

Burgage More, Blessington, Co. Wicklow

**Information to support an EIA
screening determination to
accompany a Part 8 Application for
residential development**

November 2021

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1 Introduction

This report has been collated to provide information to support Wicklow County Council in undertaking a screening determination for Environmental Impact Assessment. It has been prepared for Wicklow County Council intend to provide a development of 106 new residential units, a creche and roads works at a site c. 3.53 ha at Burgage More, Blessington, Co. Wicklow. A Part 8 process pursuant to the Planning and Development Regulations 2001 as amended (the Regulations) is being carried out.

1.1 Legislative background

Pursuant to Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

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

Where the local authority concludes, based on such preliminary examination, that—

- (i) there is no real likelihood of significant effects on the environment arising from the proposed development, it shall conclude that an EIA is not required,
- (ii) there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, it shall prepare, or cause to be prepared, the information specified in Schedule 7A for the purposes of a screening determination, or
- (iii) there is a real likelihood of significant effects on the environment arising from the proposed development, it shall— (I) conclude that the development would be likely to have such effects, and (II) prepare, or cause to be prepared, an EIAR in respect of the development.

2 The site

2.1 Site and Environs

Blessington, is located on the Kildare/Wicklow border approximately 27km southwest of Dublin and 11km from Naas, the County town of Kildare. The site is located c 1.3 km from the town centre on the eastern side of Burgage More (L8858) which connects to the N81 closer to the centre of Blessington. The road narrows and is treelined along the site frontage and continues in a southerly direction.

Opposite the site to the west is a local road connecting to the N81. This road is characterised by new and permitted housing.

The Poulaphouca Reservoir Special Protection Area (Site Code 004063) is located c.250m east of the site. To the northeast of the site on the opposite side of the local road is a graveyard with archaeological interests. There are agricultural fields to the north, south and east. There is evidence of an equestrian centre immediately to the south.

The site consists of a single field of improved grassland surrounded by treelines. The site slopes gently to the east towards the reservoir.

Figure 1: Site Location (outlined in red)



2.2 Environmental sensitivities of the site

2.2.1 Soils

Bedrock is described in Geological Survey Ireland Spatial Resources as coarse greywacke and shale. Subsoils are categorised in the APA mapping as limestone sands and gravels (Carboniferous).

2.2.2 Hydrology

There are no watercourses on or in the vicinity of the site, nor any drainage ditches around the margins of the field.

The closest watercourse is an unnamed stream located approx. 600 m to the north-west.

The main surface water feature in the area is the active Poulaphouca Reservoir (also described as a lake) c 370 m east of the site that supplies drinking water to the Dublin area.

Under the Water Framework Directive status assessments 2013 – 2018, Poulaphouca Lake is of Good status.

2.2.3 Aquifer

The GSI Bedrock Aquifer code is PI which is described as a “Poor Aquifer - Bedrock which is Generally Unproductive except for Local Zones”. GSI Vulnerability description is High Vulnerability.

2.2.4 Radon

Between ten and twenty per cent of the homes in this 10km grid square are estimated to be above the Reference Level for Radon and accordingly this is a High Radon Area.

2.2.5 Air quality

Air Quality Index Regions indicate that Air Quality Index is 3 – Good (updated Tue 25-May-2021).

2.2.6 Designated sites

The Poulaphouca Reservoir Special Protection Area(SPA) Site Code 004063) is located c 250 m to the east where the qualifying Interests are the following:

- Greylag Goose (Anser anser) [A043]
- Lesser Black-backed Gull (Larus fuscus) [A183]

The Wicklow Mountains Special area of conservation (SAC) Site Code 002122 is located c 3 km to the east separated by the reservoir from the site.

2.2.7 Proposed Natural Heritage Areas

Poulaphouca Reservoir is a proposed NHA (Site code 000731).

2.2.8 Archaeology

The archaeological assessment indicates archaeological features are not visible on the surface of the site. There are no recorded monuments situated within the site boundaries but a large number of monuments within the townland, six of which are located in the Burgage cemetery just north west of the site. These are:

- SMR No WI005-047003 – Graveslab
- SMR No WI005-047004 – Graveslab
- SMR No WI005-047005 – Graveslab
- SMR No WI005-047006 – Font
- SMR No WI005-047002 – Cross – High Cross
- SMR No WI005-047001 – Cross – High Cross

There are no previous excavations within the site but two excavations in the townland have reported prehistoric burial activity. The archaeological assessment had concluded that there was a moderate to high potential for the survival of buried archaeological remains at this site. The site was then subject to a geophysical survey which recorded several responses of archaeological potential. This was followed with trench testing which did not locate archaeological features or deposits of significance.

