

Environmental Impact Assessment Screening Report

for proposed

Beatty's Avenue to Herbert Park Rapid Deployment Scheme

by

CAAS Ltd

for the

**Dublin City Council - Active Travel programme
Office**



Comhairle Cathrach
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1 Introduction

CAAS Ltd. has been appointed by Dublin City Council - Active Travel programme Office to prepare this Environmental Impact Assessment Screening Report for the proposed Beatty's Avenue to Herbert Park Rapid Deployment Scheme (the proposed scheme). This report has been prepared to form an opinion as to whether or not the proposed scheme should be subject to Environmental Impact Assessment (EIA) and if so, whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

The screening assesses the proposed scheme with reference to the EIA legislation including the EIA Directive, and Planning and Development legislation¹. It also has regard to relevant parts of:

- *Guidance for EIA and AA screening of active travel projects funded by the NTA*, National Transport Authority, 2023
- *OPR Practice Note PN02 Environmental Impact Assessment Screening*, 2021, Office of the Planning Regulator
- *EIA Guidance for Consent Authorities regarding sub-threshold development*, 2003, Department of the Environment, Heritage and Local Government
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, 2018, Department of Housing, Planning and Local Government
- relevant EU Guidance including *Interpretation of definitions of project categories of annex I and II of the EIA Directive*, 2015, EU and *Environmental Impact Assessment of Projects - Guidance on Screening*, 2017, EU.

The first step involves a review of the characteristics of the scheme to find out if it corresponds to any type (class) which is subject to the EIA requirements as set out in the legislation. If it does correspond to any such type then the second step is to carry out a 'preliminary examination' to establish the likelihood of significant effects on the environment arising from the proposed scheme. The outcome of the preliminary examination determines the subsequent steps of the screening process which may involve sub-threshold project considerations and review against prescribed criteria for determining whether the scheme should be subject to EIA or not.

If it is required, the consideration of potential effects covers all significant direct, indirect and secondary effects as relevant, with reference to the guidance and in compliance with the legislation. Where used, descriptions of effects follow the statutory *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2022. For ease of reference, these standardised descriptions are reproduced in Appendix I of this report.

The information on the proposed scheme, as used for purposes of this report, including a written description, was provided by Dublin City Council - Active Travel programme Office.

The following sections of this report cover:

- The proposed scheme (s2)

¹ see section 3 for details

- The legislative basis for EIA (s3)
- Project type (s4)
- Sub-threshold development (s5)
- Preliminary examination (s6)
- Schedule 7 screening (s7)
- Conclusion (s8)

An overview of the author's competency is provided in Appendix IV.

2 The proposed scheme

2.1 Overview of the scheme

The proposed scheme is to provide for a cycle route between Beatty's Avenue and Herbert Park. The proposed route is approximately 500 m in length and will mainly involve conversion of an existing vehicular traffic lane into a two-way cycle lane, creation of pedestrian priority zones and a toucan crossing of Merrion Road. The route is currently used and operated as a roadway. It will continue to be operated and maintained as a public transport route in an urban area.

2.2 Project Details

The scheme proposals consist of the following:

- The scheme commences at the junction of Herbert Cottages tying into the existing facility that runs adjacent to the River Dodder to the north
- A mixed street treatment is proposed for the length of Beatty's Avenue
- At Ballsbridge, a pedestrian priority zone is proposed either side of the junction with a toucan crossing to facilitate pedestrian and cycle movements north / south
- The toucan crossing matches the design intent of the Belfield / Blackrock to City Centre BusConnects Core Bus Corridor Scheme.
- The existing kerb lines either side of Anglesea Road are to be retained, with a 2-way protected cycle track proposed on the west side. It is proposed to remove one left hand turn lane and existing parking along Anglesea Road to facilitate.
- A pedestrian priority zone is proposed to facilitate an existing bus stop.
- The 2-way protected cycle lane continues to Herbert Park Lane where a raised table is proposed
- All existing boundaries along the scheme are to be retained
- Existing trees / vegetation along the route will be retained.

The scheme extent is approximately 0.79 hectares (ha).

The proposals are illustrated in Figures 1 to 4.

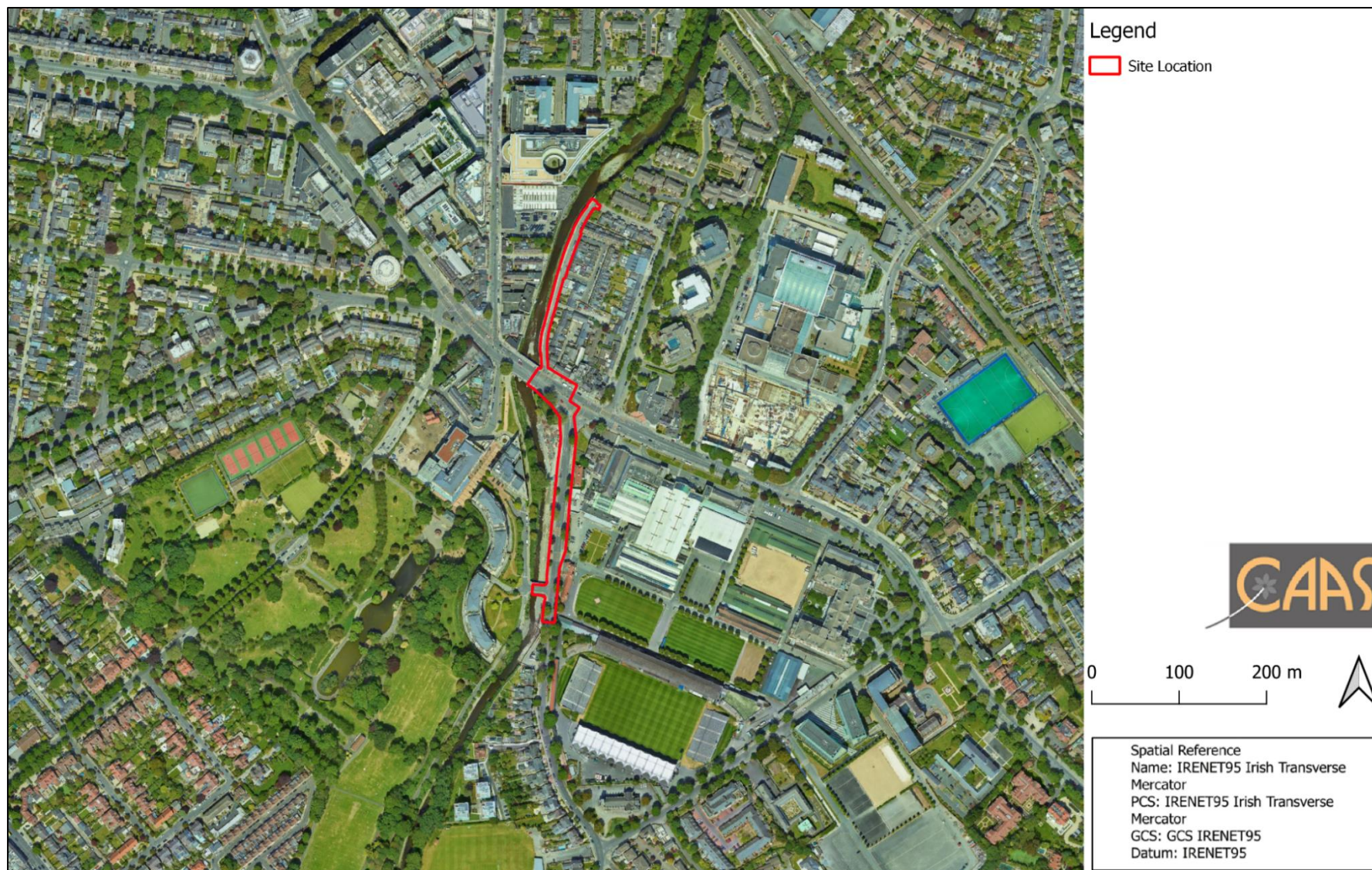
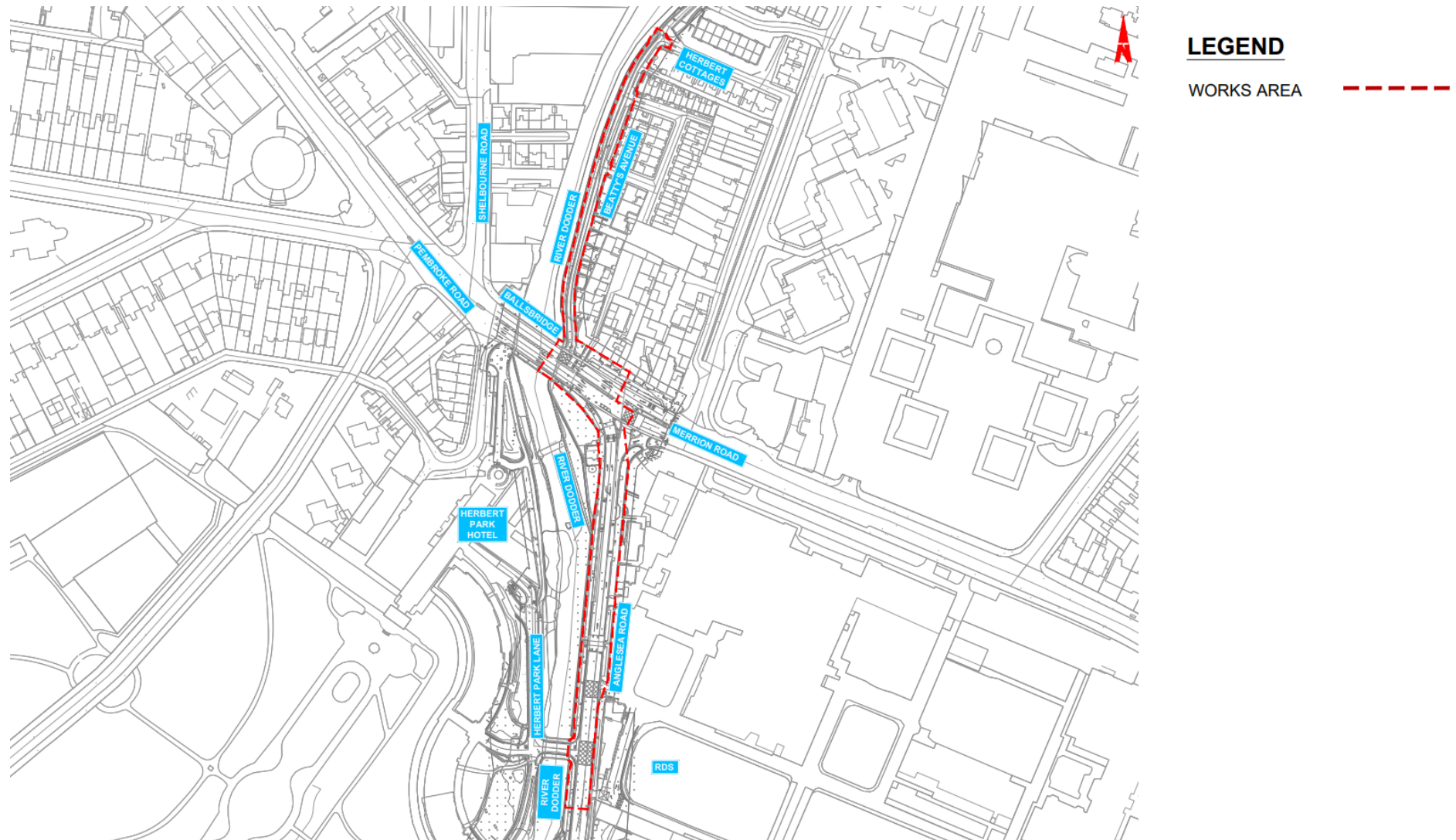


