from the construction site will be via silt / sediment trap and / or temporary hydrocarbon interceptors and will be monitored to meet any requirements set by the Local Authority/Environmental Protection Agency.
 - No discharge will occur where there is a risk of cement or residue in the discharge.
 - Concrete washout – The washing out of concrete trucks on site will not be permitted as they are a potential source of high alkalinity in watercourses. Consequently it is a requirement that all concrete truck washout takes place back in the ready-mix depot.
 - Control of spoil and other materials to prevent spillage, and through appropriate handling and selection of spoil / material storage locations.
 - Careful siting and bunding of fuel storage facilities and any areas used for the storage of potentially hazardous materials.
- The strategy for controlling and mitigating potential adverse environmental during construction will also include the following, as appropriate:
 - If required, sampling and testing of excavated spoil in order to assess the suitability of materials for reuse on site.
 - Dust suppression from soils by the regular use of water sprays during any dry conditions, sheeting of haulage vehicle loads.
 - Should invasive weeds be found, they will be treated as controlled waste and disposed of off- site at a landfill site that is licensed to receive such material.
 - The storage of hazardous liquids (fuels and chemicals) will be avoided in so far as is possible. The handling and storage of any potentially hazardous liquids on site will be controlled and best practice guidance such as that published by the EPA, will be followed. Storage tank/container facilities will be appropriately bunded within designated compound areas and sited as far as possible from any watercourse or surface drain.
 - If hazardous liquids escape during the works, the bunds and other protective measures will contain the spillage until remedial action, which will be taken as soon as possible.

The implementation and effectiveness of these standard best-practice mitigation measures will be inspected and recorded regularly during the construction period and where deficiencies or faults are identified they will be remedied immediately by the contractor.

- The site compound and any materials storage areas / stockpiles, welfare facilities, car parking and all other site facilities will be situated within the lands made available (LMA) to the contractor and set back a minimum of 10 m from the watercourse to the south of the site.
- Where feasible and practicable, and should it be necessary, the removal of trees and other features suitable for use by nesting birds will be undertaken outside the bird nesting season (avoiding the period 1st March to 31st August, unless otherwise agreed). Should the construction programme require vegetation clearance between March and August, bird nesting surveys will be undertaken by suitably experienced ecologists. If no active nests are recorded, vegetation clearance will take place within 24 hours. In the event that active nests are observed, an appropriately sized buffer zone will be maintained around the nest until such time as all the eggs have hatched and the birds have fledged – a period that may be three weeks from the date of the survey. Once it is confirmed that the birds have fledged and no further nests have been built or occupied, vegetation clearance may take place immediately.
- All site clearance and landscaping works will comply with current legislative requirements and best practice. In particular, trees and hedgerows to be retained will be protected in accordance with British Standard BS5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, with fencing being installed around all trees and hedgerows to be retained, prior to commencement of development.
- As detailed in **Section 6.2**, below, bat surveys carried out for the purposes of the proposed development, which included external and internal inspection of the existing shed structure on the site (to be demolished), found no evidence of roosting bats. Nevertheless, the shed structure has roost potential in its roof and walls, and bats are mobile creatures; and the absence of roosting bats at the time of the surveys does not preclude the presence of future roosts in the structure. Therefore, as a precautionary measure, the existing shed on the site to be demolished under the scope of the proposed development shall be examined for the presence of bats by a suitably qualified and experienced bat specialist prior to its removal. Should the building be demolished in winter, the specialist shall examine the structure for evidence of bats. Should this survey be undertaken at a time when bats are active, a bat detector survey shall be undertaken of the structure. Should a bat roost be identified during this survey, a derogation from NPWS and additional mitigation (as recommended by the bat specialist) would be required.
- It is proposed to install a number of bat and bird boxes both within the proposed development itself (for example within the open space on the western part of the site). The reason for this is to maximise the ecological value of the proposed development. The project ecologist (Matt Hague) will be consulted in relation to the specifications and locations of these. The boxes proposed are as follows (this list is subject to revision based on the availability of suitable boxes in the future):
 - 2 no. Schwegler 2F with double front panel or similar; and
 - 3 no. assorted wooden or woodcrete bird boxes, suitable for use by robins, blue tits and tree creepers.

If the bat boxes cannot be accommodated externally at the site, bat access into the built structures shall be provided using specially designed bat access elements, e.g. bat access bricks, built-in boxes, etc.

- Planting shall provide areas of darkness suitable for bats to feed and commute through the site.

- No badger setts will be in any way affected by the proposed development and no impacts on any badgers are likely, nevertheless, a watching brief will be maintained by the project ecologist throughout the construction phase, in the event that badgers should establish a sett close to the working area of the proposed development at the site. In addition, day-to-day measures to ensure the welfare of badgers is maintained will be implemented as follows:
 - Good house-keeping measures will be maintained and no loose netting, fencing or other materials that could trap badgers will be left out on site;
 - Food waste will be secured so as not to attract badgers to the construction site at night; and
 - Ramps will be included in any excavation deeper than 500mm to allow animals to escape if necessary.
- No amphibians or suitable ponds / wet areas were recorded during the ecological surveys completed at the site. However, frogs are mobile species that can exploit transitory wet areas, and their absence from the site at the time of surveys does not preclude potential future use. Therefore, as a precautionary measure, any ponds / wet areas present on the site to be disturbed will be inspected by a suitably experienced ecologist prior to works being undertaken. Should any frog spawn or tadpoles be discovered, a licence to remove frog spawn may be required from NPWS.
- A full site pre-construction survey for invasive alien plant species, will be carried out prior to the commencement of works, and any management recommendations arising out of this survey shall be implemented in full. All planting plans and landscaping proposals will further ensure that no invasive species are introduced, either deliberately or inadvertently, to the site.
- In order to prevent impacts on unrecorded subsurface archaeology, all site clearance and topsoil stripping will be monitored by a suitably qualified archaeologist. If any features or deposits of archaeological potential are discovered during the course of the works, full provision shall be made for the preservation in-situ or by record of same (as appropriate), in agreement with the Department of Housing, Local Government and Heritage and KCC.
- The remains of 19th century structures associated with the former Devroy Barracks on the eastern margin of the site will be preserved in situ as part of the landscape design for the proposed development.
- In order to minimise the need for off-site disposal and import of soil / fill material, material excavated from the site will be reused on-site insofar as practicable.
- The proposed works will be carried out in accordance with best practice site biosecurity protocols, in order to minimise the risk of the introduction or spread of invasive species. This will include training on invasive plant species as part of site personnel training / induction. The landscape design and planting schemes for the proposed development will be carried out in a manner that minimises the risk of the introduction or spread of invasive species.
- Construction noise limits in accordance with the KCC *Third Noise Action Plan 2019 – 2023* and NRA *Guidelines for the Treatment of Noise and Vibration in National Road Schemes* (2004) shall be implemented throughout the duration of the proposed works (**Table 5.1**). These noise limits will be enforced using continuous noise monitoring during the construction phase. The noise monitoring station will be equipped with real-time text / email alerts to notify the site team immediately, in the event that any exceedance takes place. The cause of any exceedance(s)

shall be investigated and immediate action taken to reduce noise levels to within the below-listed limits

Table 5.1 Proposed construction phase noise limits

Time	dB L _{Aeq(1hr)}	dB L _{Amax}
Monday – Friday (07:00 – 19:00)	70	80
Monday – Friday (19:00 – 22:00)	60	65
Saturday (08:00 – 16:30)	65	75
Sundays and Bank Holidays (08:00 – 16:30)	60	65

- The good practice measures outlined in *BS 5228-1 + A1 Code of practice for noise and vibration control on construction and open sites* will be implemented at this site as appropriate to control and minimise the impact of construction noise on the surrounding noise environment. These measures are summarised as follows:
 - A site representative responsible for matters relating to noise will be appointed at the start of the construction phase.
 - Channels of communication between the contractor and the nearby noise sensitive locations will be established. This will allow for the maintenance of good relations and clear channels of communication between the contractor and the occupants of the nearby noise sensitive buildings.
 - Plant equipment with low inherent potential for generation of noise will be selected, where practical.
 - Where earth movers dump material into dumper trucks, the material fall height will be minimised as much as practical so that noise generation is minimised.
 - Mufflers and silencers will be fitted to constant noise sources such as vehicular machinery and generators, where required.
 - Machinery will be switched off when it is not in use instead of leaving it on idle.
 - As far as reasonably practical, sources of significant noise will be enclosed. Acoustic screens will be used close to noisy operations where required.
 - Temporary hoarding will be erected around items such as generators or high duty compressors where required.
 - Noisy plant will be located as far away from noise sensitive facades as practical and as permitted by site constraints.
 - Diesel engines will be substituted with electric motors where practical.

6.1.4.2 Operational Phase

During the operational phase, the Applicant will be responsible for ensuring that the following mitigation measures are implemented:

- A Residential Travel Plan (RTP) will be implemented during the operational phase, in order to promote a modal shift among residents away from private car use and towards more sustainable and healthy modes; such as walking, cycling, using public transport and carpooling. The RTP will be implemented, monitored and updated (as appropriate); and a Travel Plan Coordinator appointed; in accordance with the recommendations set out in CS Consulting's Residential Travel Plan for the proposed development, submitted under separate cover.

- An Operational Waste Management Plan (OWMP) will be implemented during the operational phase, in order to ensure that waste generated during the operational phase is managed in accordance with the waste hierarchy and the provisions of the relevant legislative provisions and policies. The OWMP details the waste storage and collections arrangements that will be implemented during the operational phase of the proposed development. Refer to OWMP prepared for the proposed development by Enviroguide Consulting and submitted under separate cover as part of the planning application. The implementation of this Plan will promote the segregation of waste streams at source, and ensure that a high level of recycling, reuse and recovery are achieved at the proposed development site.
- Lighting must be designed that will limit overspill from the required area for illumination and prevent light pollution. This should aim to avoid mature trees and flanking vegetation. LED is the most energy efficient source available and wherever a permanent source of night lighting is unessential, it should be motion-activated. The lighting scheme, designed by JV Tierney & Co to Kildare County Council standards, shall adhere to the following lighting characteristics:
 - Dark corridor(s) to be maintained for the movement of bats along the grounds of the site. Lighting should be directed downwards away from the treetops and tree crowns in the adjacent lands shall remain unilluminated. Trees must not be illuminated as this would preclude their use for feeding by bats.
 - All luminaires shall lack UV elements.
 - A warm white spectrum (ideally <2700 Kelvin) shall be adopted to reduce blue light component.
 - Luminaires shall feature peak wavelengths higher than 550 nm.
 - The minimum level of appropriate / required lighting level will be provided.
 - Light standards will be fitted with low intensity, horizontal cut-off LED light fittings employing a narrow directional light or cowled light. This will avoid the effect of light spill arising.
 - No floodlighting will be used in the proposed development.
- In order to avoid negative impacts on the ecological value of retained hedgerows and treelines on the site (particularly in respect of bats), the lighting design for the proposed development will be in accordance with:
 - *Bats and Lighting – Guidance Notes for Planners, Engineers, Architects, and Developers* (Bat Conservation Ireland (BCI), 2010);
 - *Bats and Lighting in the UK – Bats and the Built Environment Series* (Institute of Lighting Professionals (ILP), 2018); and
 - *Guidance Notes for the Reduction of Obtrusive Light GN01* (ILP, 2011).
- The following noise limit shall apply to any noise-emitting items of M&E plant (e.g. air / ground source heat pumps, air handling equipment, etc.) to be installed at the site of the proposed development: Noise from the item of plant in question (dB L_{Aeq,30mins}) should be no more than 3dB above of the measured background noise level at the same location (dB L_{A90,30mins}). The proposed noise limit is detailed further in **Table 5.2**, below. Operational phase M&E plant noise will be attenuated as required to ensure that these noise limits are achieved at the closest noise sensitive location to the item of plant in question. For further information, refer to the Planning

Stage Noise Assessment report prepared by Allegro Acoustics and submitted under separate cover as part of the planning application.

Table 5.2 Proposed operational noise limits for M&E plant

Monitoring location	Period	Representative location	Measured background noise (dB L _{A90,30mins})	Proposed noise criteria for M&E plant (dB L _{Aew,30mins})
N1	Day	East and north façade of site	45.1	48.1
	Evening		41.9	44.9
	Night		37.3	40.3
N2	Day	West and south of site	43.7	46.7
	Evening		41.1	44.1
	Night		32.1	35.1

6.1.5 Recommended Enhancement Measures

- In order to optimise the biodiversity value of the proposed development, it is recommended that the landscape design and all future planting schemes take account of the objectives of the [All-Ireland Pollinator Plan 2021 – 2025](#) (NBDC, 2021b), the [Kildare Pollinator Action Plan 2019 – 2022](#) (KCC, 2019b), and the [Pollinator friendly planting code](#) (NBDC, n.d.). Measures could include pollinator-friendly planting schemes, implementing mowing regimes to promote greater floral diversity, and creation of pollinator nesting opportunities.

6.1.6 Monitoring

A suitably experienced ecologist, arborist and landscape architect will be appointed for the duration of the project and regular monitoring of all related works will take place to ensure the correct and full implementation of the mitigation measures set out in this report.

- The project ecologist will monitor all site clearance activities in order to ensure compliance with legislative requirements and the commitments set out in the planning application documentation. This includes the monitoring of the installation of protective measures, specifically the tree protection fencing and the bat and bird boxes.
- The landscape architect will similarly ensure that all works undertaken are in full compliance with the landscape specification.
- The arborist will ensure that all hedgerow and tree management measures are fully implemented.
- All monitoring tasks will be recorded and logged for inspection by the site manager.

The bat and bird boxes installed on the site will be checked annually for a period of five years post-completion of the works, to ensure that they continue to be accessible to these species.

6.2 Location of the Proposed Development

Schedule 7A of the PDR 2001 requires the Applicant to provide:

- “1. (b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
2. A description of the aspects of the environment likely to be significantly affected by the proposed development.”

This section provides a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected. The compilation of the information in this section has had regard to the criteria set out in Schedule 7 of the PDR 2001 (**Appendix 3**). As will be detailed in **Section 6.3**, below, it is not considered likely that any aspects of the environment will be significantly affected by the proposed development.

Figure 5.4 Location of the proposed development



The site of the proposed development is situated in Naas, the county town of Kildare. It is an undeveloped c. 4.1 hectare greenfield site, situated within the built-up footprint of an established town and surrounded on all sides by existing development.