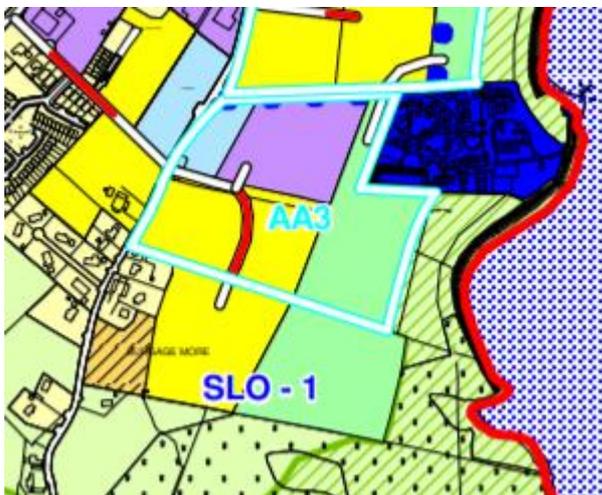
2.2.9 Local Area and Development Plan specific objectives

No trees are protected on site and no views or prospects relate to the site. There are no Protected Structures on the site or in the immediate environs.

The Landscape designation is Urban area (Appendix 5 County Development Plan Landscape).

A planning report accompanies the Part 8 process which sets out in detail the applicable planning policies.

Figure 2: Extract from Blessington Local Area Plan



2.2.10 Ecological nature of site

An Ecological Impact Assessment (EclA) accompanies the Part 8. The site is characterised by agricultural pasture with treelines on the northern, eastern and southern boundaries. On the western boundary there is an earth bank of c. 1.5 m with some mature sycamores, and some field margin / hedgerow species. Bird surveys were carried out and the EclA concludes that the site is not of importance for either of the qualifying interests of the Poulaphouca Reservoir SPA. Tree felling / site clearance works will take place outside peak nesting activity season for birds, or the area will be surveyed by an ecologist to confirm that no protected fauna are present. As a result, there will be no impact on nesting birds, and no legal offence under the Wildlife Act 1976 (as amended).

The EclA considered that the site is not suitable for roosting bats and is of Local importance for bats. Bat-sensitive lighting techniques will be incorporated into the lighting plan to avoid light-

spill in areas that are likely to be used by bats and no significant change in bat activity within the site should occur.

The EclA concludes subject to the implementation of the stated measures, that the proposed development will not cause any significant negative impacts on designated sites, habitats, legally protected species, or any other features of ecological importance.

3 Proposed development

The proposed development is fully described in the public notices and consists of residential, creche and ancillary works.

The construction of 106 residential units to include:

70 No. houses all 2-storey high (38 no. 2-bed and 32 no. 3-bed), 36 no. duplex apartments (20 no. 1-bed and 16 no. 2-bed) in a mix of two and three storeys and a two storey creche (200 sqm).

The existing access on Burgage More to the site will be reconfigured and enhanced. It is also proposed to undertake road works on Burgage More which include the realignment and widening of Burgage More, the provision of a new junction to the north of the site and the provision of new footpaths on Burgage More.

The proposal includes on-street car parking (170 spaces), public and private open space, boundary treatments, public lighting, site drainage works, internal road networks and footpath, ESB switchrooms/kiosks, landscaping, play area and all ancillary site services and development works above and below ground.

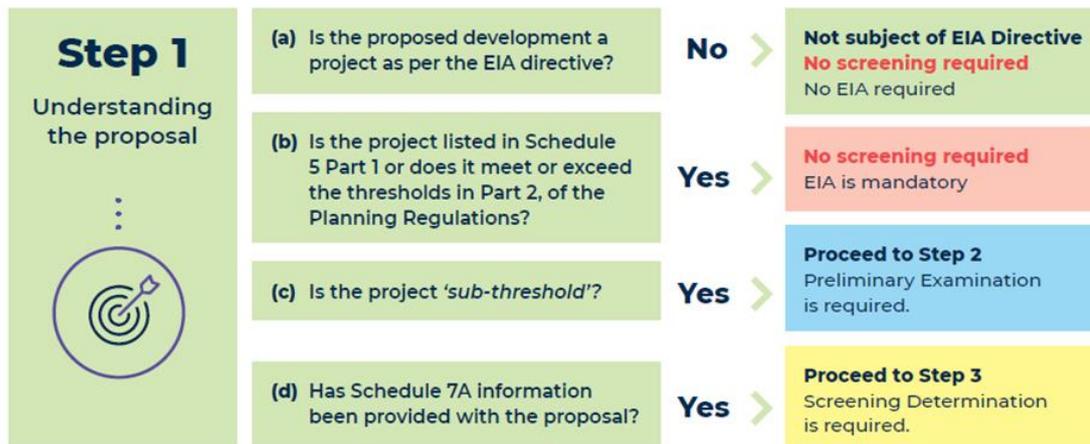
The foul water is proposed to be connected to existing IW network at junction at Graveyard. Two surface water catchment areas are proposed. Surface water will Infiltrate to ground via an infiltration system, Infiltration tanks are proposed in the main open space and to the south of the site. The watermain is proposed to connect to the existing at the graveyard junction. The site-specific surface water assessment concludes there is no apparent risk of flooding.

