



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

FOR

MIXED USE DEVELOPMENT

AT

BLAKES AND ESMONDE MOTORS, STILLORGAN,  
DUBLIN 4

April 2022

ON BEHALF OF

CAIRN HOMES PROPERTIES LTD.

The CAIRN logo consists of the word 'CAIRN' in a bold, white, sans-serif font, centered within a solid red rectangular box.

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## 1 INTRODUCTION

### 1.1 Background

Synergy Environmental Ltd. t/a Enviroguide Consulting (hereafter referred to as “Enviroguide”) was commissioned by Cairn Homes Properties Limited to carry out an Environmental Impact Assessment (EIA) Screening for a Mixed-Use Development at Former Blakes and Esmonde Motors Site, Lower Kilmacud Road, Stillorgan, County Dublin.

This Statement is a statement for the purpose of article 299B(1)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, and indicates how the available results of other relevant assessments of effects on the environment carried out pursuant to relevant European Legislation have been taken into account in determining whether the Proposed Development will have a significant effect on the environment.

## 2 PRINCIPAL FEATURES OF THE PROPOSED DEVELOPMENT

The site of 1.41 hectares is bounded by the Lower Kilmacud Road to the north, The Hill to the south and west and the N11 and Dun Laoghaire owned lands to the east.

The development will consist of the construction of a mixed use scheme of 377 no. “Built to Rent” BTR apartments, Community Sports Hall (c. 933 sq. m), along with 5 no. restaurant/cafés (c. 841 sq.m), creche (c. 215 sq. m), office (c. 195 sq m) and ancillary residents’ support facilities/services (c. 1,016 sq. m) laid out in 6 no. blocks ranging in height from 3-9 storeys (over basement) comprising 21 no. studio apartments, 189 no. 1 bedroom apartments, 159 no. 2 bedroom apartments & 8 no. 3 bedroom apartments (selected no. with balconies), and public realm upgrades as follows:

- Building 01 (Part 3 – 4, 6 & 7 storeys over basement) consists of 77 no. apartments comprising 13 no. studio apartments, 30 no. 1 bedroom apartments, 33 no. 2 bedroom apartments, 1 no. 3 bedroom apartment (with a creche of c. 215 sq. m with associated play area at ground floor);
- Building 02 (Part 3 – 5, 7 & 8 storeys over basement) consists of 95 no. apartments comprising 7 no. studio apartments, 57 no. 1 bedroom apartments, 24 no. 2 bedroom apartments, 7 no. 3 bedroom apartments;
- Building 03 (Part 7 and 9 storeys over part basement) consists of 54 no. apartments comprising 18 no. 1 bedroom apartments and 36 no. 2 bedroom apartments (and office of c. 195 sq. m);
- Building 04 (7 storeys over basement) consists of 60 no. apartments consists of 42 no. 1 bedroom apartments & 18 no. 2 bedroom apartments;
- Building 05 (6 storeys, over basement to Lower Kilmacud Road & 7 storeys to the south and west) consists of 62 no. units comprising 1 no. studio apartment, 26 no. 1 bedroom apartments, & 35 no. 2 bedroom apartments (restaurant/café unit c. 219 sq. m at lower ground floor/plaza level & 2 no. restaurant/café units c. 234.1 sq. m and c. 133.9 sq. m respectively at ground floor level onto Lower Kilmacud Road) along with a double height Community Sports Hall including ancillary areas (c. 933 sq. m);

- Building 06 (5 & 6 storeys) consists of 29 no. units comprising 16 no. 1 bedroom apartments and 13 no. 2 bedroom apartments (restaurant/café unit c. 185.9 sq. m at lower ground floor/plaza level & 68.1 sq. m restaurant/café unit at ground floor level onto Lower Kilmacud Road);

The BTR development will also include ancillary Residents' Support Facilities/Services (c. 1,016 sq. m at ground floor of Building 03 and 04) as well as open space areas and improvements to the public realm along the Lower Kilmacud Road (to footpath and cyclepath) and The Hill, new road layout (omission of left turning lane, widening of footpath) to The Hill, hard and soft landscaping, set down area on the Lower Kilmacud Road.