The site of the proposed development is an unmanaged, unfarmed greenfield site. It is located on lands associated with the former Devoy Barracks. No previously permitted land use is evident. The site is predominantly under the ownership of the Housing Agency. The majority of the Housing Agency lands are to be transferred to the Applicant, and the remainder retained by the Housing Agency throughout. A small proportion of the site is under the ownership of KCC and will remain as such. Refer to site ownership drawing by Coady Architects, submitted under separate cover.

The site itself is c. 750 m south-west of the town centre. To the north, east and south are existing low-rise housing developments. To the east are the offices of KCC. There are several industrial and commercial units located to the north of the site. Immediately east is the MERITS building. The Kildare Civil Defence Building is located to the south-east. The immediate area has changed significantly in recent years since the development of the John Devoy Link Road, the KCC Head Offices adjacent and the emerging residential areas to the south of the site.

In terms of transport infrastructure and services, Naas is served by the M7 Motorway, which provides access to and from Dublin City (c. 38 km north-east) and the cities of Limerick, Cork and Waterford to the south. The town is served by the Sallins and Naas railway station (situated approx. 3.5 km north in the nearby town of Sallins), which is itself served by a number of Irish Rail services, including the Dublin-Cork, Dublin-Galway and Dublin-Portlaoise services. There is a bus stop c. 500 m from the site of the proposed development, at the KCC offices. There is an existing vehicular access point to the south of the site via a roundabout on John Devoy Road, which connects to Newbridge Road and Naas South Orbital Road, which runs along the south-west of the town.

There are strong links between Naas and the nearby settlements of Sallins and Newbridge. **Table 5.3**, below, provides the most recent census population statistics for Naas, which contains approx. 10% of the total population of Co. Kildare, and has experienced strong population growth, particularly in the years preceding the 2008 recession. The *Kildare County Development Plan 2017 – 2023* (as varied) allocates a growth target of 14.9% to Naas over the life of the Plan.

Table 5.3 Naas – population (CSO SAPMAPS data)

CSO Census	Population	% population change	Households	Average household size
1991	11,141		3,125	3.56
1996	14,074	+26%	4,391	3.21
2002	18,288	+30%	5,906	3.09
2006	20,044	+10%	6,506	3.08
2011	20,713	+3%	7,665	2.7
2016	21,597	+4%	7,726	2.79

The existing housing mix in Naas consists of a high proportion (>85%) of detached and / or semi-detached houses, with a relative dearth of other types of units. There are older, more established residential areas dating to the 1970s and 1980s in Monread and Ballycane. In the intervening years, residential development has occurred along the Kilcullen Road, Blessington Road, Sallins Road, Southern Distributor Road, Jigginstown and Oldtown Demesne.

The demographics of the town feature relatively high percentages of children, young people and employment-age persons, and comparatively fewer over-65s, when compared with national averages. A relatively high proportion of households are couples with children, while the proportion of one person households is significantly lower than the national average.

In terms of childcare provision, the *Naas Local Area Plan 2021 – 2027* states that “there is a significant under provision for full-time care and care for the younger age profile in Naas” and primary and post-primary schools are similarly over-subscribed. Several objectives are set out in relation to the provision of further educational and childcare facilities. Planning applications for housing within new

development areas will be required to outline proposals to meet childcare requirements on a pro-rata basis under the LAP.

Healthcare facilities in Naas include numerous GP clinics, health centres, dentists, pharmacies, nursing homes and physiotherapists; plus Naas General Hospital. The LAP indicates that GPs in Naas are operating at capacity, while the hospital has capacity for expansion.

Naas is well served by a variety of other community amenities, including emergency services, sports and recreational facilities, social and community facilities, and places of worship. There are also a host of arts, cultural, recreational and retail facilities and businesses operating in the town.

In terms of biodiversity, the site of the proposed development is dominated by unmanaged rank grassland, of relatively low species diversity. Patches of bramble-dominated scrub are encroaching in places. The western and southern boundaries of the site feature a gappy, semi-mature to mature hedgerow / tree line. This area is of some value for breeding birds and as a wildlife corridor.

The value of this hedgerow / treeline is reflected in its inclusion in the 'green infrastructure network', as described in the *Naas Local Area Plan 2021 – 2027*. The 'green infrastructure' map (Map 7.1) in the LAP highlights two sections of hedgerow on the western margin of the site. In this regard, it is an Objective of the LAP (NE 1.1) to:

“Protect identified key green infrastructure (Map 7.1) and ‘steppingstone’ habitats (according to their value), enhance where possible and integrate existing and new green infrastructure as an essential component of new developments and prohibit development that would fragment the green infrastructure network. Site specific ecology surveys should be carried out to inform proposed development and assess and mitigate potential impacts.”

As noted in the EIA Screening Report, Ecological Appraisal and AA Screening Report for the previous application at the site, submitted in April 2021 (ABP ref. [TA09.309954](#)), there was an area of young and semi-mature regenerating woodland in the centre of the proposed development site. In July 2021, archaeological test trenching was carried out at the site for the purposes of the proposed development. It was not possible to complete test trenching in the central portion of the site, which was inaccessible due to the presence of these trees. Over the winter of 2021/22, the area of trees was cleared to facilitate test trenching, which was subsequently carried out in January 2022. Therefore, this habitat is no longer present, and has not been considered as part of the baseline environment for the purposes of this assessment.

The site also falls within the Yeomanstown 'green infrastructure corridor', as identified in the LAP. The stated purpose of these corridors is to *“highlight the need for developers to be aware of the sensitivity of the particular areas and to consider the retention of natural features and their linkages to the wider area in any development proposal”*.

Figure 5.5 Protected hedgerows on western margin of site (Naas Local Area Plan 2021 – 2027)

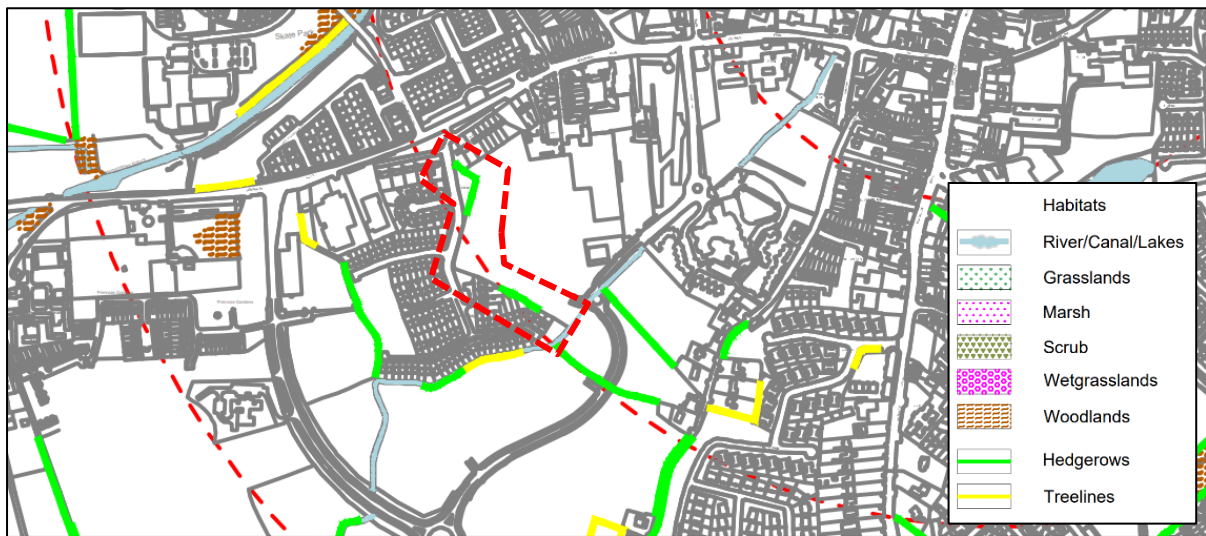
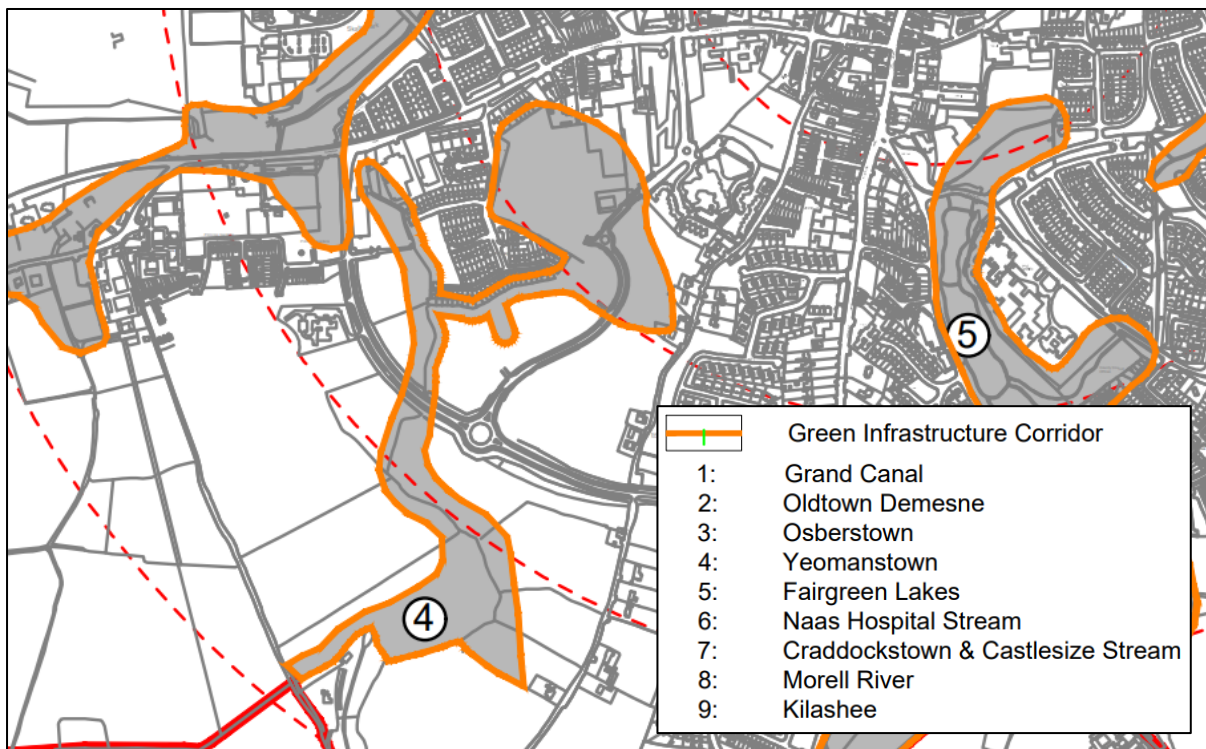


Figure 5.6 Yeomanstown green infrastructure corridor (Naas Local Area Plan 2021 – 2027)



Bat surveys were carried out on the site on 31 January 2020, 9 June 2020, 23 September 2021 and 14 March 2022. According to the BCI databases, there are no records of bats at the site.

During the January 2020 survey, a visual inspection of the trees and the small structure on the eastern boundary of the site (to be demolished under the scope of the proposed development) was carried out to determine the bat potential of the site. No evidence of bats was found at this time. The structure was determined to be of negligible value for bats, and no features with roost potential were identified on any of the trees.

The June 2020 survey involved a dusk emergence survey and bat activity survey using bat detectors (BatBox Duet and EchoMeter Touch 2 heterodyne / frequency division bat detectors) and audio recording equipment. No bat activity was recorded during this survey.

The September 2021 survey involved dusk and dawn surveys and an activity survey using bat detectors (2 no. Echometer Touch 2 Pro (EMT) handheld devices and Anabat Walkabout ultrasonic all-weather recorder). The survey found no evidence of roosting bats at the site. No bats were seen to emerge from or enter any structure (building or tree) within or around the site. The following species were recorded foraging or commuting at the site on this occasion:

- Common pipistrelle, *Pipistrellus pipistrellus*
- Soprano pipistrelle, *Pipistrellus pygmaeus*
- Leisler's bat, *Nyctalus leisleri*

Bat activity was almost entirely of common pipistrelle, and was noted in several areas, including feeding around the storage building and around tree cover on the margins of the site. At all times, there were no more than two bats recorded within the site.

On 14 March 2022, an internal inspection was carried out of the small (10.7 m²) existing shed structure on the site, to be demolished under the scope of the proposed development. No evidence of current or historical occupancy by bats was recorded during this inspection. However, the structure has roost potential in its roof and walls, and (bats being mobile species) the absence of bat roosts at this time does not preclude the potential future use of this structure by roosting bats.

An invasive alien plant species (IAPS) survey was carried out on the site on 31 January 2020 and 9 June 2020. No records of any IAPS listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) were identified on the site in the National Biodiversity Data Centre (NBDC) database. It is noted that American skunk cabbage (*Lysichiton americanus*), Himalayan balsam (*Impatiens glandulifera*), Japanese knotweed (*Fallopia japonica*) and three-cornered garlic (*Allium triquetrum*) have all been recorded in the wider area (10 km radius). No Third Schedule species were identified on the site during the survey. However, non-listed IAPS have been identified on the site, including *Buddleja davidii*, sycamore (*Acer pseudoplatanus*) and winter heliotrope (*Petasites fragrans*). Additionally, rosebay willowherb (*Chamaenerion angustifolium*), which is native to parts of the country but has the potential to become invasive on disturbed ground, was also identified. It is noted that IAPS surveys provide a snapshot in time, and a pre-construction survey is required in order to confirm the presence / absence of Third Schedule species.

A standalone Ecological Impact Assessment (EclA) has been prepared in respect of the proposed development and submitted under separate cover as part of the planning application. Refer to the EclA for a more detailed account of the biodiversity at the site of the proposed development and environs.

The site of the proposed development is not under any specific ecological designation (Natura 2000 site, Natural Heritage Area, proposed Natural Heritage Area, nature reserve, designated wetland or otherwise). There are a number of Natura 2000 sites located in the wider area, including the following:

- Special Area of Conservation (SAC):
 - Mouds Bog SAC (site code 002331), c. 7.6 km west;
 - Red Bog, Kildare SAC (000397), c. 9.3 km east;
 - Ballynafagh Lake SAC (000387), c. 9.7 km north-west;
 - Ballynafagh Bog SAC (000391), c. 10.6 km north-west;
 - Pollardstown Fen SAC (000396), c. 11.0 km south-west;
 - Wicklow Mountains SAC (002122), c. 13.6 km east;

- Special Protection Areas (SPA):
 - Poulaphouca Reservoir SPA (004063), c. 10.2 km south-east; and
 - Wicklow Mountains SPA (004040), c. 16.3 km south-east.

