

Chapter 1

Introduction

1.0 INTRODUCTION

1.1 INTRODUCTION AND TERMS OF REFERENCE

John Spain Associates, Planning & Development Consultants, and the associated environmental consultants, have been commissioned by its client, IMRF II Frascati Limited Partnership acting through its general partner Davy IMRF II GP Limited, to prepare an Environmental Impact Assessment Report (EIAR) in respect of an application for a proposed strategic housing development at the Frascati Centre, Frascati Road, Blackrock, Co. Dublin (formerly known as Frascati Shopping Centre).

The proposal relates to alterations to the Phase 1 permission for 45 no. apartments (Reg. Ref.: D17A/0950 & ABP Ref.: 300745-18), from second to fourth floor level of the rejuvenated Frascati Centre. The proposed development also includes the provision of 57 no. additional apartments, as an extension of the Phase 1 permission, located above the existing / permitted podium car park to the north west of the centre, as a Phase 2 residential development. The subject application therefore relates to a total of 102 no. residential units. The proposed development includes all associated development, including the allocation of 57 no. car parking spaces at lower ground floor level and the provision of 214 no. bicycle parking spaces at lower ground and surface level for the 102 no. residential units.

A detailed description of the proposed development with greater detail regarding the development site and its surrounds can be reviewed within Chapter 2 of this EIAR document.

The central purpose of the EIA process is to undertake an assessment of the likely and significant impact on the environment of the proposed development in parallel with the project design process, and to document this process in an Environmental Impact Assessment Report (EIAR); which is then submitted to the competent/consent authority, in order to inform the subsequent decision as to whether the development should be permitted to proceed.

This EIAR document has been prepared in accordance with the European Union EIA Directive 85/337/EC as amended by 97/11/EC, 2003/4/EC, 2011/92/EU and Directive 2014/52/EU.

The EIAR has also been prepared in accordance with the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (published in August 2018) and the 2017 Draft EIAR Guidelines published by the EPA.

This Chapter describes the methodology via which the Environmental Impact Assessment Report (EIAR) was carried and prepared. The methodology used is broadly consistent across all chapters in order to ensure the EIAR is clear and easy to navigate.

1.2 DEFINITION OF EIA AND EIAR

Directive 2014/52/EU (the 2014 Directive amending the 2011 codifying Directive) defines ‘environmental impact assessment’ as a process, which includes the responsibility of the developer to prepare an Environmental Impact Assessment Report (EIAR), and the responsibility of the competent authority to provide reasoned conclusions following the examination of the EIAR and other relevant information.

Article 1(2)(g) of the 2014 EIA Directive states that “*environmental impact assessment*” means a process consisting of:

- (i) *the preparation of an environmental impact assessment report by the developer, as referred to in Article 5(1) and (2);*
- (ii) *the carrying out of consultations as referred to in Article 6 and, where relevant, Article 7;*
- (iii) *the examination by the competent authority of the information presented in the environmental impact assessment report and any supplementary information provided, where necessary, by the developer in accordance with Article 5(3), and any relevant information received through the consultations under Articles 6 and 7;*
- (iv) *the reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examination; and*

- (v) *the integration of the competent authority's reasoned conclusion into any of the decisions referred to in Article 8a.*

The amending Directive (Directive 2014/52/EU) uses the term EIAR rather than environmental impact statement (EIS).

A definition of EIAR has not been included in the EIA Directive; however, the EPA Guidelines (2017)¹ provide the following definition:

“A statement of the effects, if any, which proposed development, if carried out, would have on the environment.

The EIAR is prepared by the developer and is submitted to a CA (Competent Authority) as part of a consent process. The CA uses the information provided to assess the environmental effects of the project and, in the context of other considerations, to help determine if consent should be granted. The information in the EIAR is also used by other parties to evaluate the acceptability of the project and its effects and to inform their submissions to the CA.

The EIAR consists of a systematic analysis and assessment of the potential effects of a proposed project on the receiving environment. The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and these factors must be addressed in the EIAR.

The EIAR should be prepared at a stage in the design process where changes can still be made to avoid adverse effects. This often results in the modification of the project to avoid or reduce effects through redesign”.

In summary, EIA is a process for anticipating the effects on the environment caused by development. An EIAR is the document produced to inform that process and provides information which the competent / consent authorities use in deciding whether or not to grant consent based on the Environmental Impact Assessment that they undertake. Where significant and likely environmental effects are identified that are adverse, the EIA process aims to quantify and minimise the impact specified development projects have on the environment through appropriate mitigation measures. The preparation of an EIAR requires site-specific considerations and the preparation of baseline assessment against which the likely impacts of a proposed development can be assessed by way of a concise, standardised and systematic methodology.

1.3 EIA LEGISLATION

Certain public and private projects that are likely to have significant effects on the environment are subject to EIA requirements derived from EIA Directive 85/337/EC (as amended by Council Directive 97/11/EC, Directive 2003/4/EC, Directive 2009/31/EC, Directive 2011/92/EU and recently Directive 2014/52/EU which amends EIA law in a number of respects by amending Directive 2011/92/EU) which are designed to ensure that projects likely to have significant effects on the environment are subject to a comprehensive assessment of environmental effects prior to development consent being given.