Figure 1 Location of the proposed scheme

Source: Google maps (site boundary is approximate)



SHEET 1 OF 6

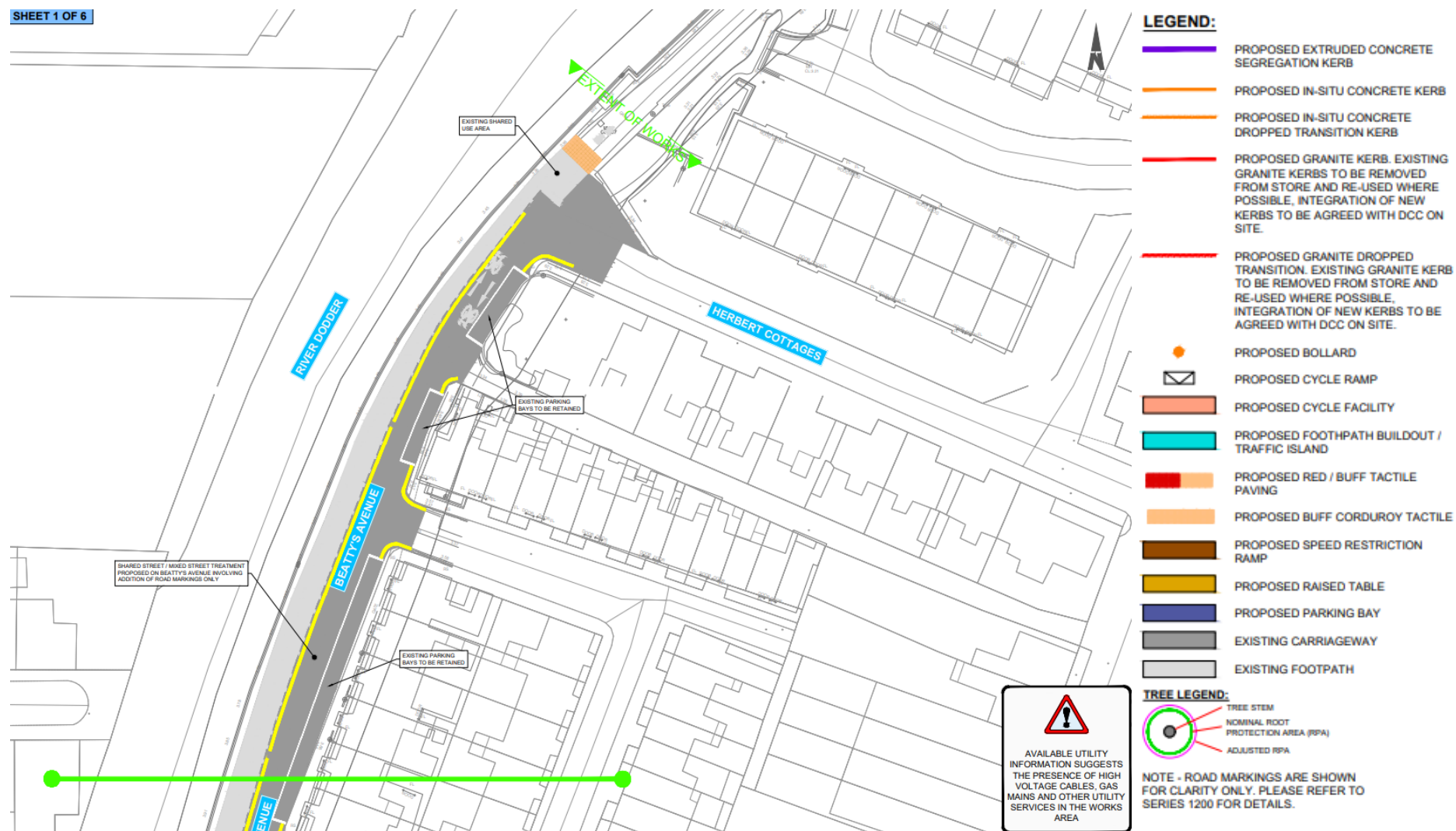


Figure 2 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 1/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