The nearest proposed Natural Heritage Area (pNHA) or Natural Heritage Area (NHA) is the Grand Canal pNHA, which is situated c. 300 m to the north, predominantly via buildings and hardstanding. There is no hydrological connection to this site. For further information in relation to European Sites, refer to the AA Screening Report prepared by BSM and submitted under separate cover as part of the planning application.

During the site walkover survey, no evidence of badgers or other protected mammal species was recorded. There are no noteworthy wetlands, riparian areas, river mouths, coastal zones or mountains at the site of the proposed development or in the immediate vicinity. There are no substantial / noteworthy forested areas in the immediate vicinity of the site.

The site as a whole is of, at most, local (lower) ecological importance, as per the criteria in the NRA *Guidelines for Assessment of Ecological Impacts of National Road Schemes* (2009). It does not, nor is it likely to, support habitats or species that correspond with the Qualifying Interests / Special Conservation Interests of any Natura 2000 site.

In terms of site geology, the Geological Survey of Ireland (GSI) spatial resources indicate that the bedrock geology underlying the town of Naas is the Feighcullen Formation, which consists mainly of varied shallow water Carboniferous limestones, with minor shale and sandstone. Consequently, the subsoil at the site of the proposed development is derived chiefly of Carboniferous limestone till. No karst features have been identified at the site or in the wider area.

The site falls within the catchment of the Dublin groundwater body, whose flow regime is defined by poorly productive bedrock. The aquifer type underlying the site defined as being locally important and moderately productive in local zones only. The subsoil at the site is moderately permeable and generally overlain by well-drained soil. The site of the proposed development falls within an area that is regarded as having moderate groundwater vulnerability.

In 2006, KCC commissioned Barrett Mahony Consulting Engineers to carry out ground investigations at the site of the proposed development in relation to a previous, separate proposal for a residential development. These investigations involved 15 no. boreholes across the site, installation of standpipes in three boreholes, and soil testing. The investigation found a high degree of uniformity in the stratification over the site area. The pertinent strata encountered in the boreholes consisted of:

- Topsoil or made ground extending from ground level to a depth of 0.20 – 1.30 m, where fill deposits were encountered;
- Brown sandy clay extending to a depth of 0.90 – 1.40 m;
- Fine to coarse, sandy gravel extending to a depth of 2.30 – 7.00 m (and extending the full borehole depths in two cases); and
- Glacial till extending the full depth of the remaining boreholes.

None of the boreholes extended to bedrock level, indicating a thick overburden, which is consistent with the GSI groundwater vulnerability rating for the site of ‘moderate’, which applies to areas with a greater than 10 m depth of moderately permeable till (boulder clay). Groundwater was encountered at

varying depths, generally in association with the gravel stratum. In general, water levels were in excess of 3.0 m below ground level.

The site of the proposed development is in the Liffey sub-catchment of the greater Liffey and Dublin Bay catchment. A stream / drainage ditch, known as the Yeomanstown Stream or Rathasker Stream, runs along the southern boundary of the site. This is a first order tributary of the River Liffey. It flows into the Liffey approx. 3.5 km north-west of the site. There is little riparian vegetation associated with the stream where it borders the site. It is heavily altered and of limited ecological value. In relation to this stream, the *Naas Local Area Plan 2021 – 2027* states the following:

“... it is culverted adjacent to the Osprey Hotel. Although Yeomanstown Stream has been heavily altered, there are some semi-natural lands adjacent to the Stream. These include some moderate hedgerows and treelines, a narrow band of planted mixed broadleaved woodland on the northern bank at Bluebell and sections of dry meadows and scrub in the margins of less managed fields.”

The Grand Canal (Corbally Branch) is situated approx. 300 m to the north, and is not hydrologically connected to the site.

Naas is situated in EPA Air Quality Zone C (i.e. cities and large towns other than Dublin and Cork). There is an air quality monitoring station in Naas, which has been operational since April 2021. It monitors particulate matter (PM₁₀ and PM_{2.5}) concentrations on an hourly basis. The concentrations of these air pollutants across the period April – September 2021 were reviewed. The highest concentrations captured during this period were 36.28 µg/m³ PM₁₀ and 32.71 µg/m³ PM_{2.5}, both of which are in the ‘good’ band (indices 1 – 3) of the EPA’s Air Quality Index for Health. Naas town is a Low Smoke Zone, where the burning of smoky coal and certain other smoky fuels is prohibited. The location of the proposed development is not in a particularly high risk area for radon gas.

Naas is a town with archaeological potential, and there is an Architectural Conservation Area (ACA) in Naas, but this is located in the town centre and does not overlap with the site of the proposed development. There are no recorded archaeological heritage or architectural heritage sites at the site of the proposed development. The nearest such site is an architectural heritage site and Protected Structure under the *Kildare County Development Plan 2017 – 2023*, a disused chimney associated with the former Naas Cotton Mills (NIAH ref. 11814134; RPS ref. NS19-215), c. 45 m north-east of the site, off St. Patrick’s Terrace.

The site itself is adjacent to the former Naas / Devoy military barracks, built for local militia in 1813. The barracks became the depot for Dublin Fusiliers in 1881 and was their base until 1922. Following independence, the barracks was used by the Irish Free State army. The barracks, originally known as ‘Naas Barracks’, were renamed after John Devoy, the Irish republican. The barracks closed in 1928. A number of features associated with the barracks were located in the eastern portion of the site, including the mortuary, infant school and fever hospital, but these are no longer visible at ground level. These features will be preserved *in situ*. Test trench excavations were carried out across the site in 2021 and 2022, and no sub-surface archaeological remains were uncovered.

Regarding landscape and visual amenity, the *Naas Town Development Plan 2011 – 2017* and the *Naas Local Area Plan 2021 – 2027* identify views and prospects for protection (**Table 5.4; Figures 5.7 – 5.8**). The site of the proposed development is not in the sight lines for any of these. The site is bounded on all sides by existing development, and is not in an especially scenic location.

Table 5.4 Protected views and prospects (Naas Town Development Plan 2011 – 2017)

Ref.	Objective
VP1	Protect and preserve views and prospects of the canal from all locations
VP2	Protect and preserve, as an amenity, the Watering Place at Naas General Hospital
VP3	Preserve view and prospects of the North Moat from Abbey Street, Abbey Road and the Canal
VP4	Preserve views of the lakes at the Ballymore Road from the Fair Green
VP5	Preserve views of the East Kildare Uplands from the Fair Green and the lakes at Ballymore Road
VP6	Preserve views of St. David's Castle from Church Lane
VP7	Preserve views to and from Tandy, Ploopluck, Abbey and Limerick Bridges

Figure 5.7 Protected views and prospects (Naas Town Development Plan 2011 – 2017)

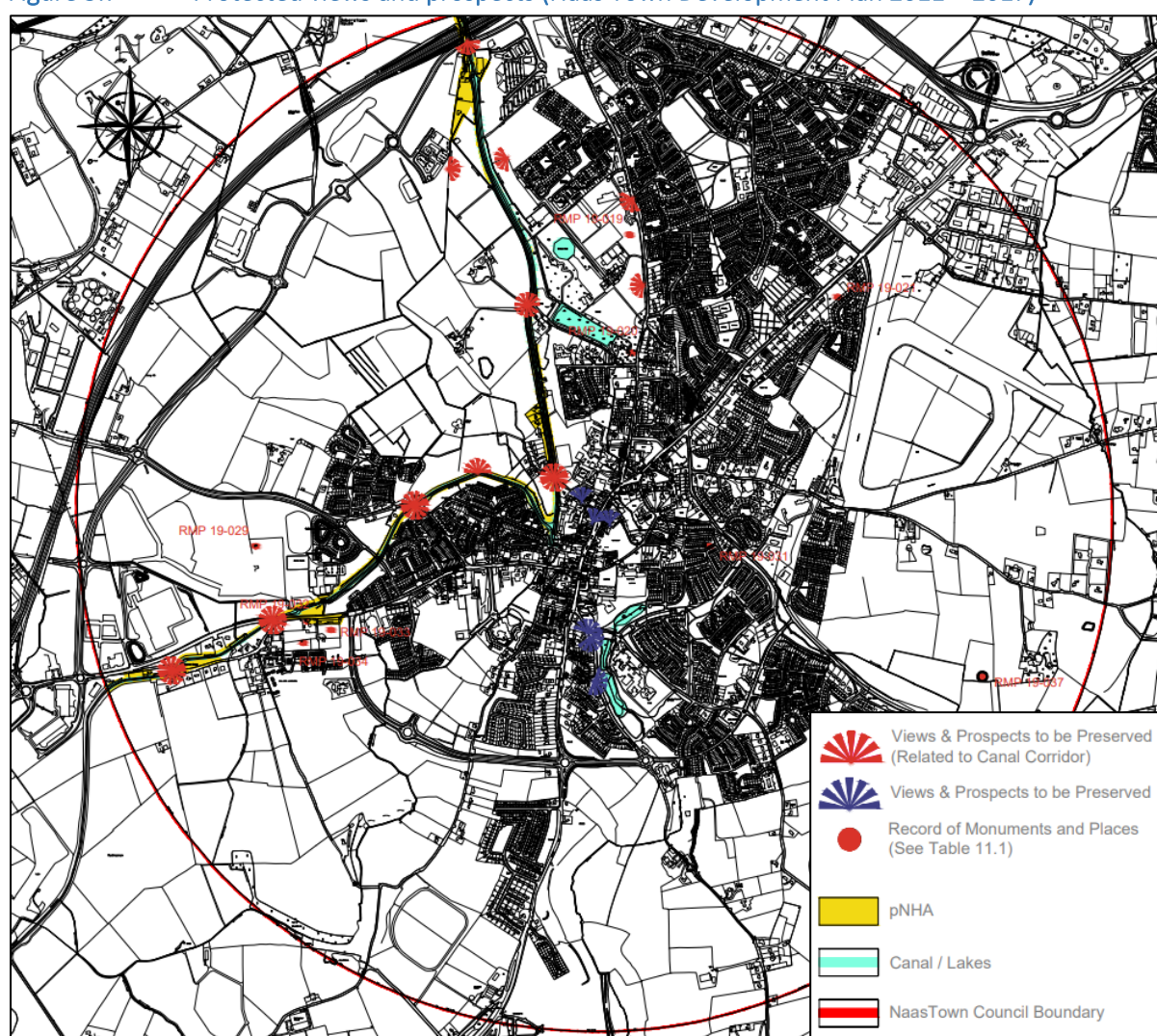
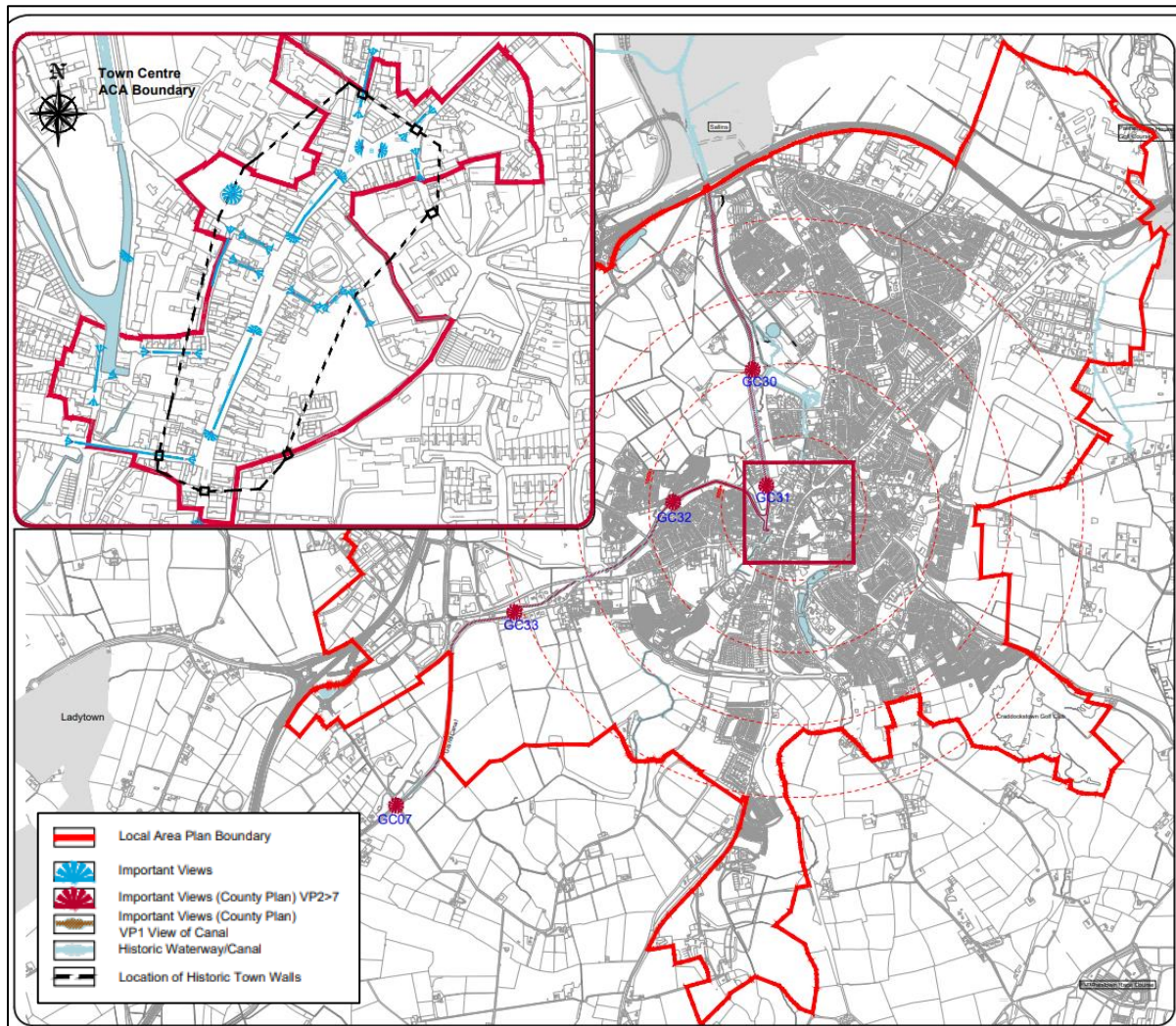


Figure 5.8 Protected views and ACA (Naas Local Area Plan 2021 – 2027)



6.2.1 Policy Context

6.2.1.1 Eastern and Midlands Regional Spatial and Economic Strategy 2019 – 2031

There are three administrative Regions in Ireland: the Northern and Western Region, the Southern Region, and the Eastern and Midland Region. Under national policy, Regional Assemblies are tasked with drafting Regional Spatial and Economic Strategies (RSES), which effectively set the agenda for implementing the national level development policy – the *National Planning Framework* (NPF) – at the Regional level. The proposed development is situated in the Eastern and Midland Region, which takes in Counties Longford, Westmeath, Offaly, Laois, Louth, Meath, Kildare, Wicklow and Dublin.