Provision of 2 no. vehicular access points from 'The Hill' into 2 no. separate basements to include basement car parking spaces (119 no.); 1 no. set down surface car parking space as well as 866 no. cycle spaces (basement and surface levels) and ancillary areas; pumping stations at basement level, along with solar panels, and green roofs at roof level;

All associated site development works, open spaces, landscaping, boundary treatment, plant areas, waste management areas, and services provision (including ESB substation).

## 2.1 EIA Screening

As the Proposed Development is a "sub-threshold" development, an EIA Screening Report has been prepared by Enviroguide Consulting on behalf of Cairn Homes Property Limited. The overall objective of the EIA Screening exercise is to identify and assess whether the Proposed Development will result in significant effects on the environment and to determine if EIA is required for the Proposed Development.

The Proposed Development was assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive' and Schedule 7A of the Planning and Development Regulations 2001.

The EIA Screening Report concludes that having regard to:

- the nature and scale of the Proposed Development on an urban site served by public infrastructure,
- the absence of any significant environmental sensitivities in the area, and

The Proposed Development is not likely to have significant effects on the environment.

Therefore, a mandatory Environmental Impact Assessment Report (EIAR) has not been prepared for this Proposed Development. In addition, the Environmental Impact Assessment Screening Report that was carried out has also been assessed to determine if any cumulative impacts may occur as a result of the Proposed Development and nearby developments, concluding the Proposed Development would not be likely to have significant cumulative effects on the environment.

### 3 ASSESSMENT OF RELEVANT EU LEGISLATION

#### 3.1 Directive 92/43/EEC, The Habitats Directive

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

##### Summary of Relevance

The EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive 1992) provides protection to designated species and habitats throughout Europe. The Habitats Directive has been transposed into Irish law through the Planning and Development Act 2000, as amended and the EC (Birds and Natural Habitats) Regulations 2011.

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

##### Other relevant assessments of the effects on the environment

##### 1. **Appropriate Assessment Screening Report**

Prepared by: Altamar  
Report Date: March 2022

##### 2. **Natura Impact Statement**

Prepared by: Altamar  
Report Date: March 2022

##### 3. **Ecological Impact Statement**

Prepared by: Altamar  
Report Date: March 2022

##### Conclusions

According to the AA Screening Report which has been prepared to support the application for the Proposed Development, there is an indirect pathway to South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA due to the proposed surface water drainage system from the site. As a result of this the 2 no. European Sites identified were screened in for a Stage 2 Appropriate Assessment (Natura Impact Statement).

A Natura Impact Statement (NIS) was required to assess the potential for downstream effects on the South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA.

With the implementation of the mitigation measures proposed in the NIS, CWDMP and CMP, the construction and operation of this Proposed Development will not have a significant impact on the integrity of European sites.

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

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

#### Summary of Relevance

The EU Water Framework Directive (WFD) 2000/60/EC aims to protect and improve water quality. It applies to rivers, lakes, groundwater, estuaries, and coastal waters. The Water Framework Directive was agreed by all individual EU member states in 2000, and its first cycle ran from 2009 – 2015. The Directive runs in 6-year cycles, the second cycle ran from 2016 – 2021 and the 3rd cycle plan (current) covers the period 2022-2027. The aim of the WFD is to prevent any deterioration in the existing status of water quality, including the protection of good and high water quality status where it exists. The WFD requires member states to manage their water resources on an integrated basis to achieve at least 'good' ecological status, through River Basin Management Plans (RBMP), by 2027.

#### Other relevant assessments of the effects on the environment

- |           |  |
|-----------|--|
| <b>1.</b> | <p><b>Construction &amp; Demolition Waste Management Plan</b><br/>Prepared by: AWN Consulting<br/>Report Date: March 2022</p>            |
| <b>2.</b> | <p><b>Construction Management Plan</b><br/>Prepared by: Waterman Moylan Consulting Engineers Limited<br/>Report Date: April 2022</p>     |
| <b>3.</b> | <p><b>Flood Risk Assessment Report</b><br/>Prepared by: JBA Consulting<br/>Report Date: March 2022</p>                                   |
| <b>4.</b> | <p><b>Engineering Assessment Report</b><br/>Prepared by: Waterman Moylan Consulting Engineers Limited<br/>Report Date: April 2022</p>    |
| <b>5.</b> | <p><b>Hydrological &amp; Hydrogeological Qualitative Risk Assessment</b><br/>Prepared by: AWN Consulting<br/>Report date: March 2022</p> |
| <b>6.</b> | <p><b>Ecological Impact Assessment Report</b><br/>Prepared by: Altemar<br/>Report Date: March 2022</p>                                   |