Article 2 of Directive 2014/52/EU provides that Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the Directive by 16 May 2017.

The Department of Housing, Planning, and Local Government brought forward amendments to the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001-2020 to provide for the transposition of the EIA Directive into the Irish planning code for the purposes of the Irish planning system. To this effect, the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 have now transposed the 2014 Directive into Pt XA of the Planning and Development Act 2000.

The Department has also provided an update to the 2013 “Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment” to provide practical guidance on legal and procedural issues arising from the requirement to undertake EIA in accordance with Directive 2014/52/EU. These new Guidelines – ‘Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment’ were published in August 2018. These Guidelines have informed the preparation of this EIAR.

¹ *Guidelines on the Information to be contained in an Environmental Impact Assessment Report, Environmental Protection Agency, 2017*

As referenced above, the 2017 Draft Guidelines prepared by the EPA have also informed this EIAR.

1.4 EIA GUIDELINES

EIA practice has evolved substantially since the introduction of the first EIA Directive in 1985. Practice continues to evolve and take into account the growing body of experience in carrying out EIAs in the development sector. Table 1.1 sets out the relevant key EIA Guidance which has been consulted in the preparation of this EIAR document. In addition, the individual chapters of this EIAR should be referred to for further information on the documents consulted by each individual consultant.

TABLE 1.1 – EIA GUIDELINES CONSULTED AS PART OF THE PREPARATION OF THIS EIAR

| Irish |
|---|
| <ul style="list-style-type: none"> • Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018, DPHLG • Draft Guidelines on the information to be contained in environmental impact assessment reports, EPA, August 2017 • Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems - Key Issues Consultation Paper, Department of Environment, Community and Local Government, 2017. • Circular letter PL 1/2017 - Advice on Administrative Provisions in Advance of Transposition (2017). • Development Management Guidelines (DoEHLG, 2007). • Advice Notes on Current Practice (in preparation of Environmental Impact Statements) (EPA 2003). • Environmental Impact Assessment (EIA), Guidance for Consent Authorities Regarding Sub-Threshold Development (DoEHLG 2003). • Guidelines on Information to be Contained in an Environmental Impact Statement (EPA 2002). |
| European Union / European Commission (in addition to Directives referenced above) |
| <ul style="list-style-type: none"> • Environmental Impact Assessment of Projects – Guidance on the Preparation of the Environmental Impact Assessment Report (2017) • Environmental Impact Assessment of Projects – Guidance on Screening (2017) • Environmental Impact Assessment of Projects – Guidance on Scoping (2017) • Study on the Assessment of Indirect & Cumulative Impacts as well as Impact Interaction (DG Environment 2002). • EU Guidance on EIA Screening (DG Environment 2001). • Guidance on EIA Scoping (DG Environment 2001). • EIA Review Checklist (DG Environment 2001). |

The most recent guidelines are the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment 2018*.

The 2017 EPA draft guidelines were prepared to help practitioners interpret the amended EIA Directive and will be published in final form upon the enactment of legislation to transpose the 2014 Directive for the purposes of EPA licencing processes. They provide practical guidance to planning authorities, An Bord Pleanála, and other relevant stakeholders, on procedural issues and the EIA process; and outline the key changes introduced by Directive 2014/52/EU.

The EIA Process

The main purpose of the EIA process is to identify the likely significant impacts on the human environment, the natural environment and on cultural heritage associated with the proposed development, and to determine how to eliminate or minimise these impacts. The EIAR summarises the environmental information collected during the impact assessment of the proposed development.

Several interacting steps typify the early stages of the EIA process and include:

- **Screening:** Screening is the term used to describe the process for determining whether a proposed development requires an EIA.
- **Scoping:** This stage firstly identifies the extent of the proposed development and associated site, which will be assessed as part of the EIA process, and secondly, it identifies the environmental issues likely to be important during the course of completing the EIA process through consultation with statutory and non-statutory stakeholders. Scoping request letters were issued to a range of stakeholders at the commencement of this EIA process and the responses received have been considered as part of the compilation of the EIAR.
- **Consideration of alternatives an:** This stage outlines the possible alternative approaches to the proposed development. Consideration of alternative sites and layouts within the final chosen site are set out in Chapter 2 of this EIAR.
- **Assessing and evaluating:** The central steps of the EIA process include baseline assessment (desk study and field surveys) to determine the status of the existing environment, impact prediction and evaluation, and determining appropriate mitigation measures where necessary.

1.5 SCREENING – REQUIREMENT FOR AN EIAR

Screening is the term used to describe the process for determining whether a proposed development requires an EIA by reference to mandatory legislative threshold requirements or by reference to the type and scale of the proposed development and the significance or the environmental sensitivity of the receiving baseline environment.

Annex I of the EIA Directive requires as mandatory the preparation of an EIA for all development projects listed therein.

Schedule 5 (Part 1) of the Planning and Development Regulations 2001, as amended transposes Annex 1 of the EIA Directive directly into Irish land use planning legislation. The EIA Directive prescribes mandatory thresholds in respect to Annex 1 projects.

Annex II of the EIA Directive provides EU Member States discretion in determining the need for an EIA on a case-by-case basis for certain classes of project having regard to the overriding consideration that projects likely to have significant effects on the environment should be subject to EIA.