The current RSES for the Region was published in 2019. It constitutes a strategic plan and investment framework to shape the future development of the Region to 2031 in accordance with the NPF. Its overarching vision for the Region is *“To create a sustainable and competitive Region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all.”*

The RSES is based on three key principles:

1. **Healthy Placemaking:** To promote people's quality of life through the creation of healthy and attractive places to live, work, visit and study in.
2. **Climate Action:** The need to enhance climate resilience and to accelerate a transition to a low carbon economy recognising the role of natural capital and ecosystem services in achieving this.
3. **Economic Opportunity:** To create the right conditions and opportunities for the region to realise sustained economic growth and employment that ensures good living standards for all.

Under the headings of these three principles, the RSES sets out 16 Regional Strategic Outcomes (RSOs), which are closely aligned with the NPF's NSOs and the United Nations' SDGs:

Healthy Placemaking

- Sustainable Settlement Patterns
- Compact Growth & Urban Regeneration
- Rural Communities
- Healthy Communities
- Creative Places

Climate Action

- Integrated Transport & Land Use
- Sustainable Management of Water, Waste and other Environmental Resources
- Build Climate Resilience
- Support the Transition to Low Carbon and Clean Energy
- Enhanced Green Infrastructure
- Biodiversity & Natural Heritage

Economic Opportunity

- A Strong Economy supported by Enterprise & Innovation
- Improve Education, Skills & Social Inclusion
- Global City Region
- Enhanced Regional Connectivity
- Collaboration Platform

In relation to 'Compact Growth and Urban Regeneration', it is stated that there is a need to *"Promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and employment choice for the Region's citizens"*.

In built up areas, a general intention to minimise private car use in favour of public transport and walking or cycling, is expressed. It is stated that new developments should *"give competitive advantage"* to these modes, for example by providing for filtered permeability and appropriately designed bicycle parking. For urban-generated development; developments within or contiguous to existing urban areas (including on infill and brownfield sites), and developments which are well-served by walking, cycling and public transport, will be prioritised over those which does not meet these criteria.

The role of the built environment in decarbonisation and climate adaptation is also highlighted in the RSES, which aims to *“Promote sustainable settlement patterns to achieve compact urban development and low energy buildings”*.

It is stated that Sustainable Drainage Systems (SuDS) should be incorporated into public and private developments to minimise the extent of impermeable hard surfacing and reduce the associated potential for flood risk impacts.

Naas is located in the ‘Core Region’ of the greater Eastern and Midland Region, which includes the peri-urban hinterlands in the commuter catchment around Dublin, taking in the counties of Louth, Meath, Kildare and Wicklow, and extending down the east coast and into parts of the midlands.

It is identified as being one of the ‘key towns’ in the Region. The settlement strategy of the RSES in relation to these towns, is to *“Provide for the sustainable, compact, sequential growth and urban regeneration in the town core [...] by consolidating the built footprint through a focus on regeneration and development of identified [town] centre infill / brownfield sites”*. It is further stated that these towns *“have capacity and future growth potential to accommodate above average growth coupled with the requisite investment in employment creation, services, amenities and sustainable transport”*.

Specifically in relation to Naas, the RSES states that *“There is potential to capitalise on the significant infrastructure investment which has taken place in Naas, to further strengthen the local employment base, promote regeneration and consolidation of the town centre and surrounding residential and employment areas, with improved permeability and sustainable transport links...”*. This vision for Naas is reflected in Regional Policy Objective No. 4.53, to *“Support an enhanced role and function of Naas as the County town of Kildare, particularly as a hub for high quality employment, residential and amenities.”*

The need to balance residential development with provision of supporting infrastructure and services is emphasised with regard to Naas town:

“There is a need to redress past legacies of rapid housing growth to ensure the delivery of further appropriately and easily accessible social, education, recreation, sports and amenity spaces to ensure that facilities grow to meet the needs of the increasing population and keep pace with development. The sustainable growth of Naas should be carefully managed to promote the concept of a compact town by encouraging appropriate densities in suitable locations and by resisting sporadic isolated developments which do not integrate with the surrounding urban fabric.”

The proposed development is consistent with the RSES in that it will provide a new, considered residential development in Naas, a town earmarked for residential growth; and on lands within the existing built-up footprint of the town.

6.2.1.2 Kildare County Development Plan 2017 – 2023

The Kildare County Development Plan 2017 – 2023 was adopted in March 2017. It stated aim is *“To build on the strengths of the county by facilitating sustainable development, through the provision of high quality employment opportunities and residential developments supported by quality urban and rural environments with physical and social infrastructure to support communities throughout the county”*.

The Core Strategy of the Development Plan sets out a number of core principles to support the Plan’s vision, including:

- **CS 1:** Provide new housing in accordance with the County Settlement Hierarchy.
- **CS 2:** Direct appropriate levels of growth into the designated growth towns as designated in the Settlement Strategy.
- **CS 4:** Deliver sustainable compact urban areas through the regeneration of towns and villages through a plan-led approach which requires delivery of a least 30% of all new homes that are targeted in these settlements to be within their existing built up footprint.
- **CS 5:** Support the development of the identified Key Towns of Naas and Maynooth and the Self-sustaining Growth Towns of Leixlip and Newbridge as focal points for regional critical massing and employment growth.
- **CS 11:** Seek the delivery of physical and community infrastructure including strategic open space and recreational areas in conjunction with high quality residential developments to create quality living environments. Residential Development

The Development Plan characterises Naas as a ‘primary economic growth town’, a ‘key growth centre’, and a ‘major urban centre’. It highlights the major population growth experienced in Naas between the 2006 and 2011 censuses, which it attributes to the town’s strategic location adjacent to the M7 and proximity to Dublin.

The settlement hierarchy of the Development Plan defines Naas as a ‘Large Growth Town I’, meaning it is a key destination and an economically active town that supports surrounding areas. It is stated that the focus of the development strategy is on (among other things) achieving critical mass in the metropolitan urban areas of Maynooth, Leixlip, Celbridge and Kilcock, and in key towns and villages in the hinterland, which include Naas, Newbridge, Athy, Kildate, Monasterevin and Kilcullen. The corresponding growth targets are for 35% of overall growth to be directed into the metropolitan urban areas, and the remaining 65% being directed to the hinterland areas. Of the proportion allocated to the hinterland, 60% is directed to the main urban centres, which include Naas.

Table 5.5 Naas – growth targets (Kildare County Development Plan 2017 – 2023, as varied)

Quantum of undeveloped zoned land (ha) (2016)	Allocated growth (%) 2020 – 2023	New dwellings target (units) 2020 – 2023	Population growth target 2020 – 2023
165.78 ⁴	14.9%	898	2,514

In June 2020, KCC adopted a variation of the Development Plan. Under this variation, Naas is identified as being a ‘Key Town’, in accordance with the RSES. It is stated that:

“Naas and Maynooth are identified as Key Towns. They have the potential to accommodate commensurate levels of population and employment growth, facilitated by their location on public transport corridors and aligned with requisite investment in services, amenities and sustainable transport. The growth of the Key Towns will require sustainable, compact and sequential development and urban regeneration in the town core.”

Objective SO 1 of the Settlement Strategy is to *“Support the sustainable long-term growth of the Key Towns (Naas and Maynooth) and the area to the north-east of the county located within the*

⁴ Naas and environs

[Metropolitan Area Strategic Plan] and zone additional lands, where appropriate, to meet the requirements of the Core Strategy and Settlement Hierarchy of this Plan”.

6.2.1.3 Naas Local Area Plan 2021 – 2027

The *Naas Local Area Plan 2021 – 2027* (LAP) was adopted by KCC on 21st October 2021.

The LAP sets out a vision for Naas as follows:

- *To ensure that the growth planned for the town up to 2031 and beyond occurs in a sustainable and sequential manner, while prioritising a low carbon, compact, consolidated and connected pattern of development.*
- *To develop Naas as a vibrant and culturally rich town supported by an inclusive sustainable all-of-life residential community.*
- *To create a distinct sense of place and community in which people will continue to choose to live, work, do business and visit. Movement, connectivity and permeability to key destinations within the town and wider region will be prioritised and a greater emphasis on safe active transport routes and an enhanced public transport network.*
- *To deliver and facilitate the regeneration and redevelopment of Core Regeneration Areas in tandem with a radically improved public realm and rejuvenated town centre while having regard to and optimising the heritage assets of the town.*
- *Through the realisation of a shared civic vision Naas will undergo expansion of growth within the designated New Residential Areas, and future strategic expansion of a low carbon urban district towards the Northwest Quadrant (NWQ) to 2031. Development of the NWQ into the future will comprise of a clear emphasis on linking the town centre to the NWQ lands and Sallins Train Station, in particular harnessing the potential of the canal greenway, developing key transport modes, community facilities and amenities and delivering a high quality and connected employment quarter with diverse residential and amenity areas.*

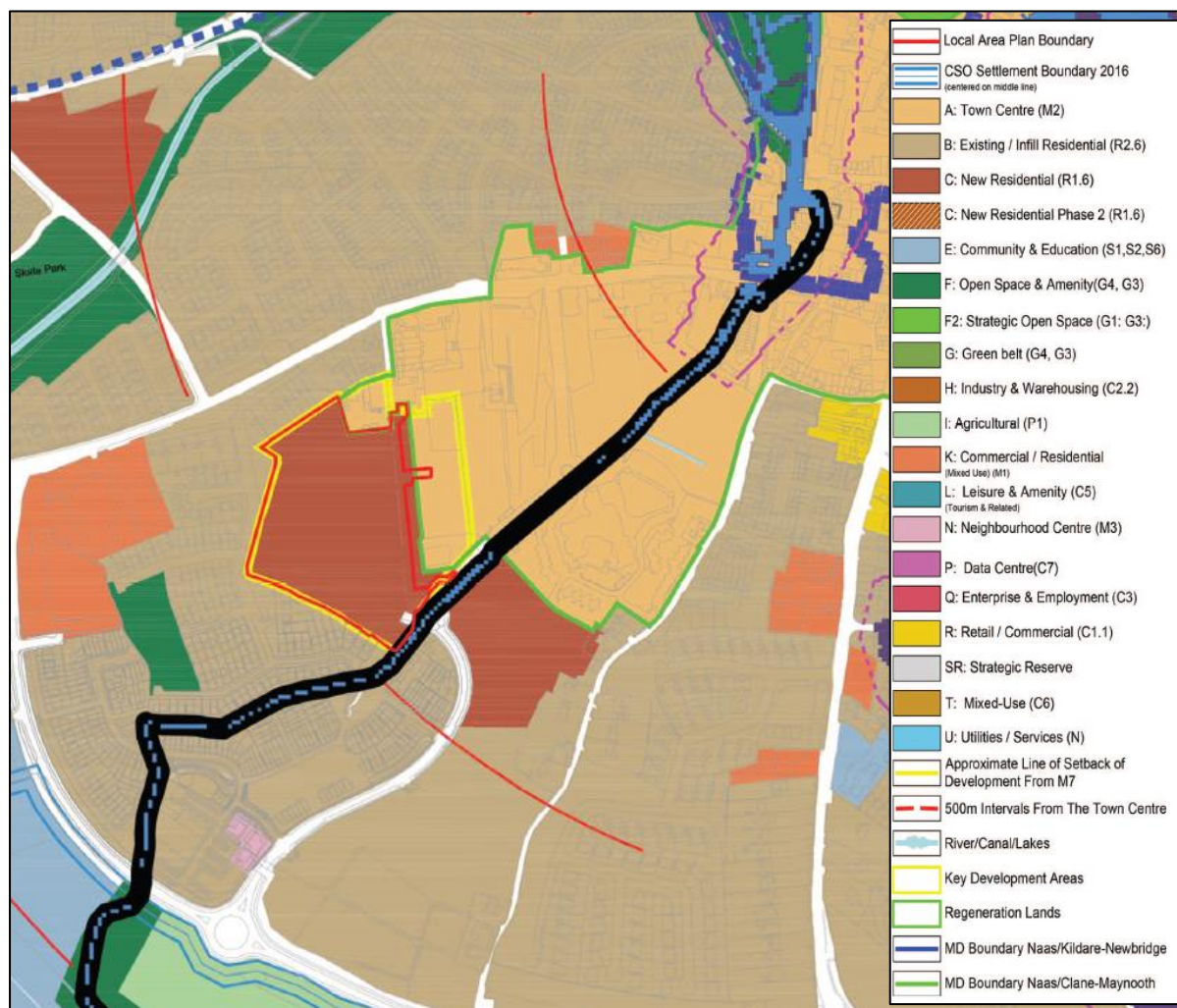
Under the LAP, the site of the proposed development is predominantly zoned ‘C – New Residential’, for which the corresponding objectives is *“To provide for new residential development”*; with small areas on the eastern margin of the site zoned ‘A – Town Centre’, for which the corresponding objective is *“To protect, improve and provide for the future development of the town centre”*. Uses permitted in principle under this objective include housing as the primary use but also recreation, education, crèche / playschool, community buildings and sheltered housing. Limited local shopping facilities are open for consideration to serve local needs only.

The location of the proposed development is also identified as one of two ‘Key Development Areas’ (KDA) under the LAP – the Devoy Barracks KDA and the Junction 9 (Maudlins) KDA:

“The Devoy Barracks KDA is located to the southwest of the town centre of Naas, with vehicular access off John Devoy Road. It encompasses a circa 4-hectare area under the ownership of the Land Development Authority as well as an area of land to the west and south which belong to Kildare County Council. These lands include the Kildare Civic Defence building and the MERITS building (currently under construction).” (p. 161)

The 4.37 ha KDA has been earmarked for the delivery of new residential development and ancillary facilities. This is the only KDA identified in the LAP, and is one element of the ‘five strands’ which comprise the framework for the delivery of residential development under the LAP.