4 Preliminary Examination in context of proposed development

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator has issued guidance in the form of the Environmental Impact Assessment Screening- Practice Note, May 2021 which aids Planning Authorities as the Competent Authority (CA) in this area.

Figure 3: Extract from Guidance Note



This report has had regard to the OPR guidance and methodology.

4.1.1 Project

The proposed application is a project for the purpose of Environmental Impact Assessment (EIA) under Stage 1 stage (a) of the OPR guidance.

4.2 Sub-threshold Development

A list of the types or classes of development that require EIA or screening for EIA is provided in Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001, (Regulations) as amended. 'Sub-threshold development' comprises development of a type that is included in Part 2 of Schedule 5, but which does not equal or exceed a quantity, area or other limit (the threshold).

The specific nature of the proposed development is not stated in Part 1 of Schedule 5 of the Regulations. In Part 2 of schedule 5, the following is the relevant to assessment of sub threshold development.

10. Infrastructure projects

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

(ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.

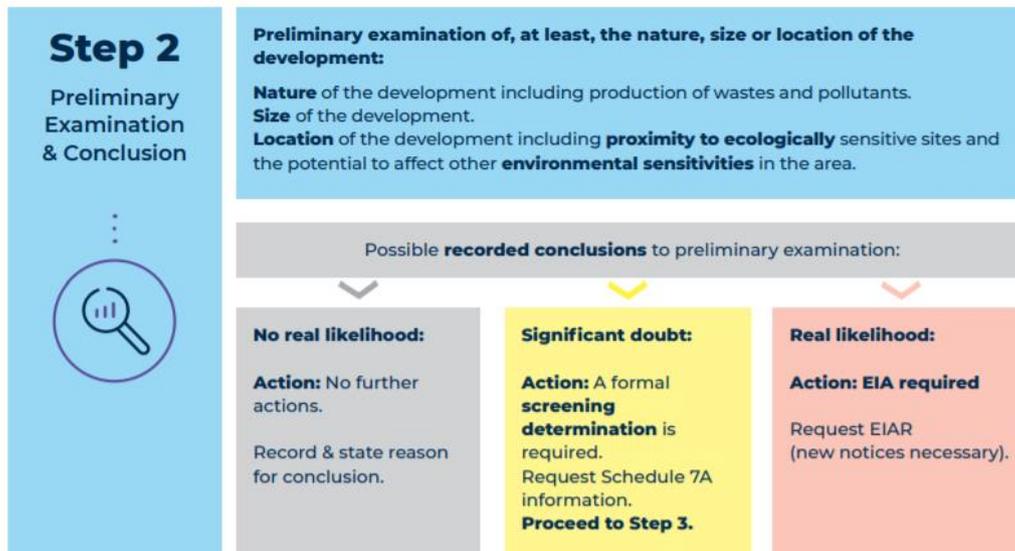
(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and **20 hectares elsewhere**.

("business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

In relation to proposed development none of the thresholds above are exceeded, but those highlighted in bold indicate the thresholds of relevance to the subject proposal.

Accordingly, the project is sub threshold development with reference to the above thresholds and under Step 1(b) of the OPR guidance a preliminary examination is required under Step 2.

Figure 4: Extract from Guidance Note



4.3 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;
- The size of the development; or
- The location of the development including the potential to impact on certain ecologically sensitive sites and the potential to affect other environmentally sensitive sites in the area.

This overlaps with submitted Appropriate Assessment (AA) and consideration to hydrological and other connections to European sites.

The OPR guidance states a number of questions to assist the preliminary examination.