Schedule 5 (Part 2) of the Planning Regulations sets mandatory thresholds for each project class. Sub-section 10(b) (i) to (iv) addresses '*Infrastructure Projects*' and requires that the following relevant class of project be subject to EIA:

- Category 10(b)(i) Construction of more than 500 dwelling units.
- Category 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.
- Class 13(a) relates to any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would -
 - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule,
and
 - (ii) result in an increase in size greater than – 25 per cent, or
- an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.

The EIAR has been prepared for this sub-threshold residential development having regard to the Board's Section 132 request to submit an EIAR for the Phase 1 residential development of 45 no. apartments. Thus, the submission of an EIAR for this project is considered to arise under Class 13(a) and has regard to the Section 132 request from An Bord Pleanála for the 45 no. apartments, which read as follows:

“Please submit an EIAR of the effects of the proposed development on the environment, which shall include an assessment of the cumulative impacts of the subject development and the development already authorized on the site under D14A/0134. It is considered that an EIAR is required because the development in question comes within the scope of class 13(a)(ii) of the Planning and Development Regulations 2000 (as amended), as the proposed developments results in an increase in size greater than 25% of the development already authorized and being executed on the site under D14A/0134”

The proposed development relates to the provision of 57 no. additional apartments and alterations to the 45 no. permitted apartments. No increase in shopping centre floor space is proposed.

The Board previously considered that the 45 no. apartment scheme resulted in an increase in size greater than 25% of the development already authorised under Reg. Ref.: D14A/0134, which was subject to an EIS (shopping centre expansion greater than 10,000 sq.m) and therefore based on the wording of Class 13(a) it is likely that the development now proposed, which relates to alterations to 45 no. apartments and the provision of 57 no. new apartments, would result in the development being in a class listed in Part 1 of paragraphs 1 to 12 of this Schedule, in this instance Paragraph 10- infrastructure projects, which includes shopping centres greater than 10,000 sq.m or residential projects in excess of 500 units, and resulting in an increase in size greater than – 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater, given the quantum of residential floorspace proposed at c. 9,312 sq.m GFA.

In relation to Screening, the EIA Directive introduces a new mandatory section, Article 4(4). Article 4(4) introduces a new Annex IIA to be used in the case of a request for a screening determination for Annex II projects. This is information to be provided by the developer on the projects listed in Annex II.

1.6 SCOPING

The EPA Guidelines state that ‘Scoping’ is a process of deciding what information should be contained in an EIAR and what methods should be used to gather and assess that information. It is defined in the EC guidance² as:

‘determining the content and extent of the matters which should be covered in the environmental information to be submitted in the EIAR’.

The applicant is committed to ensuring that the proposal is undertaken in a responsible and sustainable manner. A scoping process to identify the issues that are likely to be most important during the EIA process was carried out by the applicant, design team and EIAR consultants and informed the format of this EIAR.

The EIAR prepared for the scheme has endeavoured to be as thorough as possible and therefore the provisions included in the revised EIA Directive and all of the issues listed in Schedule 6, Sections 1, 2 and 3 of the Planning and Development Regulations 2001-2020 and in recent guidance documents have been addressed in the EIAR.

In this context the following topics/issues have been reviewed and addressed in the context of the proposed development:

- Introduction and Methodology
- Project Description and Alternatives
- Population and Human Health
- Archaeology and Cultural Heritage
- Biodiversity
- Landscape and Visual Impact
- Land and Soils
- Water
- Air Quality and Climate
- Noise and Vibration
- Microclimate
- Daylight and Sunlight
- Material Assets
- Interactions of the Foregoing

² Guidance on EIA Scoping, EC, 2001

- Principal Mitigation and Monitoring Measures
- Non-Technical Summary

In addition to the above a series of standalone reports have been prepared to accompany the application and which have helped inform the above chapters of the EIAR where relevant. BMCE have prepared a Construction Management Plan and an Engineering Services Report, including a Flood Risk Assessment. AWN have prepared a Construction and Demolition Waste Management Plan, an Operational Waste Management Plan and a Hydrological Risk Assessment.

It is necessary to examine each of the aforementioned sections of the EIAR with respect to the impacts that the proposed development may have on the environment. The purpose of this scoping exercise is to shape and mould the EIAR so as not to dismiss any potential impacts that may in fact be significant, and to focus on issues which need to be resolved.