Figure 5.9 Land use zoning at the location of the proposed development (*Naas Local Area Plan 2021 – 2027*)



The LAP states that, “Given the location of the lands proximate to the town centre and public transport, the site has the capacity to deliver a higher density” (p. 20) in accordance with the Government policy of compact urban growth. The estimated residential capacity of the lands is 175 – 218 and the proposed density (as per the LAP) is 40 – 50.

Chapter 10 of the LAP sets out a design brief for the KDA, which is reproduced in **Table 5.6**, below. **Figure 5.10** illustrates the urban design framework for the KDA.

The LAP notes that “The development of new residential areas within this Plan are also dependent on the timely delivery of a wide range of infrastructure” (p. 184). An infrastructure delivery schedule for the Devoy Barracks KDA is set out in the LAP, which identifies the necessary infrastructure and funding sources needed to secure the timely delivery of the vision for the KDA, and is reproduced in **Table 5.7**.

Table 5.6 Devroy Barracks KDA design brief (Naas Local Area Plan 2021 – 2027)

Vision
To develop Devroy Barracks as an attractive, legible and permeable urban district that is home to high-quality residential neighbourhood with an element of commercial uses to be located to the east of the site adjacent to the MERITS building and Áras Chill Dara.
Connectivity / Movement
Provide for the integration of existing links between the area and Newbridge Road including the provision of pedestrian/cyclist only routes. Vehicular access to the site will be via John Devroy Road which will also include for pedestrian and cycle links. Facilitate strategic car parking provision within the perimeter block of commercial developments and where appropriate, underground parking. The KDA should be permeable and integrate seamlessly with adjacent lands. Routes and connections with in the KDA should prioritise sustainable movement (walking/cycling).
Built Form
Medium to higher density residential developments should be located within the centre of the KDA, to the west of the commercial development built from. The perimeter block building typology will be encouraged for higher density development. Lower density residential development should be located around the west and southern fringes of the KDA in order to integrate with the surrounding established residential estates.
Landscape and Spaces
Provide for a minimum of 15% quality open space within the residential lands. Overall, the framework provides for a coherent and legible urban structure based on the principles of permeability, continuity and urban enclosure. A defining part of the layout is the provision of a landscaped amenity space at the centre. This will create a focal point of the area and also provide for a pedestrian/cyclist link to the Newbridge Road.

Figure 5.10 Devroy Barracks KDA urban design framework (Naas Local Area Plan 2021 – 2027)



Table 5.7 Devroy Barracks KDA design brief (Naas Local Area Plan 2021 – 2027)

Infrastructure	Delivery Schedule	Funding Sources
Roads and transportation		
PERM 69 – Permeability link between Devroy Barracks site and Newbridge Road	Ongoing – to be delivered in tandem with new development, prior to the occupation of the dwellings.	Developer, State, KCC
Open space provision		
Provision of open space and recreational areas	To be carried out in tandem with new development and completed prior to the occupation of all units.	Developer
Childcare		
Childcare provision	Provision of one facility providing for a minimum of 20 childcare places per 75 dwellings.	Developer (private end user)
Water and wastewater		
General water supply network	Ongoing – subject to Irish Water agreement prior to development.	Developer, State (Irish Water)
Wastewater – Further upgrading works planned under the ULVSS, in the town centre and Contract 2(b). The demand will need to be modelled for new developments on a first served basis.	Ongoing – subject to Irish Water agreements prior to development.	Developer, State (Irish Water)
Drainage, SuDS and flooding		
Fluvial flooding in all return periods along the line of the stream	Design to take cognisance of area prone to flooding and mitigate risk	Developer, State, KCC

6.3 Description of Likely Effects

Schedule 7A of the PDR 2001 requires the Applicant to provide:

- “3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development resulting from –
- (a) the expected residues and emission and the production of waste, where relevant, and
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.”

This section provides a description of the likely effects of the proposed development, with reference to the above-listed environmental aspects. It has been compiled with reference to the criteria set out in Schedule 7 of the PDR 2001. **Section 6.3.1** outlines other specialist assessments that have been carried out, and which have informed the description of effects herein. Refer to **Appendix 5** for 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 (pursuant to Article 299B(1)(b)(ii)(II)(C) of the PDR 2001). **Section 6.3.2** provides a description of the predicted likely effects of the proposed development, with regard to the environmental factors as specified in paragraph (b)(i)(I) to (V) of Section 171A of the PDA 2000.

6.3.1 Other Assessments

6.3.1.1 Appropriate Assessment

An Appropriate Assessment (AA) Screening Report has been prepared in respect of the proposed development (refer to document submitted under separate cover). It has concluded that:

“In view of best scientific knowledge this report concludes that the proposed development, individually or in combination with another plan or project, will not have a significant effect on any European sites. This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.”

6.3.1.2 Site Specific Flood Risk Assessment

A Site Specific Flood Risk Assessment (SSFRA) has been prepared by CS Consulting in relation to the proposed development (refer to report submitted under separate cover). The available flood risk data for the area was reviewed. It was determined that the site of the proposed development is situated in Flood Zone C, where there is a low probability of flooding. Accordingly, it was determined that the proposed development is ‘appropriate’ in terms of flood risk, as per the OPW guidelines. It was concluded that the risk of flooding across the site is low, and that no further mitigation measures would be required in this respect.

6.3.1.3 Archaeological Assessment

An archaeological assessment of the site was carried out by John Purcell Archaeological Consultancy (refer to report submitted under separate cover as part of the planning application). Under the scope of this assessment, a site walkover was undertaken in January 2020. Test trench excavations were subsequently carried out across the site in July 2021, with the exception of an area of regenerating woodland in the centre of the site, which was inaccessible at that time. In January 2022, further test

trenching was carried out in the previously inaccessible area in the centre of the site, following vegetation clearance. No sub-surface archaeological remains were uncovered.

A number of features associated with the barracks are located at the east of the site, including the mortuary, infant school and fever hospital. These were not marked on the first edition OS map for the site and date to the second half of the 19th century. This area will form part of a linear park and deep excavation will not occur in this area. These features will be preserved *in situ*.

The assessment has concluded that *“The proposed development will have no impact on the recorded archaeological monuments in the area”*.

6.3.1.4 Traffic Impact Assessment

A Traffic Impact Assessment has been carried out by CS Consulting to assess the impact of the operation of the proposed development on the existing road network, traffic and parking provision (refer to report submitted under separate cover). It has concluded that the proposed development will not generate excessive vehicular traffic flows, and will have a negligible impact on the operation of the adjacent road network. The proposed provision of car and bicycle parking is considered to be in accordance with the relevant national policies. The proposed internal road layout and access strategy is regarded as being fit for purpose and compliant with the *Design Manual for Urban Roads and Streets* (Department of Transport, Tourism and Sport & Department of Environment, Community and Local Government, 2013) and *Design Recommendations for Multi-storey and Underground Car Parks* (Institution of Structural Engineers, 2011).

6.3.1.5 Noise Assessment

A Noise Assessment has been carried out by Allegro Acoustics in respect of the proposed development. Noise monitoring was carried out at two locations on the adjacent road network (on John Devoy Road and at Arconagh Estate) in March 2021, which confirmed that the baseline noise environment at the site is characterised by traffic on the surrounding road network, and that noise levels are typical of a suburban residential setting.

Noise sensitive locations (NSLs) were identified in the vicinity of the site, including residential receptors to the north, south and west, and commercial offices and the MERITS building to the east. Construction noise limits and other noise mitigation measures, in accordance with *BS 5228-1 + A1 Code of practice for noise and vibration control on construction and open sites*, were proposed; and these have been integrated into the mitigation measures set out herein (**Section 6.1.4**).

The assessment identified increased traffic volumes and on-site M&E plant noise as the primary noise sources during the operational phase of the proposed development. Based on the worst-case operational traffic volumes, the assessment has predicted a peak increase in operational traffic noise levels of 2.43 dB L_{A10} , which is regarded as a minor noise impact in the context of the short-term, and negligible in the context of the long term. A noise limit has been specified for operational phase M&E plant, which has been integrated into the mitigation measures set out herein (**Section 6.1.4**). The assessment has also assessed the design of the proposed development in relation to noise regulations and has concluded that the development will provide the appropriate level of acoustic comfort for residents, visitors and employees at the site.

6.3.1.6 Ecological Impact Assessment

A standalone Ecological Impact Assessment (EclA) has been prepared in respect of the proposed development, and submitted under separate cover as part of the planning application. It provides an evaluation of the ecological features at the site as per the NRA *Guidelines for Assessment of Ecological Impacts of National Road Schemes* (2009) and the CIEEM *Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland – Terrestrial, Freshwater, Coastal and Marine* (2018). Regard has been had to the EclA in the preparation of this EIA Screening Report.

The EclA has concluded that *“There will be no long-term residual impact on ecological receptors, either within or in the vicinity of the site, or associated with any site designated for nature conservation as a result of the proposed development”* (p. 18).

6.3.2 Description of Likely Effects

During the construction phase, typical environmental effects associated with construction works of this nature and scale are predicted, including elevated levels of noise, emissions of dust, direct and indirect greenhouse gas emissions, impacts on visual amenity, and effects associated with construction traffic. These types of effects will be localised, short-term in duration (at most) and reversible – lasting only as long as the activities in question.

There will also be environmental risks associated with the presence of potential pollutants (e.g. hydrocarbons, solvents, cementitious materials) and human health risks associated with the potential presence of harmful substances and other typical site safety risks.

During the operational phase, typical environmental effects associated with the presence and operation of a residential development are also predicted, including water consumption, foul water loading to the municipal network, direct and indirect greenhouse gas emissions, etc. The effects of the operational phase are assumed to be permanent in duration.

The following sections present the results of an assessment of potential impacts, specifically with regard to the environmental factors as specified in paragraph (b)(i)(I) to (V) of Section 171A of the PDA 2000 (refer to **Section 3.2.3**), identifying in each case, the types and characteristics of potential impacts.

6.3.2.1 Population & Human Health

During the construction phase of the proposed development, there is the potential for short-term environmental effects to arise in relation to the proposed works, including elevated noise levels, emissions of dust, presence of construction traffic on the road network and entering and exiting the site, and visual effects associated with the presence of a substantive construction site. These effects will be neutral to negative, but short-term in duration (at worst) and reversible, lasting only as long as the proposed works.

Since the site is surrounded by existing residential development, there are receptors which are likely to be affected by these aspects of the proposed works. However, these effects will be typical of works of this nature and scale. As outlined in **Section 6.3.1.5**, a noise assessment has been carried out in respect of the proposed development, the results of which confirm that significant negative noise impacts are not likely to occur. Standard best practice construction measures and mitigation measures (as detailed in **Section 6.1.4**, above) will be implemented such that significant negative impacts on population and human health are not likely to occur as a result of the proposed works.

During the operational phase of the proposed development, the most noteworthy change in relation to population and human health will be the addition of a new population of c. 219 households to the town of Naas. This new population will create additional demand for infrastructure, community amenities, goods and services (including childcare, education, healthcare, retail, etc.). In accordance with the *Naas Local Area Plan 2021 – 2027*, it is proposed to include a crèche in the proposed development.

The *Naas Local Area Plan 2021 – 2027* indicates that KCC is cognisant of the existing capacity of community infrastructure and is, where needed, actively seeking to secure additional capacity to meet the needs of the town's population into the coming years. A Social & Community Infrastructure Audit and Schools Demand & Childcare Facilities Assessment have been prepared by BSM in relation to the proposed development, assessing the capacity of the town's community infrastructure and its ability to support the proposed new residential development (refer to reports submitted under separate cover as part of the planning application). It is considered that the existing and proposed community infrastructure, including childcare facilities and schools, in the area is sufficient to meet the needs of the proposed new residential community at Devoy Barracks.

There are no SEVESO III sites in the vicinity of the proposed development. Considering the nature of the proposed development and the characteristics of the receiving environment, it is considered that the proposed development is not likely to cause, contribute to or exacerbate the occurrence of a major accident / disaster. Nor is the proposed development particularly susceptible to major accidents / disasters. Flood risk is addressed below.

No likely significant effects are predicted in relation to population and human health.

6.3.2.2 Biodiversity⁵

As stated above, an Appropriate Assessment (AA) Screening Report has been prepared in respect of the proposed development, has concluded, in view of best scientific knowledge, that the proposed development, individually or in combination with another plans or projects, is not likely to have a significant effect on any European site(s). This conclusion was reached without considering or taking into account mitigation measures or measures intended to avoid or reduce any impact on European sites.

The site of the proposed development is not linked via any feasible impact pathway to any pNHA or other site designated for the purposes of ecological conservation, and the proposed development will not affect any such sites.

The construction of the proposed development will necessitate vegetation clearance, resulting in the permanent loss of existing grassland and scrub habitats on the site. At the local level, the loss of these habitats will result in a slight to moderate, negative ecological impact.

The loss of scrub habitat at the site will reduce insect abundance and foraging / commuting corridors for bats. In the absence of mitigation, this would result in a permanent, moderate, negative impact on bats. As detailed in **Section 6.1.4**, mitigation has been incorporated in relation to planting, such that no residual negative effects on bats are predicted to occur in this regard.

⁵ With particular attention to species and habitats protected under the Habitats and the Birds Directives

In the absence of mitigation, the introduction of artificial lighting to the site might negatively affect foraging bats, resulting in a long-term, moderate, negative impact. As detailed in **Section 6.1.4**, mitigation has been prescribed in relation to lighting, such that no residual negative effects on bats are predicted to occur in this regard.

Internal and external inspection of the existing shed structure on the site (to be demolished under the scope of works) found no evidence of current or historic occupancy by bats. Nevertheless, the structure was noted to have roost potential in its roof and walls and (bats being mobile creatures) the absence of roosts at the time of surveys does not preclude the future presence of roosting bats. In the event that the structure should be in use as a bat roost at the time of demolition, a long-term, moderate, negative impact on bats would be predicted to occur, in the absence of appropriate mitigation. Accordingly, the requirement for a pre-construction survey of this structure (by a bat specialist) has been included in the mitigation measures above, ensuring that negative effects on bats are avoided.

The most valuable ecological feature at the site, the eastern hedgerow / treeline, will be retained and incorporated into the landscape design. The value of this feature as an ecological corridor and as a potential bird nesting and bat foraging habitat, will also be retained. As stated above, none of the existing trees were found to have suitability as potential bat roosts, and it is recommended that bat boxes be incorporated here.