4.4 Nature of the development:

4.4.1 *Is the nature of the proposed development exceptional in the context of the existing environment?*

The nature of the development is not exceptional in any way in the existing environment of residential use on zoned land (currently used for agriculture) where permitted residential use

has been granted opposite and low-density residential uses are located to the south along the local road. The proposed development is c 33 units per ha.

Will the development result in the production of any significant waste, or result in significant emissions or pollutants?

The nature of the proposed use is residential and associated childcare. The proposed residential and creche development by its nature will not cause any significant emissions or pollutants during construction or when operational. During the construction stage, the proposed c. 33 per ha density residential development will not cause any significant emissions or pollutants owing to the nature of the proposal. When operational homes and creche will avail of the waste disposal provision in the area.

4.5 Size of the development:

4.5.1 Is the size of the proposed development exceptional in the context of the existing environment?

The size of the development is not exceptional in any way in the existing environment. The existing environment is that of agricultural lands and residential lands with a graveyard and holiday village in the vicinity. The site is on serviced zoned lands. While the proposed development will transform the existing open field into a built environment, this has been planned in the Local Area Plan in the applicable zoning.

Development has been permitted to the west as detailed below.

4.5.2 Are there cumulative considerations having regard to other existing and/or permitted projects?

The main decision for cumulative consideration is the site opposite to the west.

P.A.Reg.Ref: 190693 (ABP-306198-19) - Planning permission was granted by Wicklow County Council for the construction of 56 residential units on lands c 1.8 ha to the west of Burgage More. An Bord Pleanála subsequently upheld the decision on the 12th May 2020. That application was subject to a Stage 1 AA screening. A minor amendment to the permission was granted on 4/3/2021 **P.A Reg. Ref. 219**.

An Bord Pleanála as the competent authority carried out a preliminary examination in **ABP-306198** and concluded there were no real likelihood of significant effects on the environment and the need for EIA could be excluded at preliminary examination and a screening determination is not required.

The consented development to the west combined with the proposed development would result in 162 new homes in this part of Blessington, 56 which would be private purchases and 106 which would be social homes on residentially zoned lands. The sites are separated by the local road. It is not considered that the total number of units.

PA. Reg. Ref. 18255 (ABP.Ref. PL27.302732): Planning permission was granted by An Bord Pleanála for the upgrade of the Blessington Wastewater Treatment Plant. The works will include the construction of two new primary treatment units, one new anoxic tank, associated pump sumps, tertiary treatment infrastructure and all associated site works. EIA and AA were addressed by the Board in their decision and no AA or EIA was required.

A holiday centre known as Avon Ri is located to the north of the development site that has been in operation for a long period and is accessed of the local road and is not contiguous with the application site. Minor planning permissions to that scheme have no cumulative impact in combination with the proposed development.

4.6 Location:

4.6.1 *Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?*

Figure 5: Extract from EPA mapping, site marked with cross, SPA in green and SAC in brown.



The Poulaphouca Reservoir Special Protection Area (SPA) Site Code 004063 is located c 250 m to the east where the qualifying Interests are the following:

Greylag Goose (*Anser anser*) [A043]

Lesser Black-backed Gull (*Larus fuscus*) [A183]

The Wicklow Mountains Special area of conservation (SAC) Site Code 002122 is located c 3 km to the east separated by the reservoir from the site. It contains the following:

Annex I Habitats: oligotrophic waters of sandy plains, natural dystrophic lakes and ponds, northern Atlantic wet heaths with *Erica tetralix*, European dry heaths, Alpine and Boreal heaths, Calaminarian grasslands of the *Violetalia calaminariae*, Species-rich *Nardus* grasslands, on siliceous substrates in mountain areas, blanket bogs, siliceous scree of the montane to snow levels, calcareous rocky slopes with chasmophytic vegetation, siliceous rocky slopes with chasmophytic vegetation, old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

Annex II Species: otter

Red Bog SAC Site Code 397 is located c 3.8 km to the north. It contains the following:

Annex I Habitats: transition mires and quaking bogs

Annex II Species: none

Pathways via groundwater, land and air can be ruled out due to distance with the exception of the Poulaphouca Reservoir SPA which has a potential pathway of groundwater. The AA screening concludes that *"considering that any pollutants generated during construction works would be filtered prior to reaching the reservoir, and that aquatic organisms within the reservoir are not the primary food sources of the SPA's qualifying interests, it is not considered possible that any pollutants from the Site could negatively affect the qualifying interests of the SPA. Therefore, we conclude that the construction of the proposed development poses no risk of indirect impacts on the Poulaphouca Reservoir SPA"*.