#### Conclusions



According to the Assessment Reports that have been prepared to support the planning application for the Proposed Development, it is concluded that appropriate surface water management and discharge measures will be undertaken to ensure no significant impacts arise as a result of the Proposed Development. Sustainable drainage systems (SUDS) have been incorporated into the Proposed Development.

Best practice will be implemented at all times in relation to all construction activities to avoid any accidental pollution events occurring to the nearby water courses or polluting the ground water table. Appropriate surface water management and discharge measures will be employed to ensure that no significant impacts arise.

The Hydrological & Hydrogeological Qualitative Risk Assessment concluded there is no resultant impact as a result of construction or operation of the Proposed Development, which could result in any change to the current water regime (water quality or quantity) with Dublin Bay Natura 2000 sites.

### 3.3 Directive 2001/42/EC, SEA Directive

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

#### Summary of Relevance

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

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

The Dun Laoghaire Rathdown Development Plan 2016-2022 sets out policies and objectives to guide how and where development will take place in the town over the lifetime of the Plan. The Plan has been prepared in accordance with the requirements of the Planning and Development Act, 2000 (as amended), the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 as amended.

The content of the core strategy of the Development Plan has been informed by Strategic Environmental Assessment (SEA).

#### Other relevant assessments of the effects on the environment

- EIA Screening Report**  
Prepared by: Enviroguide Consulting  
Report Date: April 2022

#### Conclusions

The Dun Laoghaire Rathdown Development Plan has been consulted when preparing the relevant Assessment Reports. The content of the core strategy detailed in these plans has been informed by Strategic Environmental Assessment (SEA). No further assessment is required.

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

Directive 2002/49/EC on the assessment and management of environmental noise	
<b>Summary of Relevance</b>	
<p>The Environmental Noise Directive relates to the assessment and management of environmental noise. The Directive has been transposed into Irish law through the Environmental Noise Regulations 2006, as amended, which came into effect on 3<sup>rd</sup> April 2006.</p> <p>These Regulations apply to environmental noise to which people are exposed, in particular in built up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, near hospitals, and near other noise-sensitive buildings and areas. They are intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.</p>	
<b>Other relevant assessments of the effects on the environment</b>	
1.	<p><b>Construction Management Plan</b> Prepared by: Waterman Moylan Consulting Engineers Limited Report Date: April 2022</p>
2.	<p><b>Dublin Agglomeration Environmental Noise Action Plan December 2018 – July 2023 Volume 2   Dún Laoghaire-Rathdown County Council</b> Prepared by: Dún Laoghaire-Rathdown County Council Report Date: December 2018 – July 2023</p>
3.	<p><b>Noise and Vibration Impact Assessment</b> Prepared by: AWN Consulting Report Date: March 2022</p>
<b>Conclusions</b>	
<p>During construction, temporary and intermittent impacts are predicted due to potential noise and dust, however these impacts will be localised and last only for the duration of this phase. The control measures identified in the Construction Management Plan will ensure that there will be no nuisance or impacts from the Construction Phase of the Proposed Development beyond the Site boundary.</p> <p>The Noise Action Plan has been prepared in accordance with the requirements of the Environmental Noise Regulations 2006, Statutory Instrument 140 of 2006. These Regulations give effect to the EU Directive 2002/49/EC relating to the assessment and management of environmental noise. The EU Directive and the Irish regulations do not give an indication as to what level of ‘noise’ is acceptable. Establishing statutory noise limit values</p>	

has been left to each member state. At this point in time, Ireland does not have any statutory limit values, as is the case for air pollution. In the absence of limit values, one could assume that the closer the calculated noise level is to the highest band of noise set out in the Directive the more undesirable it is. Conversely, the closer the calculated noise is to the lowest band of sound set out in the Directive the more desirable it is.