As detailed below, significant effects on water quality are not likely to occur. A setback of 10 m from the watercourse will be implemented and, under the scope of the CMP, pollution prevention measures will be put in place. The Yeomanstown Stream is already heavily altered and of limited biodiversity value and, even in the event of a minor pollution event (e.g. emission of sediment-laden run-off), significant ecological impacts are not likely to occur as a result.

No Third Schedule invasive plant species were recorded on the site. However, a pre-construction survey will be carried out in order to confirm the presence / absence of IAPS in advance of the commencement of works.

No likely significant effects are predicted in relation to biodiversity, including to species and habitats protected under the Habitats and Birds Directives.

6.3.2.3 Land, Soil, Water, Air & Climate

The site of the proposed development is not currently in use and, as detailed above, is under the ownership of the Housing Agency and (to a lesser degree) KCC. With the completion of the proposed development, the agricultural potential of the site will be permanently lost. However, considering the size and status of the site at present, the associated impact on agronomy will be negligible. No adverse effects in relation to land ownership are expected to occur.

The proposed works will involve vegetation clearance, soil stripping and excavations. In order to minimise the need for off-site disposal and import of soil, material excavated from the site will be reused on-site insofar as practicable. Significant impacts on soils are not expected to occur.

The construction of the proposed development will involve activities and use of substances that have the potential to result in pollution of surface water and / or groundwater, if not properly managed. The adjacent Yeomanstown Stream is the most sensitive receptor in this regard. However, the works will be executed in accordance with a CMP, which will include pollution prevention measures, as detailed in

Section 6.1.4. Additionally, a 10 m setback from the stream will be implemented. Significant impacts on surface water or groundwater quality are not likely to occur.

As stated above, the SSFRA has established that the site is situated entirely in Flood Zone C, where there is a low probability of flooding. Accordingly, it was determined that the proposed development is ‘appropriate’ in terms of flood risk, as per the Office of Public Works (OPW) guidelines, *The Planning System and Flood Risk Management: Guidelines for Planning Authorities* (2009). Therefore, no significant effects in relation to flood risk are likely to occur as a result of the proposed development.

In terms of climate, the proposed development is likely to have the greatest impact during the operational phase. The operation of this new residential development will directly and indirectly contribute to greenhouse gas emissions; e.g. from the internal combustion engines of residents’ cars, and from the energy generation required to power the development. Certain characteristics of the proposed development (e.g. its proximity to the town centre; inclusion of EV charging points; use of SuDS, soft landscaping and trees; and its pedestrian and cyclist friendly design) will mitigate the greenhouse gas emissions of the development to a degree.

During the construction phase, direct and indirect greenhouse gas emissions will also be generated; e.g. due to the embodied carbon of construction materials, vehicular emissions from construction traffic and plant, and due to vegetation clearance and soil disturbance. Vegetation clearance will also result in the loss of the carbon sequestration potential of the site; although this will be offset, to a certain degree, by soft landscaping, particularly the planting of trees. The proposed retention of the hedgerow / treeline along the western boundary of the site will also mitigate this loss to a degree.

Notwithstanding the fact that a certain volume of greenhouse gas emissions will be inherent in the proposed development, the location and design of the proposed development is generally positive in this regard, and its climate impact will not be significant in the context of regional or national targets.

Vehicular emissions associated with the construction and operation of the proposed development will contribute somewhat to air pollution in the area. Again, the location of the proposed development in close proximity to the town centre; its pedestrian, cyclist and EV friendly design; and the implementation of Residential Travel Plan (RTP) will promote a modal shift away from private car use. The existing air quality in Naas town is relatively good, and is not likely to be significantly altered by the proposed development.

No likely significant effects are predicted in relation to land, soil, water, air or climate.

6.3.2.4 Material Assets, Cultural Heritage & the Landscape

There are no recorded archaeological or architectural heritage sites at the site of the proposed development. On the eastern margin of the site, there are the remains of structures associated with the former Devoy Barracks, but these are not visible at ground level.

Test trench excavations found no evidence of sub-surface remains at the site, and the archaeological assessment has concluded that *“The proposed development will have no impact on the recorded archaeological monuments in the area”*. However, there remains the possibility of unrecorded sub-surface archaeological remains being encountered during the proposed works. In order to prevent potential impacts on sub-surface archaeology, monitoring of site clearance and topsoil stripping will be carried out by a qualified archaeologist during the proposed works. Additionally, 19th century remains

of the Devoy Barracks will be preserved *in situ* as part of the proposed landscape design. Thus, no significant effects on cultural heritage will arise.

In terms of landscape and visual impacts, the site of the proposed development is not situated in an especially scenic context, and is not in the sightlines of any protected views or prospects. Considering the design of the proposed development, including its materiality and heights, it is not considered that the proposal is incongruous with existing neighbouring development, and significant negative impacts in relation to landscape / townscape and / or visual amenity are not predicted to occur.

The proposed development is expected to deliver a high level of dual aspect units (c. 94%), in excess of Development Plan and Ministerial Guideline standards. The proposed building height range of 2 – 5 storeys (predominantly 2- and 3-storeys) is not expected to result in excessive overshadowing of the proposed development or neighbouring developments or open spaces. A daylight and sunlight assessment report will accompany the application.

During the construction phase, there will be negative visual effects on neighbouring residential receptors / workplaces due to the presence of a substantive construction site. However, these impacts will be short-term, reversible and are not expected to be significant. Good construction practice, including good housekeeping and the use of hoarding (where appropriate) will minimise such effects.

The Traffic Impact Assessment has concluded that the proposed development will not generate excessive vehicular traffic flows, and will have a negligible impact on the operation of the adjacent road network. A Residential Travel Plan has also been developed by CS Consulting (refer to report submitted under separate cover), and will be implemented to promote sustainable mobility during the operational phase of the proposed development.

There is an existing overhead power line running along the western boundary of the site, which will need to be diverted for the purposes of the proposed works. All utilities / services works and diversions shall be carried out in accordance with the requirements of the relevant utility providers (Irish Water, Eir, GNI, etc.) and in a manner that is safe and which minimises / avoids interruptions of service.

No likely significant effects are predicted in relation to material assets, cultural heritage or the landscape.

6.3.2.5 Interactions

The key interactions may be summarised as follows:

- Hydrology (water quality) and biodiversity: negative effects on water quality have the potential to result in indirect negative impacts on aquatic ecology.
- Noise / air quality / traffic / material assets and population and human health: negative effects in relation to noise, air quality, traffic and material assets have the potential to result in indirect negative impacts on population and human health.

Interactions between environmental topics have been comprehensively addressed herein.

No likely significant effects are predicted in relation to the interaction between environmental topics.

6.3.2.6 Cumulative Impacts

The subject site is located in an area planned for regeneration to accommodate the future residential and economic growth of Naas. The site is suitably zoned for the proposed use in the *Naas Local Area*

Plan 2021 – 2027. Both have been subject to Strategic Environmental Assessment and Appropriate Assessment.

The following sources were consulted to identify relevant other plans and projects:

- [Kildare County Council planning portal](#)
- [EIA Portal](#)
- *Kildare County Development Plan 2017 – 2023*
- *Naas Local Area Plan 2021 – 2027*
- *Greater Dublin Area Cycle Network Plan (2013)*

A number of developments recently completed, permitted or proposed in the immediate area have been identified, as follows:

- **The Arches / Castlefarm:** Permitted residential development (KCC reg. ref. 16/1145; 17/886; 19/85) of 183 no. residential units, situated to the west of the site, is under construction.
- **Elsmore Phase 1:** Permitted residential development (KCC reg. ref. 09/500050, 11/500086, 15/955; ABP refs. 240261, 17853, 171469) of 308 no. residential units, situated to the south-west of the site, is under construction / constructed.
- **Jigginstown / Elsmore Phase 2 SHD:** Planning permission was granted in February 2020 for a SHD (ABP ref. [TA09.305701](#)) of 314 no. residential units, situated to the south-east of the site. The site of this committed development appears to be under construction or in use as a construction compound at present.
- **Devoy Quarter SHD:** Planning permission was granted in September 2020 for a SHD (ABP ref. [TA09.307258](#)) of 152 no. residential units, situated to the east of the site.
- **Newbridge Road:** Planning permission is pending for a small-scale residential development (4 no. units) to the north of the proposed development site (KCC reg. ref. 21/884)
- The completion of infrastructure in the area includes the John Devoy Road, which has facilitated access to the site.
- Additionally, there are several infrastructural projects planned for the surrounding area.
 - Under the scope of the NTA's *Greater Dublin Area Cycle Network Plan (2013)*, it is proposed that primary / secondary cycle route NA1 be implemented along Newbridge Road. No information is yet publicly available on the proposed design or delivery timeframe for this objective.
 - The *Naas Local Area Plan 2021 – 2027* also provides for the medium-term implementation of a pedestrian link between Devoy Barracks and Newbridge Road (which would traverse the site of the proposed development north-south) and a pedestrian / cycle route between this link and the existing Arconagh estate to the west. The proposed development provides for future pedestrian and cycle connections at the site's northern and western boundaries, to facilitate the creation of these links.
 - The Local Area Plan also indicates the future provision of additional cycle routes along the northern (older) section of John Devoy Road, and improved cycle facilities along the R445 (New Row) between John Devoy Road and the town centre.

The location of the proposed development and surrounding area are an emerging suburban area undergoing change under the scope of several neighbouring residential developments and supporting transport / infrastructural upgrades. A review of aerial imagery of the site and its environs shows that earthworks and building construction are underway under the scope of a number of the

aforementioned permissions. Given that these developments will give rise to similar environmental effects, there is the potential for accumulation of effects, particularly where construction works on different sites occur concurrently.

The likely effects of the proposed development have been considered in the context of committed development in the area. Considering:

- The likely effects of the proposed development (as described herein);
- The nature, scale and location of committed development in the area;
- That all of the developments in question are situated on appropriately zoned lands (with SEA and AA having been completed in respect of the Development Plan and Local Area Plan); and
- That appropriate mitigation measures have been prescribed, where relevant, in relation to these developments;

It is concluded that *significant negative effects are not likely to occur as a result of the effects of the proposed development in combination with one or more existing, permitted or proposed development(s).*

6.4 Conclusion

It is considered that the proposed development would not be likely to have significant effects on the environment. The main reasons for this determination are as follows:

- The proposed development is a typical residential development whose environmental effects will be typical of and commensurate with its nature and scale, and not particularly deleterious.
- The construction of the proposed development will be executed in accordance with standard best practice construction measures, including the implementation of a Construction Management Plan (CMP). In order to avoid, prevent and minimise environmental effects, a suite of standard mitigation measures have been prescribed.
- Overall, the site and environs are not particularly sensitive to the predicted effects of the proposed development. Key points in this regard are as follows:
 - The site is situated on lands zoned for residential development under the *Naas Local Area Plan 2021 – 2027*.
 - While the site is a greenfield site, it is situated in the existing built-up footprint of an urban area, and is of (at most) local (lower) ecological value.
 - Grassland and bramble scrub will be permanently lost as a result of the proposed development. The site has been subject to ecological surveys (including bat surveys) and it is considered that this loss will not constitute a significant ecological impact.
 - The feature of greatest ecological value on the site, an existing hedgerow / treeline, will be retained as part of the proposal.
 - While the site overlaps somewhat with the site of the former Devoy Barracks, there are no recorded archaeological or architectural heritage sites on the land, and archaeological investigations have found no evidence of sub-surface archaeology. The remnants of several structures associated with the former barracks are situated on the eastern margin of the site, and will be retained *in situ* as part of the proposal. Archaeological monitoring will be carried out during the proposed works.
 - While there is a watercourse running adjacent to the southern boundary of the site, it is a heavily modified stream / drainage ditch of limited ecological value, and pollution prevention measures will be implemented during the proposed works.

- There are no Natura 2000 or nationally designated ecological sites at the site of the proposed development or in the immediate vicinity and no such site is likely to be affected by the proposed development.

Therefore, it is recommended that, having regard to the information set out above, the Competent Authority (An Bord Pleanála) may reach a screening determination that ***there is no real likelihood of significant effects arising as a result of the proposed development; and, therefore, that the preparation of an environmental impact assessment report is not required.***

7 References

- Barrett Mahony Consulting Engineers (2006). *Report on a Site Investigation for a Development at Devoy Barracks Naas for Kildare County Council*. [Report accessed via GSI Spatial Resources].
- BCI (2020). *Bat Record Maps*.
- BCI (2010). *Bats and Lighting – Guidance Notes for Planners, Engineers, Architects, and Developers*.
- BSI (2014). *BS 5228-1:2009+A1:2014 – Code of practice for noise and vibration control on construction and open sites*.
- CIEEM (2019). *Guidelines for Ecological Impact Assessment in the UK and Ireland (Version 1.1)*.
- CIRIA (2001). *Control of water pollution from construction sites – Guidance for consultants and contractors (CIRIA C532)*.
- CSO (2017). *Census 2016 SAPMAP*.
- CSO (2012). *Census 2011 SAPMAP*.
- DoTTS & DoECLG (2013). *Design Manual for Urban Roads and Streets*.
- *Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment*.
- *Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment*.
- *Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment*.
- DoHLGH (2021). *Historic Environment Viewer*.
- DoHPLG (2018). *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*.
- Eastern & Midland Regional Assembly (2019). *Regional Spatial & Economic Strategy 2019 – 2031*.
- Eastern Regional Fisheries Board (2003). *Requirements for the Protection of Fisheries Habitat during Construction and Development Works at River Sites*.
- EPA (2021a). *EPA Maps*.
- EPA (2021b). *AirQuality.ie*.
- EPA (2017). *Guidelines on the Information to be Contained in Environmental Impact Assessment Reports (Draft)*.
- EPA (2003). *Advice Notes on Current Practice (in the Preparation of Environmental Impact Statements)*.
- EPA (2002). *Guidelines on the Information to be Contained in Environmental Impact Statements*.
- European Commission (2017). *Environmental Impact Assessment of Projects – Guidance on Screening*.
- European Commission (2001). *Guidance on EIA – Screening*.
- Government of Ireland (2018). *National Planning Framework*.
- GSI (2021). *GSI Spatial Resources*.
- IFI (2016). *Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters*.
- ILP (2018). *Bats and Lighting in the UK – Bats and the Built Environment Series*.
- ILP (2011). *Guidance Notes for the Reduction of Obtrusive Light GN01*.
- Institution of Structural Engineers (2011). *Design Recommendations for Multi-storey and Underground Car Parks*.
- KCC (2021a). *Kildare County Council Planning Enquiry resource*.