The AA screening assessment concludes

"Having considered the particulars of the proposed development, we conclude that this application meets the second conclusion, because there is no risk of direct or indirect impacts on any Natura 2000 sites. Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. Therefore, we conclude that Appropriate Assessment is not required."

4.6.2 Does the proposed development have the potential to affect other significant environmental sensitivities in the area?

The detailed sensitivities of the site are outlined in section 2.2 above.

There are no recorded monuments situated within the site boundaries but a large number of monuments within the townland, six of which are located in the Burgage cemetery just north west of the site. An archaeological Impact Assessment along with the results of geophysical and trenching surveys accompany the Part 8 development. The test excavations confirmed that there was no archaeological features or deposits of significance.

The site is surrounded by residential development / agricultural land.

An ecological assessment has been carried out. The development has been designed to retain a significant number of trees and to enhance landscaping where trees will be removed. No bat roosts were identified in the trees.

The proposed development is located 250m west of the Poulaphouca Reservoir, a sensitive site. The requirement to carry out EIA cannot be excluded without examining Schedule 7A information.

5 Screening Determination

Where the requirement to carry out EIA is not excluded at preliminary examination stage, the planning authority must carry out a screening determination.

The screening determination carried out on the basis of the Schedule 7A

In making its screening determination, the competent authority must have regard to:

- Schedule 7 criteria,
- Schedule 7A information,

- Any further relevant information on the characteristics of the development and its likely
 - significant effects on the environment submitted by the applicant,
- Any mitigation measures proposed by the applicant,
- The available results, where relevant, of preliminary verifications or assessments carried out under other relevant EU environmental legislation, including information submitted by the applicant on how the results of such assessments have been taken into account (see Box 3), and
- The likely significant effects on certain sensitive ecological sites

Step 3

Formal
Screening
Determination



Screening Exercise:
Is the proposal likely to have significant effects on the environment?

In making the determination, the planning authority must have regard to Schedule 7 criteria, Schedule 7A information, results of other relevant EU assessments, the location of sensitive ecological sites, or heritage or conservation designations. Mitigation measures may be considered.

Screening Determination: Recorded outcomes to screening determination must state main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 of the Regulations and mitigation if relevant.

5.1 Schedule 7 criteria

1. Characteristics of proposed development

OPR guidance -if relevant, **briefly describe** the characteristics of the development (i.e. the nature and extent):

*The characteristics of proposed development, in particular—
(a) the size and design of the whole of the proposed development,*

The proposed development comprises the construction of 106 residential units on a greenfield site c.3.52 ha. It will include a two-storey creche (200 sqm) and 170 car parking spaces. The proposed development also includes road works with the existing access reconfigured and enhanced. It is also proposed to realign and widen Burgage More, provide a new junction to the north of the site and to provide a new footpath to the east of Burgage more.

(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 subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment,

Section 4.5.2 of this report identifies relevant applications for the assessment of cumulative effects. Together, the Part 8 site and the other permitted developments are not likely to give rise to significant effects. It is noted An Bord Pleanála, as the competent authority, carried out a preliminary examination of the permitted development to the west (ABP-306196-19) and concluded that there were no real likelihood of significant effects on the environment and the

need for EIA could be excluded at preliminary examination and a screening determination was not required. The cumulated number of units between the two sites is 162 new units.

(c) the nature of any associated demolition works,

No demolition works are proposed.