The scope of this EIAR has been informed by the following:

- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, August 2018
- Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports, EPA, 2017
- Environmental Impact Assessment of Projects – Guidance on the Preparation of the Environmental Impact Assessment Report (2017) – European Commission
- Transposition of 2014 EIA Directive (2014/52/EU) in the Land Use Planning and EPA Licencing Systems - Key Issues Consultation Paper, Department of Environment, Community and Local Government, 2017
- Circular letter PL 1/2017 - Advice on Administrative Provisions in Advance of Transposition (2017)
- The requirements of Part X of the Planning Acts, and Part 10 of the Planning Regulations
- The Dun Laoghaire – Rathdown County Development Plan 2016-2022
- The Blackrock Local Area Plan 2015-2021
- National and Regional Planning Policy Documents
- The input from prescribed bodies
- The likely concerns of third parties
- The nature, location and scale of the proposal
- The existing environment together with any vulnerable or sensitive local features and current uses
- The planning history and environmental assessments associated with the subject site and adjoining lands
- The likely and significant impacts of the proposed development on the environment
- Available methods of reducing or eliminating undesirable impacts

The content of this Environmental Impact Assessment Report has been prepared in accordance with the provisions of Article 5(1) and Annex IV of Directive 2014/52/EU. Article 5(1) states:

“The information to be provided by the developer shall include at least:

- a description of the project comprising information on the site, design, size and other relevant features of the project;*
- a description of the likely significant effects of the project on the environment;*
- a description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;*
- a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;*
- a non-technical summary of the information referred to in points (a) to (d); and*
- any additional information specified in Annex IV relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected.”*

Annex IV states:

- 1. A Description of the project, including in particular:*
 - a description of the location of the project;*
 - a description of the physical characteristics of the whole project, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;*

- (c) a description of the main characteristics of the operational phase of the project (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
- (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
 3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
 4. A description of the factors specified in Article 3(1) likely to be significantly affected by the project: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
 5. A description of the likely significant effects of the project on the environment resulting from, *inter alia*:
 - (a) the construction and existence of the project, including, where relevant, demolition works;
 - (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
 - (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
 - (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
 - (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
 - (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
 - (g) the technologies and the substances used.The description of the likely significant effects on the factors specified in Article 3(1) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project.
 6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
 7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
 8. A description of the expected significant adverse effects of the project on the environment deriving from the vulnerability of the project to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.
 9. A non-technical summary of the information provided under points 1 to 8.
 10. A reference list detailing the sources used for the descriptions and assessments included in the report.”

1.7 PURPOSE OF THE EIAR

The objective of the EIAR is to identify and predict the likely environmental impacts of the proposed development; to describe the means and extent by which they can be reduced or ameliorated; to interpret and communicate information about the likely impacts; and to provide an input into the decision making and planning process. As provided for in the EPA guidelines, the EIAR focuses on:

- *Impacts that are both likely and significant;*
- *Impact descriptions that are accurate and credible'*

The objective of the EIAR will be to identify and predict the likely environmental impacts of the proposed development; to describe the means and extent by which they can be reduced or ameliorated; to interpret and communicate information about the likely impacts; and to provide an input into the decision making and planning process.

The definition of Environmental Impact Assessment is clarified within the 2014 EIA Directive and is as follows:

*“(g) ‘environmental impact assessment’ means a process consisting of:
the preparation of an environmental impact assessment report by the developer, as referred to in Article 5(1) and (2);
the carrying out of consultations as referred to in Article 6 and, where relevant, Article 7;
the examination by the competent authority of the information presented in the environmental impact assessment report and any supplementary information provided, where necessary, by the developer in accordance with Article 5(3), and any relevant information received through the consultations under Articles 6 and 7;
the reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examination; and
the integration of the competent authority’s reasoned conclusion into any of the decisions referred to in Article 8a.”*

Under Article 5(3) of the 2014 Directive, it is expressly required that the developer must ensure that the environmental impact assessment report (EIAR) is prepared by competent experts. Each of the chapters of this EIAR for the subject development have been prepared by experts with the requisite qualifications and competences.

The intention of this EIAR document is to provide transparent, objective and replicable documentary evidence of the EIA evaluation and decision-making processes which led to the selection of the final project configuration. The EIAR documents the consideration of environmental effects that influenced the evaluation of alternatives. It also documents how the selected project design incorporates mitigation measures, including impact avoidance, reduction or amelioration; to explain how significant adverse effects will be avoided.

The intention of this EIAR document is to assist the relevant consent authority, in this instance An Bord Pleanála, the Planning Authority, all statutory bodies and members of the public in assessing all aspects of the proposed application as is required.

1.8 OBJECTIVES OF THIS EIAR

The EPA guidelines list the following fundamental principles to be followed when preparing an EIAR:

- Anticipating, avoiding and reducing significant effects
- Assessing and mitigating effects
- Maintaining objectivity
- Ensuring clarity and quality
- Providing relevant information to decision makers
- Facilitating better consultation.

This EIAR document describes the outcomes of the iterative EIA process which was progressed in parallel with the project design process. This forms the first part of the EIA process which will be completed by the competent

authority, which in turn will be required to examine, analyse and evaluate the direct and indirect effects of the development on the various factors listed under Section 171A of the Planning and Development Act 2000, as amended.

The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and the environmental impact assessment should identify, describe and assess in an appropriate manner, in the light of each individual case, the direct and indirect significant effects of a project on the prescribed environmental factors which are:

- (a) population and human health;
- (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- (c) land, soil, water, air and climate;
- (d) material assets, cultural heritage and the landscape;
- (e) the interaction between the factors referred to in points (a) to (d).