- KCC (2021b). *Naas Local Area Plan 2021 – 2027*.
- KCC (2019a). *Kildare County Council Third Noise Action Plan 2019 – 2023*.
- KCC (2019b). *Pollinator Friendly Kildare: Kildare Pollinator Action Plan 2019 – 2022*.
- KCC (2017). *Kildare County Development Plan 2017 – 2023*.
- Naas Town Council (2011). *Naas Town Development Plan 2011 – 2017*.
- NBDC (2021a). *Biodiversity Maps*.
- NBDC (2021b). *All-Ireland Pollinator Plan 2021 – 2025*.
- NBDC (n.d.). *Pollinator friendly planting code – professional planting recommendations*.
- NRA (2009). *Guidelines for Assessment of Ecological Impacts of National Road Schemes*.
- NRA (2008). *Guidelines for the Crossing of Watercourses During the Construction of National Road Schemes*.
- NRA (2004). *Guidelines for the Treatment of Noise and Vibration in National Road Schemes*.
- NTA (2013). *Greater Dublin Area Cycle Network Plan*.
- OPR (2021). *OPR Practice Note PN02: Environmental Impact Assessment Screening*.
- OPW (2009). *The Planning System and Flood Risk Management: Guidelines for Planning Authorities*.
- *Planning and Development Act 2000, as amended*.
- *Planning and Development Regulations 2001, as amended*.

Appendix 1: EPA Environmental Impact Assessment Criteria

Table A1.1 Criteria for Characterising Environmental Effects (adapted from EPA, 2017)

Criterion	Definition
Quality	
Positive	A change which improves the quality of the environment
Neutral	No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error
Negative	A change which reduces the quality of the environment
Significance	
Imperceptible	An effect capable of measurement but without significant consequences
Not significant	An effect which causes noticeable changes in the character of the environment but without significant consequences
Slight	An effect which causes noticeable changes in the character of the environment without affecting its sensitivities
Moderate	An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends
Significant	An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment
Very significant	An effect which, by its character, magnitude, duration or intensity significantly alters most of a sensitive aspect of the environment
Profound	An effect which obliterates sensitive characteristics
Extent and Context	
Extent	Describe the size of the area, the number of sites, and the proportion of a population affected by an effect
Context	Describe whether the extent, duration, or frequency will conform or contrast with established (baseline) conditions
Probability	
Likely	Effects that can reasonably be expected to occur because of the planned project
Unlikely	The effects that can reasonably be expected not to occur because of the planned project
Duration	
Momentary	Effects lasting from seconds to minutes
Brief	Effects lasting less than a day
Temporary	Effects lasting less than a year
Short-term	Effects lasting one to seven years.
Medium-term	Effects lasting seven to fifteen years
Long-term	Effects lasting fifteen to sixty years
Permanent	Effects lasting over sixty years
Reversibility and Frequency	
Reversible	Effects that can be undone, for example through remediation or restoration
Frequency	Describe how often the effect will occur. (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually)

Appendix 2: Schedule 5 Checklist

Types and classes of development for which EIA is a mandatory requirement by default, as per Parts 1 and 2 of Schedule 5 of the PDR 2001:

Table A2.1 Checklist: Schedule 5, Part 1

Type / class of development	Applicable? (Yes / No)
1. A crude oil refinery (excluding undertakings manufacturing only lubricants from crude oil) or an installation for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.	No
2. <ul style="list-style-type: none"> a. A thermal power station or other combustion installation with a heat output of 300 megawatts or more. b. A nuclear power station or other nuclear reactor including the dismantling or decommissioning of such a power station or reactor⁶ (except a research installation for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load). 	No
3. <ul style="list-style-type: none"> a. All installations for the reprocessing of irradiated nuclear fuel. b. Installations designed – <ul style="list-style-type: none"> • for the production or enrichment of nuclear fuel, • for the processing of irradiated nuclear fuel or high level radioactive waste, • for the final disposal of irradiated fuel, • solely for the final disposal of radioactive waste, • solely for the storage (planned for more than 10 years) of irradiated fuels or radioactive waste in a different site than the production site. 	No
4. <ul style="list-style-type: none"> a. Integrated works for the initial smelting of cast iron and steel. b. Installations for the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes. 	No
5. An installation for the extraction of asbestos or for the processing and transformation of asbestos or products containing asbestos- <ul style="list-style-type: none"> a. in case the installation produces asbestos-cement products, where the annual production would exceed 20,000 tonnes of finished products, b. in case the installation produces friction material, where the annual production would exceed 50 tonnes of finished products, or c. in other cases, where the installation would utilise more than 200 tonnes of asbestos per year. 	No
6. Integrated chemical installations, i.e. those installations for the manufacture on an industrial scale of substances using chemical conversion processes, in which several units are juxtaposed and are functionally linked to one another and which are- <ul style="list-style-type: none"> a. for the production of basic organic chemicals, b. for the production of basic inorganic chemicals, c. for the production of phosphorous, nitrogen or potassium based fertilisers (simple or compound fertilisers), d. for the production of basic plant health products and of biocides, e. for the production of basic pharmaceutical products using a chemical or biological process, 	No

⁶ Nuclear power stations and other nuclear reactors cease to be such an installation when all nuclear fuel and other radioactively contaminated elements have been removed permanently from the installation site.

Type / class of development	Applicable? (Yes / No)
f. for the production of explosives.	
7. A line for long-distance railway traffic, or an airport ⁷ with a basic runway length of 2,100 metres or more.	No
8. <ul style="list-style-type: none"> a. Inland waterways and ports for inland waterway traffic which permit the passage of vessels of over 1,350 tonnes. b. Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes. 	No
9. Waste disposal installations for the incineration, chemical treatment as defined in Annex IIA to Directive 75/442/EEC ⁸ under heading D9, or landfill of hazardous waste (i.e. waste to which Directive 91/689/EEC ⁹ applies).	No
10. Waste disposal installations for the incineration or chemical treatment as defined in Annex IIA to Directive 75/442/EEC under heading D9, of nonhazardous waste with a capacity exceeding 100 tonnes per day.	No
11. Groundwater abstraction or artificial groundwater recharge schemes, where the annual volume of water abstracted or recharged is equivalent to or exceeds 10 million cubic metres.	No
12. <ul style="list-style-type: none"> a. Works for the transfer of water resources between river basins, where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres per year. b. In all other cases, works for the transfer of water resources between river basins, where the multi-annual average flow of the basin of abstraction exceeds 2,000 million cubic metres per year and where the amount of water transferred exceeds 5 per cent of this flow. <p>In the case of (a) and (b) above, transfers of piped drinking water are excluded.</p>	No
13. Waste water treatment plants with a capacity exceeding 150,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC ¹⁰ .	No
14. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes per day in the case of petroleum and 500,000 cubic metres per day in the case of gas.	No
15. Dams and other installations designed for the holding back or permanent storage of water, where a new or additional amount of water held back or stored exceeds 10 million cubic metres.	No
16. Pipelines with a diameter of more than 800mm and a length of more than 40km: <ul style="list-style-type: none"> • for the transport of gas, oil, chemicals, and, • for the transport of carbon dioxide (CO₂) streams for the purposes of geological storage, including associated booster stations. 	No
17. Installations for the intensive rearing of poultry or pigs with more than- <ul style="list-style-type: none"> a. 85,000 places for broilers, 60,000 places for hens, b. 3,000 places for production pigs (over 30 kilograms), or c. 900 places for sows. 	No
18. Industrial plants for the- <ul style="list-style-type: none"> a. production of pulp from timber or similar fibrous materials, b. production of paper and board with a production capacity exceeding 200 tonnes per day. 	No
19. Quarries and open-cast mining where the surface of the site exceeds 25 hectares.	No

⁷ For the purposes of this Directive, 'airport' means airports which comply with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (Annex 14).

⁸ OJ No. L 194, 25.7.1975, p. 39. Directive as last amended by Commission Decision 94/3/EC (OJ No. L 5, 7.1.1994, p.15).

⁹ OJ No. L 377, 31.12.1991, p. 20. Directive as last amended by Directive 94/31/EC (OJ No. L 168, 2.7.1994, p.28).

¹⁰ OJ No. L 135, 30.5.1991, p.40. Directive as last amended by the 1994 Act of Accession.

Type / class of development	Applicable? (Yes / No)
20. Construction of overhead electrical power lines with a voltage of 220 kilovolts or more and a length of more than 15 kilometres.	No
21. Installations for storage of petroleum, petrochemical, or chemical products with a capacity of 200,000 tonnes or more.	No
22. Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.	No
23. Storage sites pursuant to Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide ¹¹ .	No
24. Installations for the capture of CO ₂ streams for the purposes of geological storage pursuant to Directive 2009/31/EC from installations covered by this Part, or where the total yearly capture of CO ₂ is 1.5 megatonnes or more.	No

Table A2.2 Checklist: Schedule 5, Part 2

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<p>1. <i>Agriculture, Silviculture and Aquaculture</i></p> <p>(a) Development consisting of the carrying out of drainage and/or reclamation of wetlands where more than 2 hectares of wetlands would be affected.</p> <p>(b)</p> <p>(i) Replacement of broadleaf high forest by conifer species, where the area involved would be greater than 10 hectares.</p> <p>(ii) Deforestation for the purpose of conversion to another type of land use, where the area to be deforested would be greater than 10 hectares of natural woodlands or 70 hectares of conifer forest.</p> <p>(c)</p> <p>(i) Installations for intensive rearing of poultry not included in Part 1 of this Schedule which would have more than 40,000 places for poultry.</p> <p>(ii) Installations for intensive rearing of pigs not included in Part 1 of this Schedule which would have more than 2,000 places for production pigs (over 30 kilograms) in a finishing unit, more than 400 places for sows in a breeding unit or more than 200 places for sows in an integrated unit.</p> <p>(d) Seawater fish breeding installations with an output which would exceed 100 tonnes per annum; all fish breeding installations consisting of cage rearing in lakes; all fish breeding installations upstream of drinking water intakes; other freshwater fish breeding installations which would exceed 1 million smolts and with less than 1 cubic metre per second per 1 million smolts low flow diluting water.</p> <p>(e) Reclamation of land from the sea, where the area of reclaimed land would be greater than 10 hectares.</p>	No
<p>2. <i>Extractive Industry</i></p> <p>(a) Peat extraction which would involve a new or extended area of 30 hectares or more.</p> <p>(b) Extraction of stone, gravel, sand or clay, where the area of extraction would be greater than 5 hectares.</p> <p>(c) All extraction of minerals within the meaning of the Minerals Development Acts, 1940 to 1999.</p> <p>(d) Extraction of stone, gravel, sand or clay by marine dredging (other than maintenance dredging), where the area involved would be greater than 5 hectares or, in the case of fluvial dredging (other than maintenance dredging), where the length of river involved would be greater than 500 metres.</p>	No

¹¹ OJ No. L 140, 5.6.2009, p.114.¹² Plus comment, where relevant.

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<p>(e) With the exception of drilling for investigating the stability of the soil, deep drilling, consisting of—</p> <ul style="list-style-type: none"> (i) geothermal drilling, (ii) drilling for the storage of nuclear waste material, (iii) drilling for water supplies, where the expected supply would exceed 2 million cubic metres per annum, or (iv) any other deep drilling, except where, in considering whether or not an environmental impact assessment should be carried out— <ul style="list-style-type: none"> (I) a planning authority or the Board— <ul style="list-style-type: none"> (A) concludes, or (B) having regard to the criteria set out in Schedule 7, determines, <p>for the purposes of Part X of the Act, that the proposed drilling concerned would not have a significant effect on the environment,</p> (II) a local authority, in exercise of the powers conferred on it by regulation 120, concludes or determines that there is no real likelihood of significant effects on the environment arising from the proposed drilling concerned, (III) a State authority, in exercise of the powers conferred on it by regulation 123A, concludes or determines that there is no real likelihood of significant effects on the environment arising from the proposed drilling concerned, (IV) it is decided, in accordance with section 13A of the Foreshore Act 1933 (No. 12 of 1933) (in this subparagraph referred to as the “Act of 1933”), by the appropriate Minister (within the meaning of the Act of 1933) that the drilling concerned would not have a significant effect on the environment, (V) the appropriate Minister (within the meaning of the Act of 1933) confirms— <ul style="list-style-type: none"> (A) in accordance with paragraph (a) of subsection (2) of section 13B of the Act of 1933, that the authorisation of the Minister for Communications, Climate Action and Environment records that a screening or assessment referred to in that paragraph has been carried out by the Minister for Communications, Climate Action and Environment in respect of the underlying project to which the petroleum activity relates, or (B) in accordance with paragraph (b) of the said subsection (2), that the Minister for Communications, Climate Action and Environment will carry out such a screening or assessment in respect of that project, or (VI) the Minister for Communications, Climate Action and Environment— <ul style="list-style-type: none"> (A) in accordance with section 8A of the Minerals Development Act 1940 (No. 31 of 1940), determines that a screening determination for environmental impact assessment is not required, (B) when making a screening determination for environmental impact assessment in accordance with subsection (8) of the said section 8A of the Minerals Development Act 1940 (No. 31 of 1940), determines that the drilling concerned would not be likely to have significant effects on the environment. 	