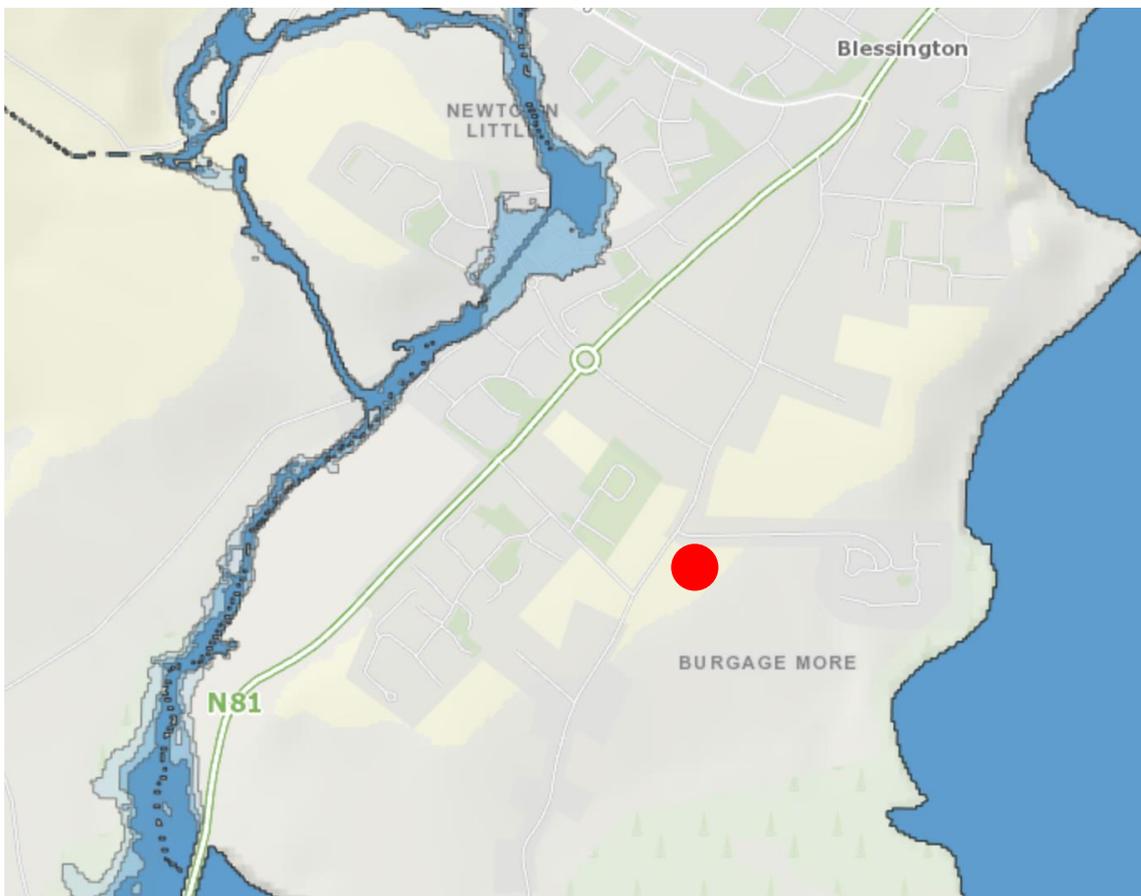
(d) the use of natural resources, in particular land, soil, water and biodiversity,

The land cover is grass. The site is zoned for residential development in close proximity to the employment area. The proposed development makes efficient use of lands and is aligned with development patterns in the vicinity.

As part the design process, Irish Water was consulted with a pre-connection enquiry submitted. The nature of the proposed development will generate a demand for water but this is for residential use and is not considered significant.

The site is not identified for flood risk in the OPW flood map (see below). No past flood events were identified.

Figure 6: Extract from floodinfo.ie showing extent of river, coastal and fluvial risks (source: OPW), site in red



The design of the proposed development incorporates existing tree groups and hedgerows to ensure the viability of existing wildlife corridors. Where trees and hedgerows are being removed to facilitate the development, new trees will be incorporated into the landscape proposals. An Ecological Impact Assessment (EclA) submitted with this part 8 application concludes that the proposed development will not cause any significant negative impacts on designated sites, habitats, legally protected species, or any other features of ecological importance.

(e) the production of waste,

It is not considered that the construction of 106 units and a creche would give rise to types and quantum of waste that are exceptional. All units, including the creche will be provided with waste storage facilities. The collection arrangements will be aligned with standard practice in County Wicklow.

The site is approximately 3.52ha and has a total impermeable area of around 0.858ha which is to be drained to the new proposed surface water systems. Storm flows will be attenuated and will infiltrate to ground.

The foul water is proposed to be connected to existing IW network at junction at Graveyard. Two surface water catchment areas are proposed. Surface water will Infiltrate to ground via an infiltration system, Infiltration tanks are proposed in the main open space and to the south of the site. The watermain is proposed to connect to the existing at the graveyard junction.

(f) pollution and nuisances,

It is not considered that the construction of 106 units and creche would give rise to pollution and nuisances. Noise, vibration, lighting and dust arising from construction activities and construction traffic have the potential for pollution or nuisance. Any risk of surface water pollution can be avoided by adherence to best practice construction and environmental management during the construction phase which will ensure that the development would not result in pollution of groundwater or surface water. Dust nuisance during construction can be controlled by a dust minimisation plan. No operational impacts in this regard are anticipated.

The proposed development is primarily for residential development. Accordingly, there are no significant expected residues or emissions. Aspects of energy efficiency are incorporated into the modern energy efficient design of the buildings.

Significant negative effects on the environment are not likely to arise due to pollution or nuisance.