The EIA process was based on the following four key objectives:

- Pursuing Preventative Action
- Maintaining Environmental Focus and Scope
- Informing the Decision
- Public & Stakeholder Participation

1.8.1 Pursuing Preventative Action

Pursuing preventative action is the most effective means by which potential negative environmental impacts can be avoided. A consideration of anticipated likely and significant impacts was undertaken during the screening, informal scoping and the considerations of alternatives stages of the EIA process. This involved forming a preliminary opinion, in the absence of complete data, with respect to the approximate magnitude and character of the likely environmental impacts. This assessment was based on the knowledge, experience and expertise of the EIA and project design team with reference to the EIA Directive, EIA guidance material and local precedents.

Avoidance of impacts has been principally achieved through the consideration of alternatives and through the review of the project design in light of identified key environmental constraints and detailed pre-application consultations with the Planning Authority and An Bord Pleanála. This is outlined in greater detail in Chapter 2.

1.8.2 Maintain Environmental Scope and Focus

It is important that the EIAR remains tightly focussed. This minimises delays and the potential for a confusing mass of data to obscure relevant facts. The EIA process has been project-managed and steered, so as to ensure that the EIAR addresses those topics and issues which are explicitly prescribed in the legislation, and where environmental impacts may arise. Evaluation and analysis has been limited to topics where the indirect, secondary or cumulative impacts are either wholly or dominantly due to the proposed development and remain focused on issues that:

- Are environmentally based;
- Are likely to occur; and,
- Have significant and adverse effects.

1.8.3 Informing the Decision

The EIAR enables the competent/consent authorities to reach a decision on the acceptability of the proposed development in the full knowledge of the project's likely significant impacts on the environment, if any.

1.8.4 Public & Stakeholder Participation

Decisions are taken by competent/consent authorities through the statutory planning process which allows for public participation and consultation while receiving advice from other key stakeholders and statutory authorities with specific environmental responsibilities.

The structure, presentation and the non-technical summary of the EIAR, as well as the arrangements for public access, all facilitate the dissemination of the information contained in the EIAR. A core objective is to ensure that the public and local community are aware of the likely environmental impacts of projects prior to the granting of consent.

Informal scoping of potential environmental impacts was undertaken with the Planning Authority and An Bord Pleanála through pre-application meetings. Direct and formal public participation in the EIA process will be through the statutory planning application process. Information on the EIAR has also been issued to the EIA Portal maintained by the Department of Housing, Culture and Local Government pursuant to s.172B of the Planning and Development Act 2000 and the Minister has responded in the prescribed format.

1.9 FORMAT AND STRUCTURE OF THIS EIAR

The preparation of an EIAR requires the assimilation, co-ordination and presentation of a wide range of relevant information in order to allow for the overall assessment of a proposed development. For clarity and to allow for ease of presentation and consistency when considering the various elements of the proposed development, a systematic structure is used for the main body of this EIAR document.

The structure used in this EIAR document is a **Grouped Format** structure. This structure examines each environmental topic³ in a separate chapter of this EIAR document. The structure of the EIAR is set out in Table 1.2 and Table 1.3 below.

| Ch. | Title | Content |
|-----|--------------------------------------|--|
| 1 | Introduction and Methodology | Sets out the purpose, methodology and scope of the document. |
| 2 | Project Description and Alternatives | Sets out the description of the site, design and scale of development, considers all relevant phases from construction through to existence and operation together with a description and evaluation of the reasonable alternatives studied by the developer including alternative locations, designs and processes considered; and a justification for the option chosen taking into account the effects of the project on the environment. |
| 3 | Population and Human Health | Describes the demographic and socio-economic profile of the receiving environment and potential impact of the proposed development on population, i.e. human beings, and human health. |
| 4 | Archaeology and Cultural Heritage | Provides an assessment of the site and considers the potential impact of the proposed development on the local archaeology and cultural heritage; and recommends mitigation measures. |
| 5 | Biodiversity | Describes the existing ecology on site and in the surrounding catchment, and assesses the potential impact of the proposed development and mitigation measures incorporated into the design of the scheme. |
| 6 | Landscape and Visual Impact | Details the likely effects on the landscape and visual environment of the proposed development with reference to accompanying photomontages. |
| 7 | Land and Soils | Provides an overview of the baseline position, the potential impact of the proposed development on the site's soil and geology and impacts in relation to land take and recommends mitigation measures. |
| 8 | Water | Provides an overview of the baseline position, the potential impact of the proposed development on water quality and quantity and recommends mitigation measures. |
| 9 | Air Quality and Climate | Provides an overview of the baseline air quality and climatic environment, the potential impact of the proposed development, and recommends mitigation measures. |

³ In some instances, similar environmental topics are grouped.

TABLE 1.2: STRUCTURE OF THIS EIAR

| Ch. | Title | Content |
|-----|--|--|
| 10 | Noise and Vibration | Provides an overview of the baseline noise environment, the potential impact of the proposed development and recommends mitigation measures. |
| 11 | Microclimate | Determination if there is a risk of elevated wind speeds occurring at ground level as a result of the residential extension proposed as part of the re-development of the Frascati Centre |
| 12 | Daylight and Sunlight Assessment | This chapter provides an assessment of the potential impact of the proposed development on the daylight and sunlight received by surrounding sensitive land uses and of the proposed residential uses and open spaces. |
| 13 | Material Assets | Describes the existing services and infrastructural service requirements of the proposed development and the likely impact of the proposed development on material assets. |
| 14 | Interactions of the Foregoing | Describes the potential interactions and interrelationships between the various environmental factors. |
| 15 | Principal Mitigation and Monitoring Measures | Sets out the key mitigation and monitoring measures included in the above chapters of the EIAR Document for ease of reference. |
| 16 | Non-Technical Summary | Provides a concise non-technical summary of the information contained in the EIAR |

This systematic approach described above employs standard descriptive methods, replicable assessment techniques and standardised impact descriptions to provide an appropriate evaluation of each environmental topic under consideration. An outline of the methodology employed in most chapters to examine each environmental topic is provided in Table 1.3.