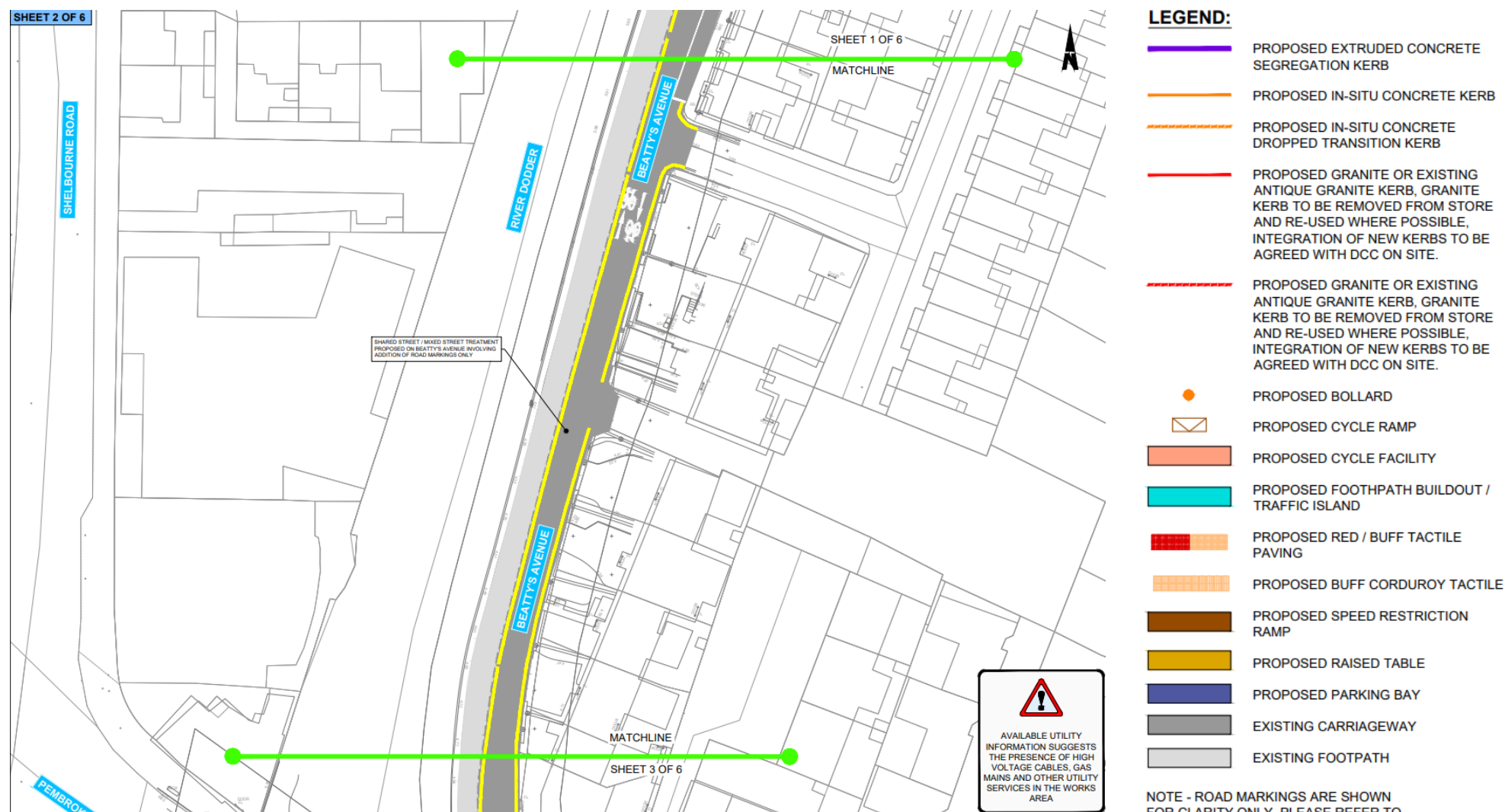


Figure 3 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 2/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

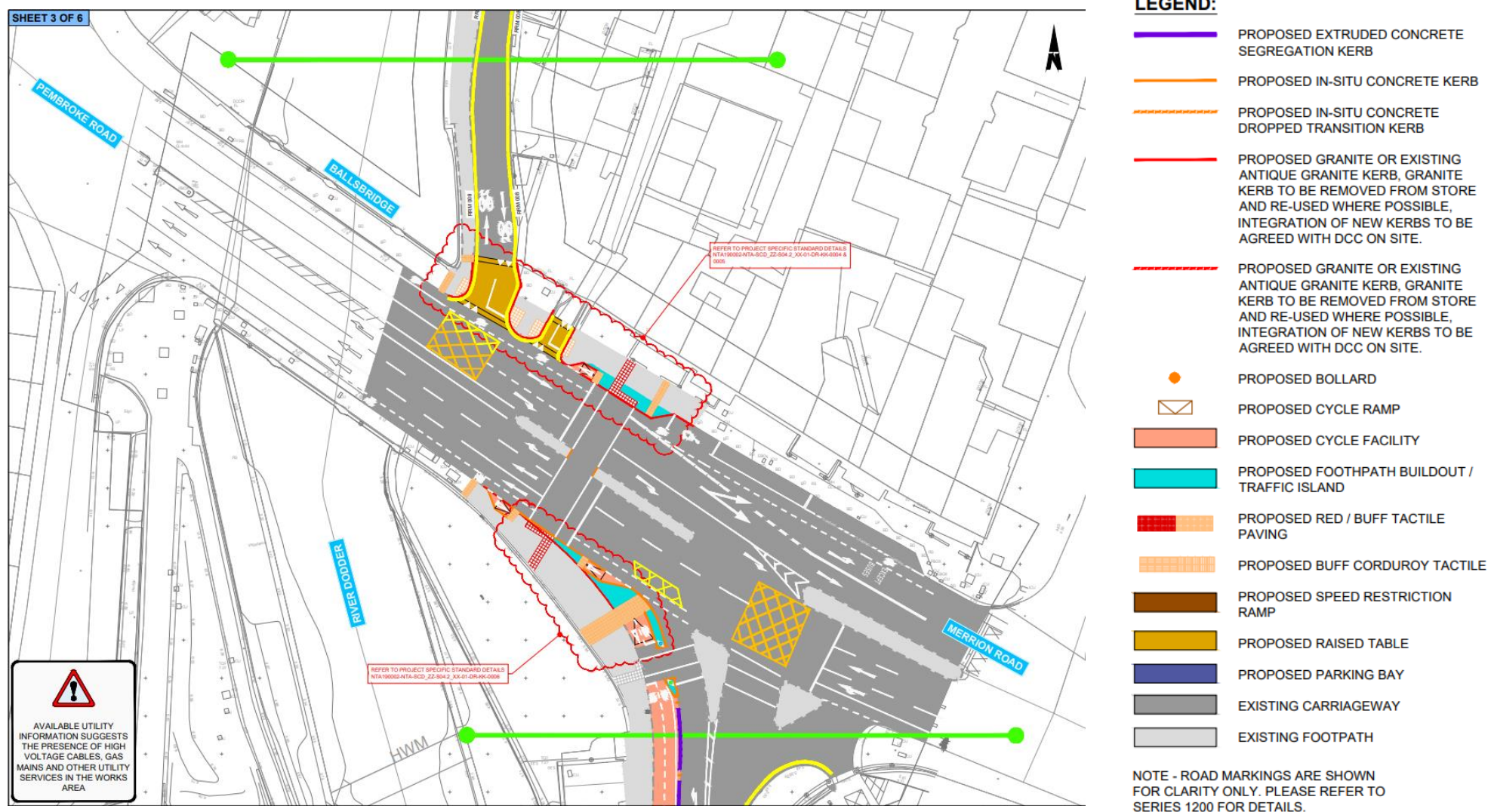


Figure 4 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 3/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

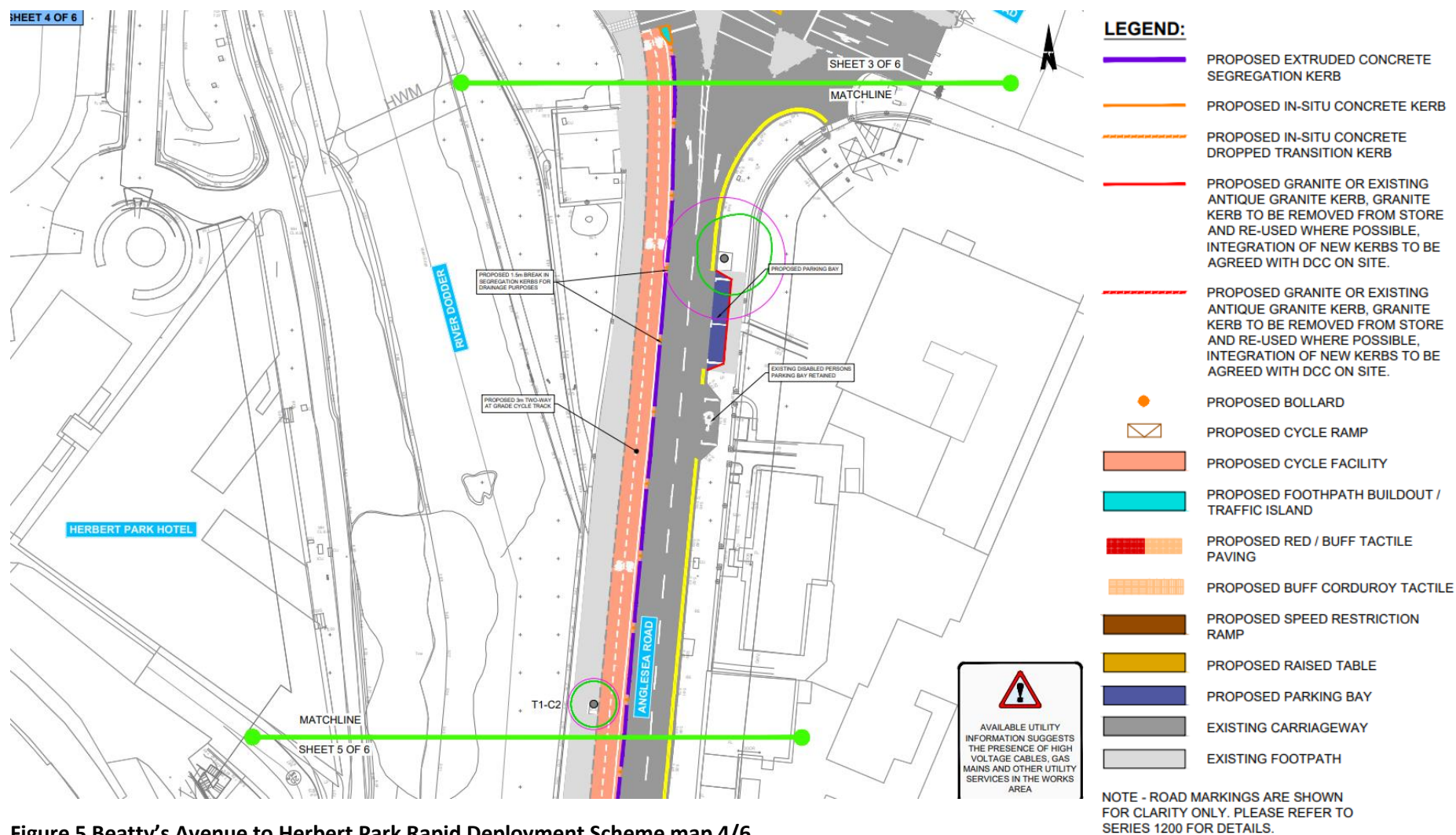


Figure 5 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 4/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