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<p>(f) All surface industrial installations for the extraction of coal, petroleum (excluding natural gas), ores or bituminous shale not included in Part 1 of this Schedule.</p> <p>(g) All extraction of petroleum (excluding natural gas) not included in Part 1 of this Schedule.</p> <p>(h) All onshore extraction of natural gas and offshore extraction of natural gas (where the extraction would take place within 10 kilometres of the shoreline) not included in Part 1 of this Schedule.</p>	
<p>3. Energy Industry</p> <p>(a) Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this Schedule with a heat output of 300 megawatts or more.</p> <p>(b) Industrial installations for carrying gas, steam and hot water with a potential heat output of 300 megawatts or more, or transmission of electrical energy by overhead cables not included in Part 1 of this Schedule, where the voltage would be 200 kilovolts or more.</p> <p>(c) Installations for surface storage of natural gas, where the storage capacity would exceed 200 tonnes.</p> <p>(d) Installations for underground storage of combustible gases, where the storage capacity would exceed 200 tonnes.</p> <p>(e) Installations for the surface storage of fossil fuels, where the storage capacity would exceed 100,000 tonnes.</p> <p>(f) Installations for industrial briquetting of coal and lignite, where the production capacity would exceed 150 tonnes per day.</p> <p>(g) Installations for the processing and storage of radioactive waste not included in Part 1 of this Schedule.</p> <p>(h) Installations for hydroelectric energy production with an output of 20 megawatts or more, or where the new or extended superficial area of water impounded would be 30 hectares or more, or where there would be a 30 per cent change in the maximum, minimum or mean flows in the main river channel.</p> <p>(i) Installations for the harnessing of wind power for energy production (wind farms) with more than 5 turbines or having a total output greater than 5 megawatts.</p> <p>(j) Installations for the capture of CO₂ streams for the purposes of geological storage pursuant to Directive 2009/31/EC from installations not covered by Part 1 of this Schedule.</p>	No
<p>4. Production and processing of metals</p> <p>(a) All installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting.</p> <p>(b) Installations for the processing of ferrous metals-</p> <p>(i) hot-rolling mills and smitheries with hammers, where the production area would be greater than 500 square metres,</p> <p>(ii) application of protective fused metal coats, where the production area would be greater than 100 square metres.</p> <p>(c) Ferrous metal foundries with a batch capacity of 5 tonnes or more or where the production area would be greater than 500 square metres.</p> <p>(d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining foundry casting etc.), where the melting capacity would exceed 0.5 tonnes or where the production area would be greater than 500 square metres.</p> <p>(e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process, where the production area would be greater than 100 square metres.</p> <p>(f) All installations for manufacture and assembly of motor vehicles or manufacture of motor-vehicle engines.</p>	No

Type / class of development and threshold	Applicable? (Yes / No) ¹²
(g) Shipyards, where the area would be 5 hectares or more, or with capacity for vessels of 10,000 tonnes or more (dead-weight). (h) All installations for the construction of aircraft with a seating capacity exceeding 10 passengers. (i) Manufacture of railway equipment, where the production area would be greater than 100 square metres. (j) Swaging by explosives, where the floor area would be greater than 100 square metres. (k) All installations for the roasting and sintering of metallic ores.	
5. Mineral Industry (a) All coke ovens (dry coal distillation). (b) All installations for the manufacture of cement. (c) All installations for the production of asbestos and the manufacture of asbestos based products not included in Part 1 of this Schedule. (d) Installations for the manufacture of glass, including glass fibre, where the production capacity would exceed 5,000 tonnes per annum. (e) All installations for smelting mineral substances including the production of mineral fibres. (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a 550 production capacity exceeding 75 tonnes per day, or with a kiln capacity exceeding 4 cubic metres and with a setting density per kiln exceeding 300 kilograms per cubic metre.	No
6. Chemical Industry (development not included in Part 1 of this Schedule) (a) Installations for treatment of intermediate products and production of chemicals using a chemical or biological process. (b) All installations for production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides using a chemical or biological process. (c) Storage facilities for petroleum, where the storage capacity would exceed 50,000 tonnes. (d) Storage facilities for petrochemical and chemical products, where such facilities are storage to which the provisions of Articles 9, 11 and 13 of Council Directive 96/82/EC ¹³ apply.	No
7. Food Industry (a) Installations for manufacture of vegetable and animal oils and fats, where the capacity for processing raw materials would exceed 40 tonnes per day. (b) Installations for packing and canning of animal and vegetable products, where the capacity for processing raw materials would exceed 100 tonnes per day. (c) Installations for manufacture of dairy products, where the processing capacity would exceed 50 million gallons of milk equivalent per annum. (d) Installations for commercial brewing and distilling; installations for malting, where the production capacity would exceed 100,000 tonnes per annum. (e) Installations for confectionery and syrup manufacture, where the production capacity would exceed 100,000 tonnes per annum. (f) Installations for the slaughter of animals, where the daily capacity would exceed 1,500 units and where units have the following equivalents:- 1 sheep = 1 unit 1 pig = 2 units 1 head of cattle = 5 units (g) All industrial starch manufacturing installations. (h) All fish-meal and fish-oil factories. (i) All sugar factories.	No
8. Textile, leather, wood and paper industries	No

¹³ OJ No. L 10, 14.1.1997, p.13.

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<p>(a) All installations for the production of paper and board not included in Part 1 of this Schedule.</p> <p>(b) Plants for the pre-treatment (operations such as washing, bleaching, mercerisation or dyeing of fibres or textiles), where the treatment capacity would exceed 10 tonnes per day.</p> <p>(c) Plants for the tanning of hides and skins, where the treatment capacity would exceed 100 skins per day.</p> <p>(d) Cellulose-processing and production installations, where the production capacity would exceed 10,000 tonnes per annum.</p>	
<p>9. <i>Rubber Industry</i></p> <p>Installations for manufacture and treatment of elastomer based products, where the production capacity would exceed 10,000 tonnes per annum.</p>	No
<p>10. <i>Infrastructure projects</i></p> <p>(a) Industrial estate development projects, where the area would exceed 15 hectares.</p> <p>(b)</p> <p>(i) Construction of more than 500 dwelling units.</p> <p>(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.</p> <p>(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.</p> <p>(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)¹⁴</p> <p>(c) All construction of railways and of intermodal transshipment facilities and of intermodal terminals not included in Part 1 of this Schedule which would exceed 15 hectares in area.</p> <p>(d) All airfields not included in Part 1 of this Schedule with paved runways which would exceed 800 metres in length.</p> <p>(dd) All private roads which would exceed 2000 metres in length.</p> <p>(e) New or extended harbours and port installations, including fishing harbours, not included in Part 1 of this Schedule, where the area, or additional area, of water enclosed would be 20 hectares or more, or which would involve the reclamation of 5 hectares or more of land, or which would involve the construction of additional quays exceeding 500 metres in length.</p> <p>(f)</p> <p>(i) Inland waterway construction not included in Part 1 of this Schedule which would extend over a length exceeding 2 kilometres.</p> <p>(ii) Canalisation and flood relief works, where the immediate contributing sub-catchment of the proposed works (i.e. the difference between the contributing catchments at the upper and lower extent of the works) would exceed 100 hectares or where more than 2 hectares of wetland would be affected or where the length of river channel on which works are proposed would be greater than 2 kilometres.</p> <p>(g) Dams and other installations not included in Part 1 of this Schedule which are designed to hold water or store it on a long-term basis, where the new or extended area of water impounded would be 30 hectares or more.</p> <p>(h) All tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport.</p>	Yes – Urban development (sub-threshold)

¹⁴ Emphasis added.

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<ul style="list-style-type: none"> (i) Oil and gas pipeline installations and pipelines for the transport of CO₂ streams for the purposes of geological storage (projects not included in Part 1 of this Schedule). (j) Installation of overground aqueducts which would have a diameter of 1,000 millimetres or more and a length of 500 metres or more. (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dikes, moles, jetties and other sea defence works, where the length of coastline on which works would take place would exceed 1 kilometre, but excluding the maintenance and reconstruction of such works or works required for emergency purposes. (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Part 1 of this Schedule where the average annual volume of water abstracted or recharged would exceed 2 million cubic metres. (m) Works for the transfer of water resources between river basins not included in Part 1 of this Schedule where the annual volume of water abstracted or recharged would exceed 2 million cubic metres. 	
<p>11. <i>Other projects</i></p> <ul style="list-style-type: none"> (a) All permanent racing and test tracks for motorised vehicles. (b) Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule. (c) Waste water treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule. (d) Sludge-deposition sites where the expected annual deposition is 5,000 tonnes of sludge (wet). (e) Storage of scrap metal, including scrap vehicles where the site area would be greater than 5 hectares. (f) Test benches for engines, turbines or reactors where the floor area would exceed 500 square metres. (g) All installations for the manufacture of artificial mineral fibres. (h) All installations for the manufacture, packing, loading or placing in cartridges of gunpowder and explosives or for the recovery or destruction of explosive substances. (i) All knackers' yards in built-up areas. 	No
<p>12. <i>Tourism and leisure</i></p> <ul style="list-style-type: none"> (a) Ski-runs, ski-lifts and cable-cars where the length would exceed 500 metres and associated developments. (b) Sea water marinas where the number of berths would exceed 300 and fresh water marinas where the number of berths would exceed 100. (c) Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms. (d) Permanent camp sites and caravan sites where the number of pitches would be greater than 100. (e) Theme parks occupying an area greater than 5 hectares. 	No
<p>13. <i>Changes, extensions, development and testing</i></p> <ul style="list-style-type: none"> (a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:- <ul style="list-style-type: none"> (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and (ii) result in an increase in size greater than – <ul style="list-style-type: none"> • 25 per cent, or 	No

Type / class of development and threshold	Applicable? (Yes / No) ¹²
<ul style="list-style-type: none"> • an amount equal to 50 per cent of the appropriate threshold, whichever is the greater. <p>(b) Projects in Part 1 undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than 2 years. (In this paragraph, an increase in size is calculated in terms of the unit of measure of the appropriate threshold.)</p> <p>(c) Any change or extension of development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, which would result in the demolition of structures, the demolition of which had not previously been authorised, and where such demolition would be likely to have significant effects on the environment, having regard to the criteria set out under Schedule 7.</p>	
<p>14. <i>Works of Demolition</i></p> <p>Works of demolition carried out in order to facilitate a project listed in Part 1 or Part 2 of this Schedule where such works would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.</p>	No
<p>15. Any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.</p>	No

Appendix 3: Schedule 7 Criteria

Criteria for determining whether development listed in Part 2 of Schedule 5 of the PDR 2001 should be subject to an Environmental Impact Assessment, as per Schedule 7 of the PDR 2001:

1. Characteristics of proposed development

The characteristics of proposed development, in particular—

- (a) the size and design of the whole of the proposed development,*
- (b) cumulation with other existing development and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,*
- (c) the nature of any associated demolition works,*
- (d) the use of natural resources, in particular land, soil, water and biodiversity,*
- (e) the production of waste,*
- (f) pollution and nuisances,*
- (g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and*
- (h) the risks to human health (for example, due to water contamination or air pollution).*

2. Location of proposed development

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—

- (a) the existing and approved land use,*
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,*
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas:*
 - (i) wetlands, riparian areas, river mouths;*
 - (ii) coastal zones and the marine environment;*
 - (iii) mountain and forest areas;*

- (iv) *nature reserves and parks;*
- (v) *areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;*
- (vi) *areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;*
- (vii) *densely populated areas;*
- (viii) *landscapes and sites of historical, cultural or archaeological significance.*

3. *Types and characteristics of potential impacts*

The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b)(i)(I) to (V) of the definition of ‘environmental impact assessment report’ in section 171A of the [PDA 2000], taking into account—

- (a) *the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected),*
- (b) *the nature of the impact,*
- (c) *the transboundary nature of the impact,*
- (d) *the intensity and complexity of the impact,*
- (e) *the probability of the impact,*
- (f) *the expected onset, duration, frequency and reversibility of the impact,*
- (g) *the cumulation of the impact with the impact of other existing and/or development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the [PDA 2000] and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and*
- (h) *the possibility of effectively reducing the impact.*

Appendix 4: Schedule 7A Information

Information to be provided by the Applicant or Developer for the purposes of screening sub-threshold development for Environmental Impact Assessment, as per Schedule 7A of the PDR 2001:

1. *A description of the proposed development, including in particular—
 - (b) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works, and
 - (c) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.*
2. *A description of the aspects of the environment likely to be significantly affected by the proposed development.*
3. *A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—
 - (a) the expected residues and emissions and the production of waste, where relevant, and
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.*
4. *The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7 [of the PDR 2001].*

Appendix 5: Statement Pursuant to Article 299B(1)(b)(ii)(II)(C)

Article 299B(1) of the PDR 2001 states that:

- (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 EIAR.
- (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.**¹⁵

Article 299B(1)(b)(ii)(II)(C) transposes Article 4(4) of the EIA Directive, which states that “The developer shall take into account, where relevant, the available results of other relevant assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive”.

Table A5.1, overleaf, lists the other assessments that have been undertaken, for the purposes of the proposed development, pursuant to European Union legislation other than the EIA Directive; and identifies the sections of this EIA Screening Report where the results of same have been taken into account.

Section 6.3.1 of this report provides an overview of all other relevant assessments that have been undertaken for the purposes of the proposed development, and which have been taken into account in the preparation of this EIA Screening Report, including those not prepared pursuant to European Union legislation.

With the exception of those assessments listed in **Table A5.1**, no other relevant assessments pursuant to European Union legislation other than the EIA Directive have been undertaken in relation to the proposed development.

¹⁵ Emphasis added

Table A5.1 Other relevant assessments undertaken pursuant to EU legislation other than the EIA Directive

Assessment	Corresponding EU legislation	Taken into account herein?
Appropriate Assessment (AA)	Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive')	An AA Screening Report has been prepared by Brady Shipman Martin to determine whether an Appropriate Assessment is required pursuant to Article 6(3) of the Habitats Directive. As stated in Section 6.3.1.1 , the AA Screening Report concludes in view of best scientific knowledge, that the proposed development, individually or in combination with another plan or project, is not likely to have a significant effect on any European sites. The results of the AA screening exercise have been taken into account in this EIA Screening Report in relation to biodiversity (with particular attention to species and habitats protected under the Habitats and the Birds Directives) (refer to Section 6.3.2.2). The AA Screening Report has been submitted under separate cover as part of the planning application for the proposed development.
Site Specific Flood Risk Assessment (SSFRA)	Directive 2007/60/EC on the assessment and management of flood risks ('the Floods Directive')	The Floods Directive enshrines the importance of land use and spatial planning in flood risk management. It requires Member States to identify areas where significant flood risk exists or might be considered likely to occur, and to prepared catchment-based Flood Risk Management Plans setting out flood risk management objectives, actions and measures. In Ireland, the Office of Public Works (OPW) is responsible for the overall implementation of the Floods Directive. In 2009, the OPW published <i>The Planning System and Flood Risk Management: Guidelines for Planning Authorities</i> , which introduced comprehensive mechanisms for the incorporation of flood risk identification, assessment and management into the planning process. The requirement for Site-specific Flood Risk Assessment (SSFRA) arises from these guidelines. A SSFRA has been prepared in respect of the proposed development (as summarised in Section 6.3.1.2). Its results have been taken into account in this EIA Screening Report in relation to land, soil, water, air and climate (refer to Section 6.3.2.3). The SSFRA report (prepared by CS Consulting) has been submitted under separate cover as part of the planning application for the proposed development.



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