TABLE 1.3: METHODOLOGY EMPLOYED TO EVALUATE EACH ENVIRONMENTAL TOPIC

- **Introduction:** Provides an overview of the specialist area and specifies the specialist who prepared the assessment and their qualifications and competencies.
- **Study Methodology:** This subsection outlines the method by which the relevant impact assessment has been conducted within that chapter.
- **The Existing Receiving Environment (Baseline Situation):** In describing the receiving environment, the context, character, significance and sensitivity of the baseline receiving environment into which the proposed development will fit is assessed. This also takes account of any proposed developments that are likely to proceed.
- **Characteristics of the Proposed Development:** Consideration of the ‘Characteristics of the Proposed Development’ allows for a projection of the ‘level of impact’ on any particular aspect of the environment that could arise. For each chapter those characteristics of the proposed development which are relevant to the area of study are described; for example the chapter on noise describes the machinery and operations which are likely to produce noise while the landscape and visual impact would describe the height, scale and location of the development.

The characteristics of projects must be considered, with particular regard to: (a) the size and design of the whole project; (b) cumulation with other existing and/or approved projects; (c) the use of natural resources, in particular land, soil, water and biodiversity; (d) the production of waste; (e) pollution and nuisances; (f) 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; (g) the risks to human health (for example due to water contamination or air pollution).

- **Potential Impact of the Proposed Development:** This section provides a description of the specific, direct and indirect, impacts that the proposed development may have. This is provided with reference to both the

Receiving Environment and Characteristics of the Proposed Development sections while also referring to the (i) magnitude and intensity, (ii) integrity, (iii) duration and (iv) probability of impacts. Impact assessment addresses direct, indirect, secondary, cumulative, short, medium and long-term permanent, temporary, positive and negative effects as well as impact interactions. It is important to consider the appropriateness of subdividing sections into ‘Construction Phase’ and ‘Operational Phase’ in describing impacts, mitigation measures etc.

- **Do Nothing Impact:** In order to provide a qualitative and equitable assessment of the proposed development, this section considers the proposed development in the context of the likely impacts upon the receiving environment should the proposed development not take place.
- **Avoidance, Remedial and Mitigation Measures:** Avoidance, Remedial and Mitigation measures describe any corrective or mitigative measures that are either practicable or reasonable, having regard to the potential impacts. This includes avoidance, reduction and remedy measures as set out in Section 4.7 of the Development Management Guidelines 2007 to reduce or eliminate any significant adverse impacts identified.
- **Predicted Impacts of the Proposed Development:** This section allows for a qualitative description of the resultant specific direct, indirect, secondary, cumulative, short, medium and long-term permanent, temporary, positive and negative effects as well as impact interactions which the proposed development may have, assuming all mitigation measures are fully and successfully applied.
- **Monitoring:** This involves a description of monitoring in a post-development phase, if required. This section addresses the effects that require monitoring, along with the methods and the agencies that are responsible for such monitoring.
- **Reinstatement:** While not applicable to every aspect of the environment considered within the EIAR, certain measures need to be proposed to ensure that in the event of the proposal being discontinued, there will be minimal impact to the environment
- **Interactions:** This section provides a description of impact interactions together with potential indirect, secondary and cumulative impacts
- **Difficulties Encountered in Compiling:** This section provides an indication of any difficulties encountered by the environmental specialist in compiling the required information.
- **References:** Consultants refer to documents referred to in preparing their chapter / undertaking their assessment.

1.10 DESCRIPTION OF IMPACTS IN THE EIAR

The EPA *Draft Guidelines on the information to be contained in Environmental Impact Assessment Reports 2017* require that the direct, indirect, cumulative and residual impacts of the proposed development for both the construction and operational stages are described. The identified quality, significance and duration of effects for each aspect are categorised, as set out below. Quality refers to the nature of the impact, significance of effects refers to the degree that these will impact on the site and surrounding area and duration refers to how long the effects are likely to last for. A direct impact is an impact the development will give rise to. An indirect impact is similar to a secondary impact – it may result in consequences not in the immediate vicinity of the site. Cumulative Impacts are impacts that arise in conjunction with other consented developments. Residual impacts are those which remain after mitigation measures have been applied.