(g) the risk of major accidents, and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge, and

Standard construction practices will be employed throughout the construction phase. The subject lands are not proximate to any Seveso site. The site was not identified for flood risk.

There is no significant risk of accidents or disasters.

(h) the risks to human health (for example, due to water contamination or air pollution).

The nature of the proposed development and the engineering provisions will not lead to the likelihood of any risk to human health. Any risk arising from construction will be localised and temporary in nature. The proposed development is of standard construction method and of appropriate scale and does not require the use of particular substances or use of technologies which of themselves are likely to give rise to significant environmental effects. The site is not at risk of flooding. There are no Seveso / COMAH sites in the vicinity of this location. Foul water will discharge to the public sewer. Surface water will discharge to the public sewer following attenuation.

There is no risk to human health within the meaning of the Directive.

2. Location of proposed development

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

(a) the existing and approved land use,

Blessington, is located on the Kildare/Wicklow border approximately 27km southwest of Dublin and 11km from Naas, the County town of Kildare. The greenfield site is located c 1.3 km from the town centre on the eastern side of Burgage More (L8858) which connects to the N81 closer to the centre of Blessington. The road narrows and is treelined along the site frontage and continues in a southerly direction.

Opposite the site to the west is a local road connecting to the N81. This road is characterised by new and permitted housing. A cemetery is located to west of the site.

The Poulaphouca Reservoir Special Protection Area (Site Code 004063) is located c.250m east of the site. To the northeast of the site on the opposite side of the local road is a graveyard with archaeological interests. There are agricultural fields to the north, south and east. There is evidence of an equestrian centre immediately to the south.

The site consists of a single field of improved grassland surrounded by treelines. The site slopes gently to the east towards the reservoir.

(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 land cover is grass. The site is zoned for residential development in close proximity to the employment area. The proposed development makes efficient use of lands and is aligned with development patterns in the vicinity.

As part the design process, Irish Water was consulted with a pre-connection enquiry submitted. The nature of the proposed development will generate a demand for water but this is for residential use and is not considered significant.

The site is not identified for flood risk in the OPW flood map (see figure 6 above). No past flood events were identified.

(c) the absorption capacity of the natural environment, paying particular attention to the following areas:

(i) wetlands, riparian areas, river mouths;

There are no watercourses in the vicinity of the site, nor any drainage ditches around the margins of the field. The closest watercourse is an unnamed stream located approx. 600 m to the north-west. The main surface water feature in the area is the Poulaphouca Reservoir (also known as Pollaphouca or Blessington Lake), which is approx. 250 m east of the Site. It is an active reservoir that supplies drinking water to the Dublin area. The proposed development is not likely to give rise to significant effects on wetlands, riparian areas and river mouth.

(ii) coastal zones and the marine environment;

The site is located c. 31km from the coast. The proposed development is not likely to give rise to significant effects on coastal zones and the marine environment.

(iii) mountain and forest areas;

The site is located c. 3.3km away from the Wicklow Mountains (to the east) and 11 km away from the Dublin Mountains (to the north). The closest wooded area is located as Burgage Castle to around 196 m to the south east of the site. It is not likely the development would give rise to significant effects on mountains and forest areas.

(iv) nature reserves and parks;

The Wicklow National Park is located around 3.3km east of the site. The closest nature reserve is the Glenealo Valley Nature Reserve, located c.18 km to the south east. Owing to the distances, it is not likely the development would give rise to significant effects on nature reserves and parks.

(v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive and;

The following Natura 2000 sites have been identified:

Table 1: Natura 2000 sites within 5 km of the proposed development site (source: NME EclA)

Site Name	Distance	Reasons for designation
Poulaphouca Reservoir SPA (4063)	0.25 km east	Habitats: freshwater lake and nearby agricultural grasslands Special conservation interests: greylag goose, lesser black-backed gull
Wicklow Mountains SAC (2122)	3.3 km east	Annex I Habitats: oligotrophic waters of sandy plains, natural dystrophic lakes and ponds, northern Atlantic wet heaths with

		<p>Erica tetralix, European dry heaths, Alpine and Boreal heaths, Calaminarian grasslands of the <i>Violetalia calaminariae</i>, Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas, blanket bogs, siliceous scree of the montane to snow levels, calcareous rocky slopes with chasmophytic vegetation, siliceous rocky slopes with chasmophytic vegetation, old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles</p> <p>Annex II Species: otter</p>
Red Bog SAC (397)	3.8 km north	<p>Annex I Habitats: transition mires and quaking bogs</p> <p>Annex II Species: none</p>

An appropriate assessment screening report was prepared as part of this Part 8. It concludes:

‘Having considered the particulars of the proposed development, we conclude that this application meets the second conclusion, because there is no risk of direct or indirect impacts on any Natura 2000 sites. Therefore, with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. Therefore, we conclude that Appropriate Assessment is not required.’