An Lnight value of 40 dB is the limit suggested by the World Health Organization to avoid negative health effects on humans. EU Member States are required to report noise above an Lden of 55 dB and Lnight of 50 dB, under the Environmental Noise Directive. According to the EPA Environment and Wellbeing mapping server, the Proposed Development lies within an area with three different Lden zones (65 – 69dB, 60 – 64 dB and 55 – 59dB) and two different Lnight zones (55-59dB and 50 – 54dB) due to its proximity to the N11 Stillorgan Road. The inward noise impact assessment presented as part of the Noise Impact Assessment Report has assessed the impact of traffic noise levels on the Proposed Development.

According to the Noise and Vibration Impact Assessment, the Proposed Development is also in full compliance with the requirement of ProPG (*Planning and Noise: Professional Practice Guidance on Planning and Noise*) as required by the Dún-Laoghaire Rathdown County Council Noise Action Plan.

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

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

#### Summary of Relevance

The ambient air quality and CAFÉ Directive establishes air quality objectives and merges most of the existing air quality legislation into a single directive. The Directive includes certain limits or target values specified by the five published directives that apply limits to specific air pollutants for the improvement of human health and environmental quality. The Directive outlines assessment methodologies and provides corrective actions if the standards are not met. The CAFE Directive has been transposed into Irish legislation by the Air Quality Standards Regulations (S.I. No. 180 of 2011).

National authorities are required to designate specific bodies to assess compliance with thresholds, limit values and target values for each pollutant covered by the directive. The regulations further provide for the distribution of public information. This includes information on any exceedances of target values, the reasons for exceedances, the area(s) in which they occurred, and the relevant information regarding effects on human health and environmental impacts. In Ireland, the EPA is the competent authority for the purpose of the CAFE Directive and develops an annual report on all pollutants covered by the legislation.

#### Other relevant assessments of the effects on the environment

<b>1.</b>	<b>Construction &amp; Demolition Waste Management Plan</b> Prepared by: AWN Consulting Report Date: March 2022
<b>2.</b>	<b>Construction Management Plan</b> Prepared by: Waterman Moylan Consulting Engineers Limited Report Date: April 2022
<b>3.</b>	<b>Traffic and Transport Assessment</b> Prepared by: Waterman Moylan Consulting Engineers Limited Report Date: April 2022
<b>4.</b>	<b>The Draft Dublin Region Air Quality Plan 2021 – Air Quality Plan to improve Nitrogen Dioxide levels in Dublin Region</b> Prepared by: Dún Laoghaire-Rathdown County Council Report Date: 2021
<b>5.</b>	<b>Air Quality and Climate Impact Assessment</b> Prepared by: AWN Consulting Report Date: March 2022

#### Conclusions

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

According to the EPA mapping server, the Site of the Proposed Development lies within Zone ID1, with Air Quality Index 3 – 'Good'. No specific Air Quality Management Plan is currently available From Dun Laoghaire Rathdown County Council. The Draft Dublin Region Air Quality Plan 2021 – Air Quality Plan to improve Nitrogen Dioxide levels in Dublin Region was assessed and according to the results of the Annual Average Nitrogen Dioxide Levels per Monitoring Stations in Dublin Region 2011-2019, Dun Laoghaire station is well below the legal limit value of 40 micrograms per cubic metres over the period with the most recent annual value of 15.01 micrograms per cubic metres for 2019.

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

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

#### Summary of Relevance

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

The Directive was transposed into Irish legislation by the European Communities (Assessment and Management of Flood Risks) Regulations 2010.

#### Other relevant assessments of the effects on the environment

**1. Flood Risk Assessment Report**  
Prepared by: JBA Consulting  
Report Date: March 2022

#### Conclusions

A Flood Risk Assessment (FRA) has been carried out for the Site of the Proposed Development. The site is located within a mixture of Flood Zone A, B and C. The FRA has subsequently demonstrated that the design can appropriately manage flood risk without increasing risk to neighbouring properties and roadways. Therefore, the Proposed Development is deemed an appropriate use of the site, following the sequential approach.