The quality of potential effects are described as follows:

| Quality of Effects | Definition |
|--------------------|--|
| Negative | A change which reduces the quality of the environment |
| Neutral | No effects or effects that are imperceptible, within the normal bounds of variation or within the margin of forecasting error. |

TABLE 1.4: QUALITY OF POTENTIAL EFFECTS

| Quality of Effects | Definition |
|--------------------|---|
| Positive | A change that improves the quality of the environment |

The significance of an effect on the receiving environment are described as follows:

TABLE 1.5: SIGNIFICANCE OF EFFECTS

| Significance of Effects on the Receiving Environment | Description of Potential Effects |
|--|---|
| Imperceptible | An effect capable of measurement but without significant consequences. |
| Not Significant | An effect which causes noticeable changes in the character of the environment but without significant consequences. |
| Slight | An effect which causes noticeable changes in the character of the environment without affecting its sensitivities. |
| Moderate | An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends. |
| Significant | An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. |
| Very Significant | An effect which, by its character, magnitude, duration or intensity significantly alters a sensitive aspect of the environment. |
| Profound | An effect which obliterates sensitive characteristics. |

The duration of effects as described in the Draft EPA Guidelines are:

TABLE 1.6: Duration of Effects

| Duration of Impact | Definition |
|--------------------|--|
| Momentary | Effects lasting from seconds to minutes |
| Brief | Effects lasting less than a day |
| Temporary | Effects lasting one year or less |
| Short-term | Effects lasting one to seven years |
| Medium-term | Effects lasting seven to fifteen years |
| Long-term | Effects lasting fifteen to sixty years |
| Permanent | Effects lasting over sixty years |
| Reversible | Effects that can be undone, for example through remediation or restoration |

1.11 EIA PROJECT TEAM

1.11.1 EIA Project Management

This EIA was project managed, co-ordinated and produced by John Spain Associates in association with a team of specialist environmental consultants, the applicant and overall design team. John Spain Associates' role was to coordinate the EIA process and to liaise between the design team and various environmental specialist consultants. John Spain Associates were also responsible for editing the EIAR document to ensure that it is cohesive and not a disjointed collection of disparate reports by various environmental specialists. John Spain Associates does not accept responsibility for the input of specialist consultants or the design team.

1.11.2 EIA Environmental Specialists

Environmental specialist consultants were also commissioned for the various technical chapters of the EIAR document which are mandatorily required as per the EIA Directive and Regulations.

The amended EIA Directive (Directive 2014/52/EU) states the following in relation to the persons responsible for preparing the environmental impact assessment reports;

‘Experts involved in the preparation of environmental impact assessment reports should be qualified and competent. Sufficient expertise, in the relevant field of the project concerned, is required for the purpose of its examination by the competent authorities in order to ensure that the information provided by the developer is complete and of a high level of quality’.

In order to outline compliance with this requirement and in line with emerging best practice the EIAR states the names of the environmental consultants who have prepared each element of the EIAR and lists their qualifications and relevant experience; demonstrating that the EIAR has been prepared by competent experts. This is also in accordance with the 2018 EIA Guidelines for Planning Authorities and An Bord Pleanála.

Each environmental specialist was commissioned having regard to their previous experience in EIA; their knowledge of relevant environmental legislation relevant to their topic; familiarity with the relevant standards and criteria for evaluation relevant to their topic; ability to interpret the specialised documentation of the construction sector and to understand and anticipate how their topic will be affected during construction and operation phases of development; ability to arrive at practicable and reliable measure to mitigate or avoid adverse environmental impacts; and to clearly and comprehensively present their findings.

Each environmental specialist was required to characterise the receiving baseline environment; evaluate its significance and sensitivity; predict how the receiving environment will interact with the proposed development and to work with the EIA project design team to devise measures to mitigate any adverse environmental impacts identified.

The relevant specialist consultants who contributed to the EIAR and their inputs are set out in Table 1.7 below:

| TABLE 1.7: EIAR SPECIALIST CONSULTANTS | |
|---|--|
| Organisation | EIAR Specialist Topics / Inputs |
| <p>John Spain Associates Planning & Development Consultants, 39 Fitzwilliam Place, Dublin 2, D02 ND61 T: 01 662 5803 E: pturley@johnspainassociates.com</p> <p>Paul Turley - BA, MRUP, Dip Environmental & Planning Law, MIPI</p> | <ul style="list-style-type: none"> • Introduction and Methodology • Project Description and Alternatives Examined • Population and Human Health • Interactions of the Foregoing • Material Assets (with reference to NRB Traffic and Transport Report) • Principle Mitigation and Monitoring Measures • Non-Technical Summary |
| <p>Reddy Architecture and Urbanism Gavin Arnold Reddy Architecture + Urbanism Dartry Mills, Dartry Rd, Dublin, D06 Y0E3 +353 (0) 1 498 7000 garnold@reddyarchitecture.com</p> | <ul style="list-style-type: none"> • Project Description and Alternatives |
| <p>Courtney Deery Siobhan Deery & Lisa Courtney Courtney Deery Heritage Consultancy Lynwood House, Ballinteer Road, Dublin 16. siobhan@courtneydeery.ie</p> | <ul style="list-style-type: none"> • Archaeology and Cultural Heritage |