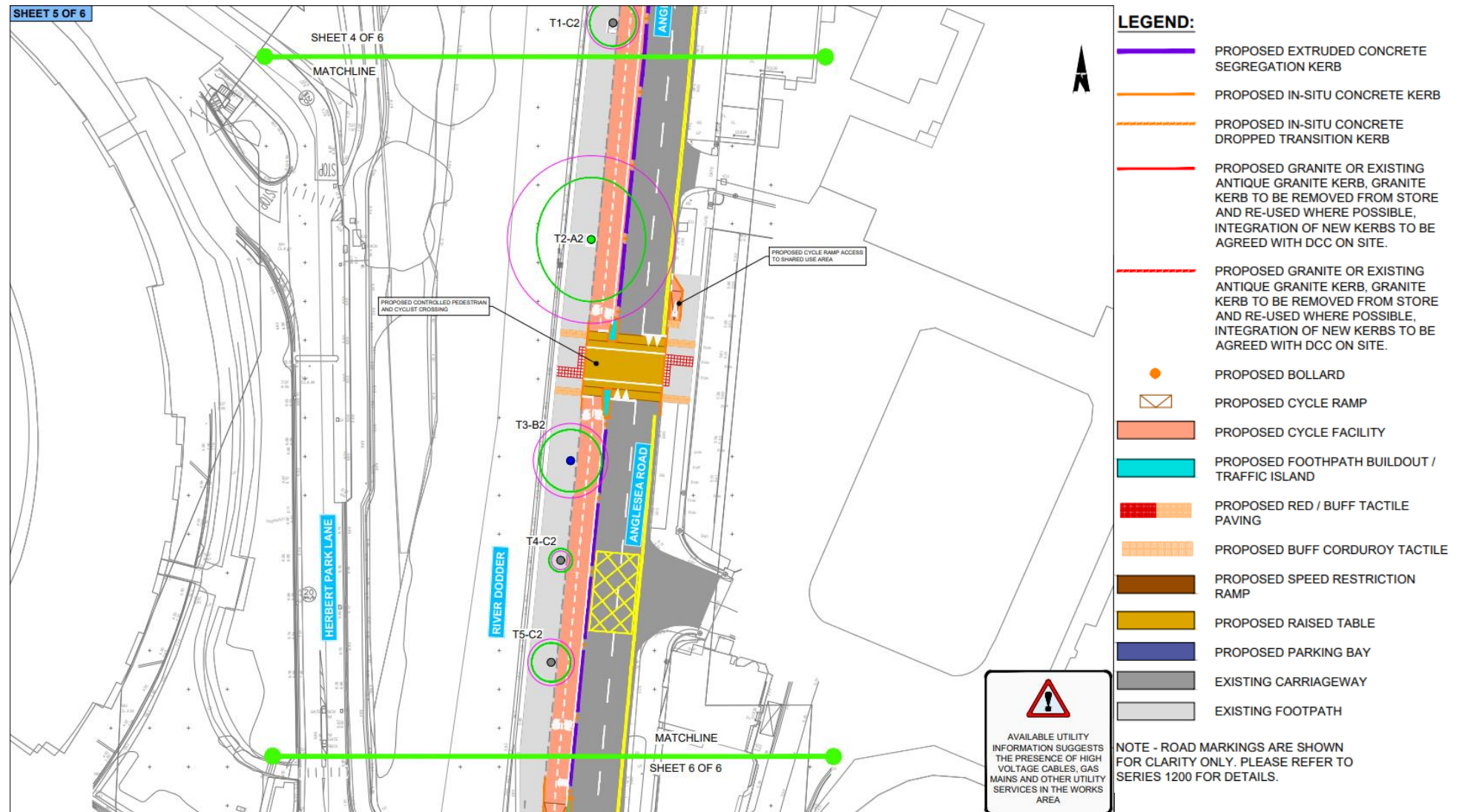


Figure 6 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 5/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

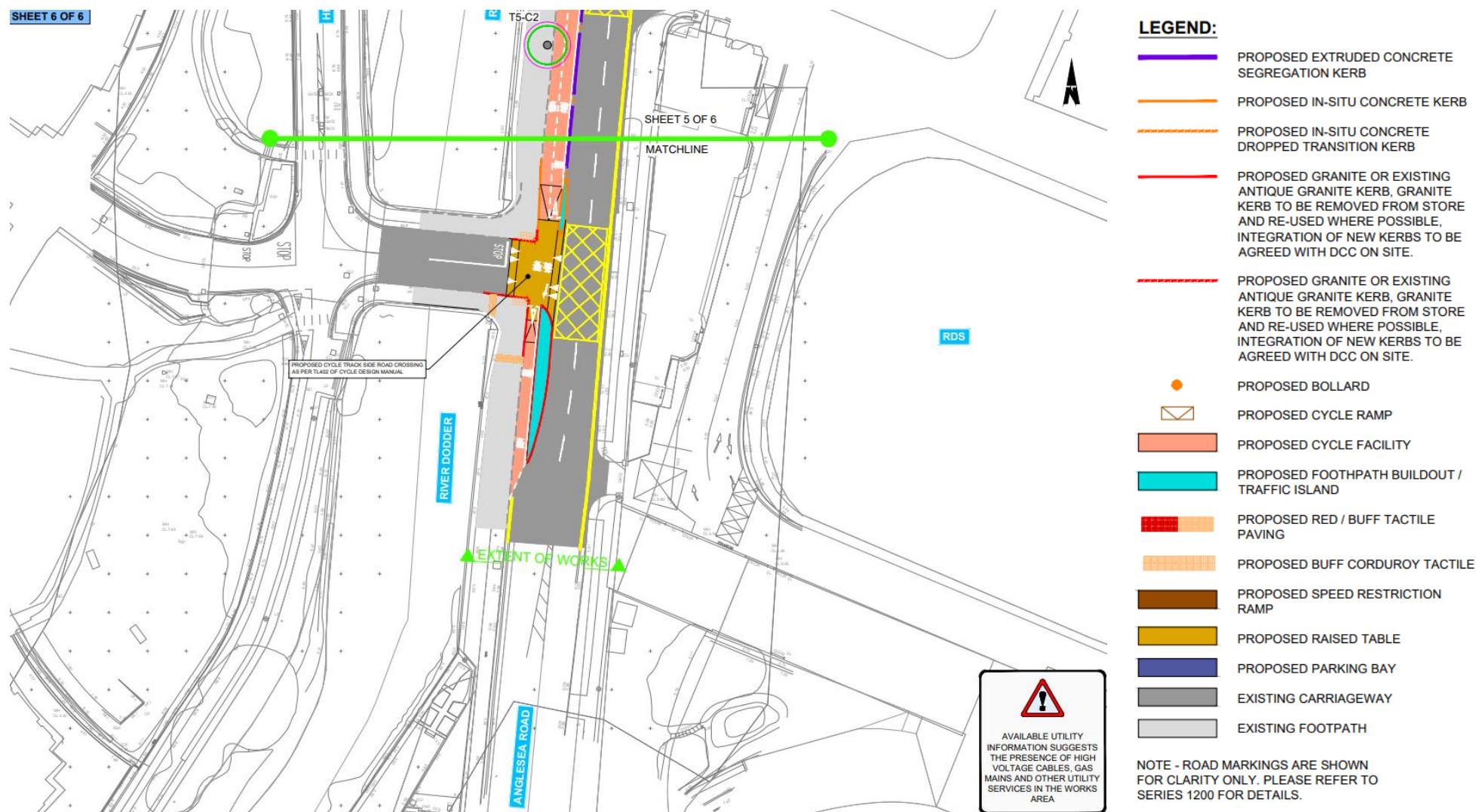


Figure 7 Beatty's Avenue to Herbert Park Rapid Deployment Scheme map 6/6

Source: Cycling Design Office. Full scaled version of the drawing is available separately

3 Legislative basis for EIA

EIA requirements derive from EU Directive 2011/92/EU (as amended by Directive 2014/52/EU) on the assessment of the effects of certain public and private projects on the environment. The Directive has been transposed into various Irish legislation of which the following is the most relevant to this scheme.

- The Planning and Development Acts 2000-2020 (Part X), as amended by, *inter alia*, the:
 - Planning and Development Regulations 2001 (S.I. 600/2001)
 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018) (S.I. 296/2018)

Part 1 of Schedule 5 of these regulations lists projects included in Annex I of the Directive which automatically require EIA.

For projects included in Annex II of the Directive, Part 2 of Schedule 5 provides thresholds above which EIA is required.

In addition to consideration of the above and for the purposes of a thorough screening process, this report also considers potentially relevant requirements arising from other legislative codes, specifically: -

- The Roads Act 1993, as amended, *inter alia*, by the:
 - Roads Regulations, 1994 (S.I. 119/1994)
 - the European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations, 2019 (S.I. 279/2019)

Section 50 of this Act specifies types of roads projects that automatically require EIA. These are generally large-scale projects such as new or realigned roads of four lanes or more, new bridges or tunnels that are likely to have significant effects on the environment. It also sets out criteria for determining whether or not other roads projects should be subject to EIA.