### 3.7 Other Relevant EU Legislation

#### 3.7.1 Bern and Bonn Convention

Convention on the Conservation of European Wildlife and Natural Habitats - Bern Convention

Convention on the Conservation of Migratory Species of Wild Animals – Bonn Convention

##### Summary of Relevance

The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1982) was enacted to conserve all species and their habitats. The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention 1979, enacted 1983) was introduced to give protection to migratory species across borders in Europe.

##### Other relevant assessments of the effects on the environment

##### 1. Appropriate Assessment Screening Report and Natura Impact Statement

Prepared by: Altamar  
Report Date: March 2022

##### 2. Ecological Impact Assessment Report

Prepared by: Altamar  
Report Date: March 2022

##### Conclusions

The Site of the Proposed Development does not host significant species populations as designated under the Bern and Bonn Convention. Therefore, no adverse impacts are expected in this regard.

#### 3.7.2 Ramsar Convention

The Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat

##### Summary of Relevance

The Ramsar Convention on Wetlands is an intergovernmental treaty signed in Ramsar, Iran, in 1971. The treaty is a commitment for national action and international cooperation for the conservation of wetlands and their resources. In Ireland there are currently 45 Ramsar sites which cover a total area of 66,994 Ha.



### Other relevant assessments of the effects on the environment

**1. Appropriate Assessment Screening Report and Natura Impact Statement**

Prepared by: Altemar  
Report Date: March 2022

**2. Ecological Impact Assessment Report**

Prepared by: Altemar  
Report Date: March 2022

### Conclusions

Two Ramsar sites were identified within the Zone of Influence (ZOI) of the Proposed Development; North Bull Island is located 6.9km away and Sandymount Strand/Tolka Estuary is located 1.7km away. The AA Screening Report concluded that there is a potential impact on the South Dublin Bay and River Tolka Estuary SPA, which also overlaps with a Ramsar Convention site, Sandymount Strand/Tolka Estuary.

Further assessment in the form of an Natura Impact Statement found that following the successful implementation of the outlined mitigation measures within the NIS and CMP, no significant effects are foreseen from the construction or operation of the Proposed Development on the Sandymount Strand/Tolka Estuary RAMSAR site.

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

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

#### Summary of Relevance

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

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

#### Other relevant assessments of the effects on the environment

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

#### Conclusions

Not relevant to the Proposed Development.

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

Directive (EU) 2018/850 of the European Parliament and of the Council of 30 May 2018 amending Directive 1999/31/EC on the landfill of waste

#### Summary of Relevance

Directive 1999/31/EC has applied since July 1999. Amending Directive (EU) 2018/850 was introduced in 2018 and was transposed into Irish legislation by the European Union (Landfill) Regulations 2020

This Directive and relevant amendments, aims to prevent, or reduce as much as possible, any negative impact from landfill on surface water, groundwater, soil, air or human health.

#### Other relevant assessments of the effects on the environment

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|-----------|--|
| <b>1.</b> | <p><b>Construction &amp; Demolition Waste Management Plan</b><br/>Prepared by: AWN Consulting<br/>Report Date: March 2022</p>        |
| <b>2.</b> | <p><b>Operational Waste Management Plan</b><br/>Prepared by: AWN Consulting<br/>Report Date: March 2022</p>                          |
| <b>3.</b> | <p><b>Construction Management Plan</b><br/>Prepared by: Waterman Moylan Consulting Engineers Limited<br/>Report Date: April 2022</p> |

#### Conclusions

A Construction Management Plan (CMP), Construction & Demolition Waste Management Plan (CDWMP) and Operational Waste Management Plan (OWMP) have been prepared for the Proposed Development. The aim of the CMP and CDWMP is to minimise the quantity of waste generated by construction activities, to maximise the use of materials in an efficient manner and to maximise the segregation of construction waste materials on-site to produce uncontaminated waste streams for off-site recycling.