| TABLE 1.7: EIAR SPECIALIST CONSULTANTS | |
|--|--|
| Organisation | EIAR Specialist Topics / Inputs |
| <p>lisa@courtneydeery.ie</p> | |
| <p>Openfield Padraic Fogarty Openfield Ecology padraic@openfield.ie</p> | <ul style="list-style-type: none"> • Biodiversity |
| <p>BSM John Kelly Brady Shipman Martin Canal House, Canal Road Dublin 6 +353 1 208 1900 + 353 86 812 7744 johnkelly@bradyshipmanmartin.com</p> <p>Bart Perepeczo- Visuals bartperepeczo@bradyshipmanmartin.com</p> | <ul style="list-style-type: none"> • Landscape and Visual Impact and Photomontages |
| <p>BMCE John Considine Sandwith House, 52-54 Lower Sandwith Street, Dublin 2, D02 WR26 +353 1 677 3200 jconsidine@bmce.ie</p> | <ul style="list-style-type: none"> • Land and Soils • Water |
| <p>AWN Consulting The Tecpro Building IDA Business and Technology Park Clonshaugh Dublin 17 D17 XD90 ciara.nolan@awnconsulting.com jennifer.harmon@awnconsulting.com fergal.callaghan@awnconsulting.com</p> | <ul style="list-style-type: none"> • Air Quality and Climate • Noise and Vibration • Microclimate |
| <p>BPG3 Rory Walsh BPG3 Fumbally Exchange Argus House, Blackpitts Dublin 8, Ireland rory@bpg3.com</p> | <ul style="list-style-type: none"> • Daylight and Sunlight |

1.12 NON-TECHNICAL SUMMARY

The EIA Directive requires that one of the objectives of the EIA process is to ensure that the public are fully aware of the environmental implications of any decisions.

The EPA guidelines note that the non-technical summary of the EIAR should facilitate the dissemination of the information contained in the EIAR and that the core objective is to ensure that the public is made as fully aware as possible of the likely environmental impacts of projects prior to a decision being made by the Competent Authority.

The 2018 EIA Guidelines prepared by the DHPLG state that the Non-Technical Summary “*should be concise and comprehensive and should be written in language easily understood by a lay member of the public not having a background in environmental matters or an in-depth knowledge of the proposed project.*”

A Non-Technical Summary of the EIAR has therefore been prepared which summarises the key environmental impacts and is provided as a separately bound document.

1.13 LINKS BETWEEN EIA AND APPROPRIATE ASSESSMENT

Article 6(3) of the Habitats Directive (92/43/EEC) states any project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to the Appropriate Assessment procedure of its likely implications for the site in view of the site's conservation objectives.

In January 2010, the Department of Environment, Housing and Local Government issued a guidance document entitled ‘Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities’. This guidance document enshrines the ‘Source-Pathway-Receptor’ into the assessment of plans and projects which may have an impact on Natura 2000 sites.

Accordingly, an Appropriate Assessment Stage 1 Screening exercise was undertaken by Openfield in accordance with ‘Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – Methodological Guidance on the Provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC’. In accordance with these Guidelines, the Appropriate Assessment may be a separate document or form part of the EIAR. In the case of the proposed development a separate Appropriate Assessment Screening Report is submitted as a separate document with this application.

1.14 AVAILABILITY OF EIAR DOCUMENTS

A copy of this EIAR document and Non-Technical Summary of the EIAR document is available for inspection and/or purchase at the offices of An Bord Pleanála and Dun Laoghaire Rathdown County Council, as this is a SHD application, at a fee not exceeding the reasonable cost of reproducing the document.

1.15 IMPARTIALITY

This EIAR document has been prepared with reference to a standardised methodology which is universally accepted and acknowledged. Recognised and experienced environmental specialists have been used throughout the EIA process to ensure the EIAR document produced is robust, impartial and objective.

It should be noted that, as highlighted above, an important part of the EIA process is preventative action which causes the project design team to devise measures to avoid, reduce or remedy significant adverse impacts in advance of applying for consent. As a result, where no likely significant impacts have been identified where they might reasonably be anticipated to occur, the design and layout of the proposed development has generally been amended to minimise the potential of any likely significant adverse impacts.

1.16 STATEMENT OF DIFFICULTIES ENCOUNTERED

No particular difficulties were experienced in compiling the necessary information for the proposed development. Where any specific difficulties were encountered these are outlined in the relevant chapter of the EIAR.

1.17 QUOTATIONS

EIAR documents by their very nature contain statements about the proposed development, some of which are positive, and some negative. Selective quotation or quotations out of context can give a very misleading impression of the findings of this EIAR.

The EIAR study team urge that quotations should, where reasonably possible be taken from the conclusions of specialists' chapters or from the non-technical summary and not selectively.

1.18 EIAR QUALITY CONTROL & REVIEW

John Spain Associates is committed to consistently monitoring the quality of EIAR documents prepared both in draft form and before they are finalised, published and submitted to the appropriate competent authority taking into account latest best-practice procedure, legislation and policy.

The DHPLG have published guidelines on Environmental Impact Assessment for Planning Authorities and the Board (published August 2018), and the EPA have published draft guidelines on the information to be contained in an Environmental Impact Assessment Report which have been consulted in the preparation of this EIAR.

1.19 ERRORS

While every effort has been made to ensure that the content of this EIAR document is error free and consistent there may be instances in this document where typographical errors and/or minor inconsistencies do occur. These typographical errors and/or minor inconsistencies are unlikely to have any material impact on the overall findings and assessment contained in this EIAR.