4 Project type

In the first instance it is necessary to determine whether the project is of a type that requires EIA.

The project types specified for purposes of EIA in the Planning and Development legislation refer to *developments* and construction of *roads*. The proposed scheme does not involve road construction. 'Development' is defined in Section 3 (1)(a) of the Planning and Development Act, 2000 mainly as 'the carrying out of any works in, on, over or under land or the making of any material change in the use of any land or structures situated on land'. The proposed scheme involves the carrying out of works including the installation of lane separation kerbing, changes to road surface markings and signage and creation of a toucan crossing. These works can be considered to be minor and will not generally cause any material change in use of the roadway. They will also not change of the character or type of use to any material extent. On this basis it is considered by the Planning Authority that the proposed scheme constitutes 'development' within the meaning of the Planning

and Development Act. Thus, it is considered appropriate to consider the relevance of the types of 'development' that are specified as project types for purposes of EIA.

S50 (1) (b) to (d) of the Roads Act of 1993, as amended, includes reference to road developments 'consisting of the construction of a proposed public road or the improvement of an existing public road' (underlined for emphasis). This can be taken to apply to a scheme of this nature.

Potentially relevant project types prescribed for EIA purposes in the Planning and Development and Roads legislation are listed in the table below, with commentaries of their applicability to the proposed scheme.

Project type / criteria	Comment	Is EIA required on this basis?
Planning and Development legislation S.I. 600/2001, Schedule 5, Pt 2		
Project type 10. <i>Infrastructure projects (b) (iv)</i>		
<p><i>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.</i></p> <p><i>(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)</i></p>	<p>Commission guidance² lists a range of projects, stating that these or other projects with similar characteristics can be considered to be 'urban development'. These include:</p> <ul style="list-style-type: none"> • Shopping centres • Bus garages • Train depots • Hospitals • Universities • Sports stadiums • Cinemas • Theatres • Concert halls • Other cultural centres • Sewerage or water supply networks 	No

² Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015, EU

Project type / criteria	Comment	Is EIA required on this basis?
	<p>The proposed project does not correspond to or have similar characteristics to any of the above listed projects.</p> <p>The judgement of the High Court in the case of <i>Carvill & Flynn v Dublin City Council & Ors.</i> [2021] IEHC 544 took a broad interpretation of the 'urban development' project type. In that case the Court considered a proposed cycle path to correspond to the urban 'development' project type and thus to fall within the provisions of the Directive as implemented in domestic law.</p> <p>Following the EU guidance alone, the proposed scheme could be considered as not falling into the urban development project type, however, taking account of IEHC 544 it is considered that it could be taken to do so.</p> <p>Out of an abundance of caution, for the purposes of a robust screening assessment, the scheme is taken to correspond to fall into the 'urban development' project type.</p> <p>This approach follows the recent guidance documents by the NTA³ and the OPR⁴ on EIA Screening, the latter of which says that "an urban development project should be seen as a project that is urban in nature regardless of its location" and that "commonly understood urban developments... would include public realm improvement schemes many of which would be subject to the Part 8 process if EIA is not required."</p> <p>The scheme is in an urban area where the 10 ha threshold would apply. It is not in a business district. At approximately 0.79 ha the area of the proposed scheme is equivalent to approximately 7.7% of this threshold.</p> <p>Taking account of the IEHC 544 judgement, it may be considered that this scheme falls into the 'urban development' project type (type 10(b)(iv)). Its area,</p>	

³ NTA Guidance for EIA and AA Screening

⁴ OPR Practice Note PN02 Environmental Impact Assessment Screening, 2021, Office of the Planning Regulator

Project type / criteria	Comment	Is EIA required on this basis?
	at approximately 0.79 ha, is far below the applicable threshold. It may on this basis be considered to fall into the project type but to be 'sub-threshold' (ref. s5 below).	
<i>dd) All private roads which would exceed 2000 metres in length</i>	The proposed scheme is not a private road.	No
Roads legislation <i>Section 50 of the Roads Act, 1993, as amended by, inter alia, the European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations 2019 (SI 279/2019) requires that: -</i>		
<i>(1) (a) A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:</i>		
<i>(i) the construction of a motorway</i>	The proposed scheme does not provide for construction of a motorway	No
<i>(ii) the construction of a busway</i>	The proposed scheme does not include construction of a busway.	No
<i>(iii) the construction of a service area</i>	The proposed scheme does not include construction of a service area.	No
<i>(iv) any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road</i>		
<i>The prescribed types as referred to in (iv) above are given in section 8 of S.I. 119/1994 as:</i>		

Project type / criteria	Comment	Is EIA required on this basis?
<i>(a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area</i>	The proposed scheme does not include construction, realignment or widening of a road to provide for four or more lanes.	No
<i>(b) the construction of a new bridge or tunnel which would be 100 metres or more in length.</i>	The proposed scheme does not include construction of any bridge or tunnel.	No
<i>S50 (1) (b) to (d) of the Roads Act of 1993, as amended, require that any road development or road improvement project which would be likely to have significant effects on the environment, including projects located on ecologically protected sites, shall be subject to EIA.</i>	It is required to review the proposed scheme in order to determine whether or not it is likely to have significant effects on the environment.	Uncertain (Ref. sections 5 - 8 below)

The above review against the potentially relevant classes shows that the proposed development may be taken to correspond to project type 10(b)(iv) as listed in Part 2 of Schedule 5.

It is also considered to correspond to S50(1)(b) to (d) of the Roads Act of 1993.

5 Sub-threshold development

Article 92 of the Regulations of 2001, as amended define 'sub-threshold development' as:

development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development.

As stated in s4, the proposed scheme may be considered to correspond to project type (10(b)(iv) 'urban development' (as contained in Part 2 of Schedule 5). As it is below the given area threshold for this project type, it may be considered to comprise 'sub-threshold development'.

The Roads Act, 1993 (as amended) does not refer to sub-threshold development *per se*. However, as noted in the above table, s50(1)(b) to (d) of the Act requires that any road development or road improvement project which would be likely to have significant effects on the environment shall be subject to EIA. Any road development or road improvement project that does not fall into any of the specific types listed in s50 must thus be examined to establish if it is likely to cause significant environmental effects. This is essentially the same requirement that applies to sub-threshold projects under the Planning and Development legislation.

6 Preliminary Examination

Article 120(1)(a) of the Planning and Development Regulations 2001 as amended, requires that prior to screening a project for EIA: -

Where a local authority proposes to carry out a sub-threshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

This is done to form a preliminary view on the likelihood of significant effects arising in order to determine if EIA is required, is not required or if screening against Schedule 7 criteria is required.

Because the proposed development is a sub-threshold development, a preliminary examination has been undertaken for it.

During construction, the proposed scheme can be expected to affect pedestrian, cycle and vehicular traffic and to cause temporary noise, dust and visual effects. During operation it will affect pedestrian, cycle and vehicular traffic and have potential to cause visual, noise and air quality effects. These effects have potential to affect residential and amenity receptors on and adjacent to the scheme area. On preliminary examination it can be considered that there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed scheme. Thus, in accordance with Article 120(b)(ii) of the Regulations of 2001 as amended, it is required to screen the proposal against the criteria set out in Schedule 7 of the Regulations of 2001 (as amended) to form an opinion as to whether or not the proposed scheme should be subject to Environmental Impact Assessment (EIA). This screening is provided in s7 of this report.

7 Schedule 7 Screening

Schedule 7 sets out criteria for determining if a sub-threshold development should be subject to EIA under these three headings:

1. Characteristics of the proposed development
2. Location of the proposed development
3. Types and characteristics of potential impacts

The criteria are listed in the table below. The comments provided in relation to the category 1 and 2 criteria are factual and do not comment on the types or characteristics of impacts. In keeping with the intent of Schedule 7, commentary on effects is provided in response to the items covered by category 3 (the third part of the table below). All comments, particularly regarding 'significance', are

made in the context of the Directive and guidance. The review against the Schedule 7 criteria takes account of the environmental factors set out in Schedule 6, paragraph 2(d) of the Planning and Development Regulations 2001 as amended by the 2018 Regulations, as relevant.

Schedule 7A of the Planning and Development Regulations 2001 as amended by the 2018 Regulations, sets out '*Information to be provided by the Applicant or Developer for the Purposes of Screening Sub-threshold Development for Environmental Impact Assessment*', as follows:

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, and*
 - (b) *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, on 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 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.*

Regard is had in this report to the criteria set out in Schedule 7 for determining whether this sub-threshold development should be subject to EIA and to the information required by Schedule 7A for the purposes of screening sub-threshold development for EIA as set out in the commentary provided in and below the table which follows.