The aim of the OWMP is to maximise the quantity of waste recycled by providing sufficient waste recycling infrastructure, waste reduction initiatives and waste collection and waste management information to the residents of the Proposed Development.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

1. **Construction & Demolition Waste Management Plan**  
Prepared by: AWN Consulting  
Report Date: March 2022
2. **Operational Waste Management Plan**  
Prepared by: AWN Consulting  
Report Date: March 2022
3. **Construction Management Plan**  
Prepared by: Waterman Moylan Consulting Engineers Limited  
Report Date: April 2022

#### Conclusions

A Construction & Demolition Waste Management Plan (CDWMP) has been prepared for the Proposed Development and has been designed to ensure the highest possible levels of waste reduction, waste reuse, and waste recycling are achieved for the Proposed Development during the Construction Phase. The CDWMP has been prepared to demonstrate how Proposed Development Construction Phases will comply with the relevant legislation, relevant Best Practice Guidelines and Dun Laoghaire Rathdown Waste Management Policies.

An Operational Waste Management Plan (OWMP) has been prepared to ensure that the management of waste during the Operational Phase of the Proposed Development is undertaken in accordance with the current legal and industry standards as outlined within the report. The Proposed Mixed-Use Development will be designed and managed to provide residents with the required waste management infrastructure to minimise the generation of un-segregated domestic waste and maximise the potential for segregating and recycling domestic waste fractions.

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

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

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

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

#### Conclusions

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

- Construction Management Plan**  
Prepared by: Waterman Moylan Consulting Engineers Limited  
Report Date: March 2022

#### Conclusions

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

### 3.7.9 Directive 2012/27/EU on energy efficiency

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

#### Summary of Relevance

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

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

#### Other relevant assessments of the effects on the environment

##### 1. Residential Energy Statement

Prepared by: Ethos Engineering  
Report Date: March 2022

##### 2. Energy Statement - Commercial

Prepared by: Ethos Engineering  
Report Date: March 2022

#### Conclusions

A Residential Energy Statement and an Energy Statement - Commercial has been prepared for the Proposed Development which sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs throughout the building lifecycle.

It is considered that the Proposed Development will make a positive contribution towards 2030 energy efficiency and climate goals.



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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

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

#### Conclusions

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

- |    |  |
|----|--|
| 1. | <p><b>Residential Energy Statement</b><br/>Prepared by: Ethos Engineering<br/>Report Date: March 2022</p>  |
| 2. | <p><b>Energy Statement - Commercial</b><br/>Prepared by: Ethos Engineering<br/>Report Date: March 2022</p> |

#### Conclusions

A Residential Energy Statement and an Energy Statement - Commercial has been prepared for the Proposed Development which sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs throughout the building lifecycle. It is considered that the Proposed Development will make a positive contribution towards 2030 energy efficiency and climate goals.

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

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

**Summary of Relevance**

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

**Other relevant assessments of the effects on the environment**

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

**Conclusions**

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

##### 1. Residential Energy Statement

Prepared by: Ethos Engineering  
Report Date: March 2022

##### 2. Energy Statement - Commercial

Prepared by: Ethos Engineering  
Report Date: March 2022

#### Conclusions

The Residential Energy Statement and Energy Statement - Commercial outline a number of renewable technologies which will be employed by the Proposed Development including; Exhaust Air Heat Pumps (EAHP), Combined Heat and Power (CHP), Air Source Heat Pumps (ASHP) and Solar PV. The use of Air to Water Heat offer the benefit of reducing fossil fuel consumption and carbon emissions to the environment. Although a certain amount of electricity is used to power an air to water heat pump, the high efficiencies of such system means they are classed as a renewable heating source and running costs can typically be up to one third of a conventional heating system.

Therefore, it is considered that the Proposed Development will make a positive contribution towards the increased use of energy from renewable sources.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

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

#### Conclusions

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Other relevant assessments of the effects on the environment

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

#### Conclusions

Not relevant to the Proposed Development.

## 4 CONCLUSIONS

This Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended, indicates how the available results of all relevant assessments of the effects on the environment carried out pursuant to relevant European Legislation have been taken into account in concluding that an the proposed Development is not likely to have significant effects on the environment. This Statement, in conjunction with the EIA Screening, has determined that, based on best scientific knowledge, the Proposed Development will not result in significant effects on the environment and, as such, an Environmental Impact Assessment is not required.