Schedule 7 Criteria	Commentary
1. Characteristics of Proposed Development The characteristics of proposed development, in particular:	
(a) the size and design of the whole of the proposed development	The project is approx. 0.79 ha in area.
(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 Act and/or development the	The proposed development will increase the level of development adjacent to the banks of the Dodder River when considered together with other developments in the vicinity including the existing foot path and road.

subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment	<p>There are numerous existing developments of a wide range of types along and in the vicinity of the route, as typical for a busy urban roadway.</p> <p>At time of preparation of this report, Rapid Deployment Schemes for the provision of shared cycling and pedestrian routes along six separate sections of the Dodder are being progressed by Dublin City, Dun Laoghaire Rathdown County and South Dublin County Councils. The closest of these schemes to the subject scheme run from Fitzwilliam Qy to Londonbridge Rd and from Donnybrook Rd to Clonskeagh Rd. The closest points of these schemes are approximately 0.9 km upstream and downstream of the subject scheme respectively.</p> <p>Another scheme further upstream and wholly in the administrative area of South Dublin County Council is partly completed and partly under construction. This was granted a Part VIII consent in 2017.</p> <p>Each of these other schemes is, or has been, subject to separate EIA screening processes and none has been found to be required to be subject to EIA. All of the schemes referred to are shown on the Active Travel Network Map which can be viewed online at https://www.dublincity.ie/residential/transportation/active-travel/about-active-travel/interactive-maps-gis</p> <p>The Network includes the Belfield / Blackrock to Merrion BusConnects scheme, which was subject to an EIA process and has been granted permission by An Bord Pleanála.</p> <p>There are also numerous other proposed developments in the vicinity of the scheme which are currently at planning consent stage or have been permitted but are not yet built. Appendices III and IV provide further information on these.</p>
(c) the nature of any associated demolition works	No demolition works are required.
(d) the use of natural resources, in particular land, soil, water and biodiversity	No significant natural resources will be used.
(e) the production of waste,	Waste generated during construction and operation can be anticipated to be typical for a small scale works project. No significant waste streams will be generated during the construction or operation of the scheme.

(f) pollution and nuisances,	<p>During construction, the proposal is likely to generate localised and short-term noise, dust and minor traffic. Restrictions in availability of footpaths, cycle tracks, carriageways and parking spaces during construction can be anticipated to have potential to cause nuisance to users.</p> <p>After construction, the proposed changes can be expected to have limited potential to cause significant pollution effects. They can be anticipated to have potential to cause nuisance to some users through, for example, changes in parking spaces, and to have a potential to reduce nuisance to other users, particularly pedestrians and cyclists.</p>
(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	<p>The proposal is likely to have a calming effect on traffic along the route, provide improved, separated facilities for cyclists and reduce the risk of major accidents, and/or disasters in the area.</p> <p>Risk of flooding is not likely to be affected by the scheme.</p>
<p>2.Location of proposed development</p> <p>The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—</p>	
(a) the existing and approved land use	The land-uses of the surrounding area are mainly residential, commercial (retail) and amenity and community/social infrastructure (the RDS).
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	The route is located along the Dodder River.
(c) the absorption capacity of the natural environment, paying particular attention to the following areas:	

(i) wetlands, riparian areas, river mouths	The proposed development is located along the banks of the Dodder River, which is an important riparian ecological corridor through the south of the City.
(ii) coastal zones and the marine environment	-
(iii) mountain and forest areas	-
(iv) nature reserves and parks	The scheme is in close proximity to Herbert Park.
(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive	<p>All Natura 2000 sites within 15 km of the scheme area are listed and considered in the accompanying AASR. The nearest of these are:</p> <ul style="list-style-type: none"> • South Dublin Bay SAC (000210) which is 1.16 km from the site • South Dublin Bay and River Tolka Estuary SPA (004024) which is 1.20 km from the site.
(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	Beatty's Avenue is a residential street. The wider environs are generally low density residential.
(viii) landscapes and sites of historical, cultural or archaeological significance	<p>There are no designated landscapes or views however, the visual amenity of the route can generally be considered to be of significant value.</p> <p>Ball's Bridge which is located withing the scheme area is listed on the National Inventory of Architectural Heritage where it is scheduled for inclusion in the next revision of the Record of Monuments and Places. The RDS which is located adjacent to the scheme is included in Dublin City Council's list of Protected Structures.</p>

<p>3. Types and characteristics of potential impacts</p> <p>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 Act, taking into account—</p>	
<p>(a) the magnitude and spatial extent of the impact (for example, geographical area and size of the population likely to be affected)</p>	<p>The proposed scheme will directly affect approximately 0.5 km of roadway.</p>
<p>(b) the nature of the impact</p>	<p>Implementation of the proposed scheme will be undertaken on existing built surfaces.</p> <p>The level of potential noise, dust and surface water effects during construction can be expected to be within the normal range of such effects that would be expected during maintenance works for roads and traffic management. It can be reasonably anticipated that with application of normal construction environmental management techniques, these temporary effects will be within appropriate standards and can be characterised as imperceptible to slight in significance.</p> <p>Temporary effects on landscape during construction are also likely to be similar to those arising from routine road maintenance works and are likely to range from imperceptible to slight.</p> <p>During construction, localised changes in availability of footpaths, cycle tracks and vehicular carriageways can be expected to cause temporary effects on access and amenity. It can be reasonably anticipated that such effects will be effectively managed by standard construction traffic management planning and that these effects will be imperceptible to slight.</p>

No trees will need to be felled to facilitate the construction of the scheme.

Pedestrian and cyclist facilities will be improved by the proposed scheme.

Effects on traffic are addressed in detail in the accompanying Transport Statement (Aecom, January 2023). The findings of this report include, in summary -

- The scheme will affect vehicular capacity during the morning peak hour while the evening peak will continue to operate within capacity.
- It is noted that the standard *Design Manual for Urban Roads and Streets*, May 2019, states that junctions will have to operate at saturation levels for short periods where high pedestrian / cycle demand exists. Taking account of this it is concluded that the scheme will not have a detrimental impact upon the operation of the existing Anglesea Road / Merrion Road junction.
- The proposals will provide a significant improvement to pedestrian and cycle permeability including new infrastructure to enhance safety and journey times for vulnerable modes.

The net effect on traffic can be anticipated to be not significant within the meaning of the Directive.

Standard construction management measures can be anticipated to effectively manage potential effects on the Dodder and its ecological corridor such that any effects can be anticipated to be imperceptible to insignificant.

Effects on the ecological corridors of the Dodder can be anticipated to be imperceptible to insignificant. There are no significant pathways to the former and standard construction management measures will manage potential effects on the latter.

Pedestrian and cycling infrastructure will be improved by the proposed scheme.

As the proposed scheme is generally for upgrading of a route which is already used by cyclists, it may encourage a number of vehicular users to choose cycling but is not likely to significantly increase the number of road users overall.

Research shows that the development of new cycling infrastructure or the upgrade of existing infrastructure is likely to lead to an increase of 8% to 14% in the level of cycling participation. This level of increase can be reasonably taken to be insignificant for purposes

	<p>of EIA screening because it is unlikely to give rise to any significant environmental effects.</p> <p>Once completed, the overall permanent effects of the proposed scheme during operation can be expected to be largely positive and generally insignificant within the meaning of the Directive.</p>
(c) the transboundary nature of the impact	-
(d) the intensity and complexity of the impact	<p>Construction impacts will be temporary, of low to slight intensity and will not be complex.</p> <p>Operational effects can be expected to be permanent and imperceptible to insignificant.</p>
(e) the probability of the impact	The effects outlined at (b) above are likely to occur.
(f) the expected onset, duration, frequency and reversibility of the impact	Construction phase impacts will commence at start of construction, be of varying frequency and can be anticipated to be insignificant to slight and temporary to short-term. Overall operational effects will be permanent and imperceptible to insignificant.

(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 Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment.

As noted at 1(b) above, there are numerous other existing, permitted and proposed projects in the vicinity, as listed in Appendices III and V. These include other existing and proposed Active Travel and BusConnects schemes. A map showing these travel schemes is available here:

<https://www.dublincity.ie/residential/transportation/active-travel/about-active-travel/interactive-maps-gis>

The proposed scheme will be complementary to these other active travel schemes and will tie in to the wider network, thus supporting a fully connected Active Travel Network in the area and thereby contributing to the objectives of the Greater Dublin Area Transport Strategy as well as to the policies and objectives set out in the Dublin City Development Plan 2022-2028.

This Network includes the Dodder Greenway route along which the subject proposal lies. The Network has been incorporated into the NTA Greater Dublin Area Transport Strategy 2022-2042 (approved in January 2023). All projects and routes in the Network and Strategy are subject to applicable requirements of the EIA legislation including screening and, where required, full EIA. Both the Network and Strategy have been subject to Strategic Environmental Assessment (SEA). These assessments have considered the environmental effects of the wider network of cycle routes and other transportation proposals, including cumulative effects, in full compliance with the SEA Directive and transposing legislation.

Other schemes along the Dodder Greenway route are under development by Dublin City Council, Dun Laoghaire Rathdown County Council and South Dublin County Council. These schemes are not contiguous with the subject scheme.

The subject scheme is not functionality dependent on any of the other schemes and could operate effectively if they were not delivered. Because of this it is not required to consider any of the other schemes as part of the 'whole'⁵ subject development for EIA screening purposes as might be required if one scheme was integral to the others. Exclusion of the other schemes for EIA screening purposes is not *project splitting*⁶ because the other schemes are not excluded in order to circumvent compliance with the requirements of the EIA Directive.

A scheme running along the upstream sections of the Dodder which was previously approved by South Dublin County Council (in 2017) is under construction (at time of preparation of this report).

Cumulative effects arising from the anticipated increase in use of the scheme route by cyclists and pedestrians have been considered under Schedule 7 criteria 3 (b), (d), (e) and (f) above, where it is

	<p>found that they will not be significant within the meaning of the EIA Directive.</p> <p>On the basis of its nature and scale, when considered together with other existing and/or permitted development, also taking account of known proposed developments, activities and adopted plans as discussed above, the subject proposal has negligible potential to cause or contribute to significant cumulative effects within the meaning of the Directive.</p>
(h) the possibility of effectively reducing the impact	<p>A high level of aesthetic design is anticipated to ensure that visual impact is effectively minimised.</p> <p>It can be reasonably anticipated that any effects on traffic and parking will be effectively managed as part of the normal functions of the Council including measures indicated in the accompanying Transport Statement.</p> <p>Construction effects will be managed so as to be within appropriate standards by adherence to standard protocols.</p>

Based on review against the Schedule 7 criteria, the environmental effects of the proposed project can be anticipated to be imperceptible to slight during the temporary construction phase and imperceptible to insignificant and permanent during operation. These effects are not likely to be significant within the meaning of the Directive.

Article 120 of the Regulations of 2001, as amended, states that the Schedule 7A information:

- a) 'shall be accompanied by any further relevant information on the characteristics of the proposed development and its likely significant effects on the environment, including, where relevant, information on 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' and
- b) 'may be accompanied by a description of the features, if any, of the proposed development and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the development.'

A review of other relevant assessments is contained in Appendix II. This shows that none of the findings of these assessments affect the Schedule 7 screening considerations for this proposal.

⁵ Directive 2014/52/EU introduced requirement for EIA to address 'whole' projects. This is taken to include elements that are integral to the functioning or operation of the project even where consent is not being sought for those elements.

⁶ Dividing a project into separate parts so that each part is below an applicable EIA screening threshold.

In relation to (b), key measures associated with the proposal are referred to at the final row (h) of the table above.

8 Conclusions

It is considered that the Beatty's Avenue to Herbert Park Rapid Deployment Scheme does not need to be subject to Environmental Impact Assessment and no Environmental Impact Assessment Report is required for it.

This conclusion is based on an objective review of the proposed scheme, including its characteristics, location and the likelihood of it causing significant environmental effects by itself or in combination with other projects/activities. The screening has followed the relevant legislation and has had regard to the relevant guidance.

Appendix I – Standard Descriptions of Effects

(from *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, 2022, EPA)

Quality of Effects It is important to inform the non-specialist reader whether an effect is positive, negative or neutral	Positive Effects A change which improves the quality of the environment (for example, by increasing species diversity; or the improving reproductive capacity of an ecosystem, or by removing nuisances or improving amenities).
	Neutral Effects No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error.
	Negative/adverse Effects A change which reduces the quality of the environment (for example, lessening species diversity or diminishing the reproductive capacity of an ecosystem; or damaging health or property or by causing nuisance).
Describing the Significance of Effects "Significance" is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful (also see <i>Determining Significance</i> below.).	Imperceptible An effect capable of measurement but without significant consequences.
	Not significant An effect which causes noticeable ² changes in the character of the environment but without significant consequences.
	Slight Effects An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.
	Moderate Effects An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.
	Significant Effects 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 Effects An effect which obliterates sensitive characteristics
Describing the Extent and Context of Effects Context can affect the perception of significance. It is important to establish if the effect is unique or, perhaps, commonly or increasingly experienced.	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 (is it the biggest, longest effect ever?)

Describing the Probability of Effects Descriptions of effects should establish how likely it is that the predicted effects will occur – so that the CA can take a view of the balance of risk over advantage when making a decision.	Likely Effects The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented.
	Unlikely Effects The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented.
Describing the Duration and Frequency of Effects 'Duration' is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful.	Momentary Effects Effects lasting from seconds to minutes
	Brief Effects Effects lasting less than a day
	Temporary Effects Effects lasting less than a year
	Short-term Effects Effects lasting one to seven years.
	Medium-term Effects Effects lasting seven to fifteen years.
	Long-term Effects Effects lasting fifteen to sixty years.
	Permanent Effects Effects lasting over sixty years
	Reversible Effects Effects that can be undone, for example through remediation or restoration
	Frequency of Effects Describe how often the effect will occur. (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually)
Describing the Types of Effects	Indirect Effects (a.k.a. Secondary Effects) Impacts on the environment, which are not a direct result of the project, often produced away from the project site or because of a complex pathway.
	Cumulative Effects The addition of many minor or significant effects, including effects of other projects, to create larger, more significant effects.
	'Do-Nothing Effects' The environment as it would be in the future should the subject project not be carried out.
	'Worst case' Effects The effects arising from a project in the case where mitigation measures substantially fail.
	Indeterminable Effects When the full consequences of a change in the environment cannot be described.

	Irreversible Effects When the character, distinctiveness, diversity or reproductive capacity of an environment is permanently lost.
	Residual Effects The degree of environmental change that will occur after the proposed mitigation measures have taken effect.
	Synergistic Effects Where the resultant effect is of greater significance than the sum of its constituents, (e.g. combination of SOx and NOx to produce smog).

Appendix II - Relevant assessments of potential effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive

EU Legislation		Comments
Air Quality Directive	2008/50/EC	There will be no air emissions of significance from the proposed scheme during operation. Construction impacts will be local short term and insignificant. As a result, no assessment is required pursuant to this Directive.
Floods Directive	2007/60/EC	Dublin City Council confirm that no Flood Risk Assessment is required for the assessment.
Habitats and Birds Directives	92/43/EEC and 2009/147/EC	An AA Screening Report has been prepared for the proposed scheme. It finds that the proposed scheme is not likely to have any significant effect (either directly or indirectly) on any European site, either alone or in combination with other plans or projects.
Noise Directive	2002/49/EC	Construction noise will be local, short term and insignificant. No significant noise effects are likely to occur during operation of the scheme. As a result, no assessment is required pursuant to this Directive.
SEA Directive	2001/42/EC	The proposed scheme is part of the 2022 Greater Dublin Area Cycle Network which has been incorporated into the NTA Greater Dublin Area Transport Strategy 2022-2042 (approved in January 2023). Both the Network and Strategy have been subject to Strategic Environmental Assessment (SEA).
Directive on Waste and repealing certain Directives (a.k.a Waste Framework Directive)	2008/98/EC	The proposed scheme is not anticipated to be likely to generate any significant quantities of waste during construction or operation. No assessment is considered to be required pursuant to this Directive.
Water Framework Directive	2000/60/EC	The proposed scheme does not have significant potential to cause effects on the River Dodder or any other watercourses and there is no requirement for any specific assessment pursuant to this Directive.

This review of assessments of potential effects on the environment carried out pursuant to the European Legislation finds that no results arising from such assessments affect the findings of this EIA screening.

Appendix III – Planning applications and permissions⁷ in the vicinity of the proposed scheme⁸

Project Code	Description	Grant Date	Project Area (sq m)	Distance from Proposed Development (m)	Status	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
3937/23	<p>PROTECTED STRUCTURE: The development will consist of the redevelopment of the Anglesea Stand to provide a new 3 level grandstand (6,775 person capacity), a 2 level (storey) hospitality and services building (Pocket Building), a club shop and substation (overall 8,892 sq.m. [enclosed areas 3,713 sq.m., concourse areas 2,037 sq.m. with views facing onto the judging rings, External Upper and Lower Tier stand of 3,142 sq.m.]) with concrete, painted steel, metal panels, render and glass finishes to structures. The proposal will comprise:</p> <p>A) Demolition of the existing Anglesea Stand and Anglesea Terrace structure (approx. 7,716 sq.m.), 'lean-to' open fronted shed bounding Simmons Court Road (approx. 145 sq.m.) and removal of modern terrace (approx. 44 sq.m.) area surrounding the clock tower (a protected structure Ref. No. 5085);</p> <p>B) Provision of a new grandstand (7,599 sq.m.) over 3 levels, 21.3m [26.8m OD] in height (with associated floodlighting and acoustic public address within roof of new stand) with a connection (via a glazed bridge link at Level 01) to the new pocket building of (1,175 sq.m. GFA) comprising a 2 level (storey) 10.17m [16.41m OD] in height building including plant (89 sq.m.) at roof level (within a louvered cover) to the east. The roof to the new grandstand will include a zone to enable the installation of photovoltaic array. The new grandstand and pocket building will accommodate seating; security/control</p>	2023-09-14	43873.30	0.00	Permission	<p>This is a medium-scale project with a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>The consent process for this project was subject to applicable EIA and AA requirements.</p>	No

⁷ The majority of surrounding developments are minor projects with no risk of in-combination effects. A summary list is provided here of the five largest proposed schemes within the below stated parameters.

⁸ Parameters used: planning application from within the last 5 years, within a distance of 200m from the proposed scheme boundary.

Project Code	Description	Grant Date	Project Area (sq m)	Distance from Proposed Development (m)	Status	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
	<p>rooms; corridor/ circulation areas; bar/servery areas; WC facilities [including disabled & staff facilities]; stores/cold rooms; season ticket/ VIP hospitality areas; and ancillary plant/electric areas. The internal arrangement of the enclosed Level 01 area of the new grandstand and new pocket building (and ancillary areas) will be flexible to accommodate rugby, horse show and other event requirements;</p> <p>C) A single storey substation (c. 50 sq.m.) 3.6m in height [9.92m OD] located to the east of existing South Stand; and a single storey double height club shop (C. 49 (sq.m.) 6.7m in height [12.2m OD] located adjacent to existing RDS office building;</p> <p>D) Terrace areas at Level 00 and Level 01 within the new pocket building on southern façade as well as views from all levels towards parade rings from the new grandstand and new pocket building;</p> <p>E) Provision of signage zones (overall 135.5 sq.m) to north (16 sq.m) and south (115 sq.m) elevations of the new grandstand and north (2 sq.m) and east (2.5 sq.m) elevations of proposed club shop;</p> <p>F) Revised landscaping to north of the new grandstand and external areas to include the removal of trees;</p> <p>G) Revisions to surface water, drainage, attenuation, storage, telecommunication, servicing arrangements and connections including all associated site development and landscaping works;</p> <p>H) Provision of additional bicycle parking; and;</p> <p>I) All existing access arrangements and parking provision will remain as per the established layout and operation of the RDS complex.</p>						
3307/24	PROTECTED STRUCTURE: the proposed development will consist of the relocation of players' changing rooms and	2024-05-30	43873.30	0.00	Permissio n	This is a medium-scale project with a temporary construction phase and the	No

Project Code	Description	Grant Date	Project Area (sq m)	Distance from Proposed Development (m)	Status	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
	facilities from the existing Anglesea stand to the south stand, also known as the Grandstand. The proposal will comprise partial removal and replacement of the stand scaffold to allow for the insertion and construction of a single-storey structure (gross floor area 439sq.m) to accommodate home and away players' facilities, media, medical and official's facilities, ancillary plant and storage accommodation, a vomitory to access the pitch; and all associated site development works including drainage and other site services. Royal Dublin Society complex is listed as a protected structure (record of protected structure (RPS) Ref. No. 5085) however the south stand (Grandstand) is not specified in the reference. The RPS states that the remaining structures (not listed) in the complex are excluded from the RPS and are deemed not to have protected status.					operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment. The consent process for this project was subject to applicable EIA and AA requirements.	
4712/18	The development will consist in the installation of a new fire escape door and roller shutter to the rear facade.	2019-03-28	40454.10	150.39	Permissio n	This is a medium-scale project with a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment. The consent process for this project was subject to applicable EIA and AA requirements.	No
4713/18	The development will consist of the removal of the existing sculpture and base, with the reinstatement of paving at the Serpentine Avenue entrance side of AIB Bankcentre, and the removal of the existing sculpture at the Merrion Road entrance of AIB Bankcentre.	2019-03-28	40454.10	150.39	Permissio n	This is a medium-scale project with a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment. The consent process for this project was	No

Project Code	Description	Grant Date	Project Area (sq m)	Distance from Proposed Development (m)	Status	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
						subject to applicable EIA and AA requirements.	
4002/22	<p>Permission for development at this site comprising Lansdowne Place, Lansdowne Road and Shelbourne Road, Dublin 4 and the Ballsbridge Hotel, Pembroke Road, Dublin 4. The proposed development comprises the construction of a new boundary treatment between the existing Lansdowne Place development and the existing adjacent hotel comprising a low wall with railing c.2.4m in height overall, so as to define the boundary of the separate Lansdowne Place development on a site of 1.25Ha. The development also comprises the closure of all basement level links constructed in the Lansdowne Place development between the existing Lansdowne Place development and the adjoining hotel site. The effect of this development is to make Lansdowne Place a standalone development on 1.25Ha, and to sever Lansdowne Place from the remaining part of the overall site permitted under Reg. Ref. 4015/09 (An Bord Pleanála Ref. PL29S.237454), unless/until permission has been granted for the redevelopment of the existing hotel site. The development being proposed is thereby an amendment to Dublin City Council Reg. Ref. 4015/09 (An Bord Pleanála Ref. PL29S.237454) - the parent permission', as extended by Reg. Ref. 4015/09/X1, as revised by subsequent permissions, Dublin City Council Reg. Refs. 4344/15, 2244/16, 2578/16, 2849/16, 3386/16, 3468/16, 3532/16, 4369/16, 2853/17, 4601/17, 3620/18, 3700/21 and 3705/21. For clarity, the proposed amendments stemming from this application will not alter any of the residential units at Lansdowne Place permitted under Dublin City Council Reg. Ref. 4015/09 (An Bord Pleanála Ref. PL29S.237454), as amended; all on an overall site of</p>	2023-01-10	27790.20	196.02	Permissio n	<p>This is a medium-scale project with a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>The consent process for this project was subject to applicable EIA and AA requirements.</p>	No

Project Code	Description	Grant Date	Project Area (sq m)	Distance from Proposed Development (m)	Status	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
	2.98 Ha.						

ABP Applications for the vicinity⁹

ABP case ID	Date	Decision	Description	Distance from proposed dev. (m)	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
300976	2018-09-27	Grant permission with revised conditions	Extension of aparthotel and associated works	86	<p>This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was subject to applicable EIA and AA requirements.</p>	No
301608	2018-12-21	Grant permission with conditions	Addition of one storey to previously permitted development at 5th floor level resulting in the construction of 1 no. commercial building 6-8 storeys over basement level consisting of office space at ground to seventh floor and 1 no. unit to be either retail or cafe at ground floor level; (b) minor realignment to the glazing line on south west elevation a ground floor level; (c) addition of 5 no. structural columns to the Shelbourne Rd	82	<p>This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was</p>	No

⁹ Parameters used: planning application since 2016, within a distance of 200m from the proposed scheme boundary

ABP case ID	Date	Decision	Description	Distance from proposed dev. (m)	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
			elevation; (d) addition of raised platform outside permitted ESB substation at ground floor level; (e) addition of CHP room and realignment of retaining wall; (f) inclusion of 2 no. signage zones in shopfront of permitted retail/cafe unit at ground floor level on Shelbourne Rd; and (g) inclusion of one additional lift. Permission is also sought for improvements to adjacent public realm at Shelbourne Lane and Shelbourne Road; the provision, at basement level 24 no. car parking spaces, 108 no. bicycle spaces, bin store and plant, with vehicular ramp access from Shelbourne Lane.		subject to applicable EIA and AA requirements.	
303806	2019-06-06	Grant permission with revised conditions	Construction of an office development and associated site works	150	<p>This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was subject to applicable EIA and AA requirements.</p>	No
307197	2020-09-08	Grant permission with conditions	105 no. apartments, aparthotel extension and associated site works.	38	<p>This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was subject to applicable EIA and AA requirements.</p>	No
313509	27-03-2024	Approve with Conditions	BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme	0	This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.	No

ABP case ID	Date	Decision	Description	Distance from proposed dev. (m)	Characteristics of the potential interactions between the projects; sources and pathways	Likelihood of significant in-combination effects
					Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was subject to applicable EIA and AA requirements.	
312043	2023-04-13	Grant permission with conditions	Demolition to rear of site to allow construction of 9 apartments and associated site works.	22	<p>This project has a temporary construction phase and the operational phase will have localised effects that will be in keeping with the context and character of the surrounding environment.</p> <p>Considering the above, in combination with the lack of any potential for effects on European sites arising from the proposed development, it is not considered that there is any potential for significant in-combination effects to any European sites. The consent process for this project was subject to applicable EIA and AA requirements.</p>	No

Appendix IV - Competency of Authors

Paul Fingleton, the lead author, has an MSc in Rural and Regional Resources Planning (with specialisation in EIA) from the University of Aberdeen. Paul is a member of the International Association for Impact Assessment as well as the Institute of Environmental Management and Assessment. He has over twenty-five years' experience working in the area of Environmental Assessment. Over this period, he has been involved in a diverse range of projects including contributions to, and co-ordination of, numerous complex EIARs and EIA screening reports. He has also contributed to and supervised the preparation of numerous AAs and AA screenings.

Paul is the lead author of the current EPA Guidelines¹⁰ and accompanying Advice Notes¹¹ on EIARs. He has been involved in all previous editions of these statutory guidelines. He also provides a range of other EIA related consultancy services to the EPA. Paul is regularly engaged by various planning authorities and other consent authorities to provide specialised EIA advice.

Clodagh Ryan, Environmental Assistant has a BSc in Environmental Management, Dublin Institute of Technology, 2021. Clodagh liaises with various government agencies and local authorities in order to assimilate the environmental baseline information that is used in EIAs and AAs and assists in the preparation of the various EIA and AA related documentation.

¹⁰ *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2022.

¹¹ *Advice notes on current practice in the preparation of Environmental Impact Assessment Reports*, EPA, 2003