(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;

The main surface water feature in the area is the Poulaphouca Reservoir (also known as Pollaphouca or Blessington Lake), which is approx. 250 m east of the Site. It is an active reservoir that supplies drinking water to the Dublin area. Under the Water Framework Directive status assessments 2013 – 2018, Poulaphouca Lake is of Good status. The proposed development is not likely to give rise to significant effects on Poulaphouca.

(vii) densely populated areas;

The development is located within an existing suburban residential area. There are houses and in the vicinity but no other sensitive land uses.

(viii) landscapes and sites of historical, cultural or archaeological significance.

No archaeological monuments are located on the site. An archaeological Impact Assessment along with the results of geophysical and trenching surveys accompany the Part 8 development. The test excavations confirmed that there was no archaeological features or deposits of significance.

Appendix 5 of the Wicklow County Development Plan is the Landscape Assessment. It classified the county in different categories of landscape and assigns them a level of vulnerability. The site is included as an 'urban area' (UA). Urban areas are classified as 'low vulnerability'. It is therefore not likely that the proposed development would give rise to significant effects on the landscape.

3. *Types and characteristics of potential impacts*

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

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

Population and Human Health

Construction activities may require the use of potentially harmful material, such as fuels and other such substances and give rise to waste for disposal. Such use will be typical of construction sites. Noise and dust emissions during construction are likely. Such construction impacts would be local and temporary in nature and last for the construction period. Operational waste will need to be managed. Other significant operational impacts are not anticipated. No likely significant effects are expected.

A construction management plan will be prepared by the contractor in advance of construction. Waste collection will be operated as per the standard practices in County Wicklow.

Biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive

There are no likely significant effects upon species or habitats protected under the Habitats and Birds Directives. The development could potentially impact on foraging bats. Trees will be removed, but will not significantly effect biodiversity.

An Ecological Impact Assessment (ECIA) including bat survey has been prepared. Mitigation measures are included in the report and include bat sensitive lighting and the protection of birds during site clearance.

Land, soil, water, air and climate

There are potential spills to surface water and ground water during the construction phase. These impacts will temporary and reversible. A construction management plan will be prepared by the contractor in advance of construction.

Material assets, cultural heritage and the landscape

Archaeological testing was undertaken. There are no likely significant effects landscape, visual or cultural heritage, or material assets identified.

No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.

Cumulative effects

It is considered that cumulative impacts with other existing and/or approved projects are not likely to cause significant effects on the environment.

No significant adverse effects have been identified, no measures are recommended to avoid or prevent such impacts.

Transboundary effects

Owing to the scale, nature and location of the proposed development there will be no transboundary effects, no measures are recommended to avoid or prevent such impacts.

5.2 Schedule 7A information

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

Refer to Section 3 of this report.

(b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

Refer to Section 2 of this report.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

Response

Refer to Section 2 of this report.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(a) the expected residues and emissions and the production of waste, where relevant, and

Response

The EclA notes that *'the Poulaphouca Reservoir SPA is located approximately 205m east of the site and is located at a lower altitude so it is possible that groundwater will seep in that direction.*

However, it is important to note that any waterborne pollutants that percolate to ground during the construction of the proposed development would be filtered by 2050m of intervening soils prior to reaching the reservoir. Most pollutants would be filtered to negligible concentrations within that distance. Even if there was a large-scale pollution event within the Site, it is expected that only trace quantities of pollutants would reach the reservoir.

The qualifying interests of the SPA are greylag geese and lesser black-backed gulls. It has been established in Section 4.4 that greylag geese feed primarily on agricultural lands outside the SPA, not on aquatic vegetation. Lesser black-backed gulls are omnivorous species, whose diet is described on the Birdwatch Ireland website as "a wide variety of prey including fish from the sea, waste from fisheries, rubbish from landfill sites, insects in flight, young birds and food from other birds". On this basis, neither species appears to feed exclusively on plants or animals in the reservoir, and thus neither would be at risk of ingesting pollutants generated during the construction of the proposed development.

Overall, considering that any pollutants generated during construction works would be filtered prior to reaching the reservoir, and that aquatic organisms within the reservoir are not the primary sources of nutrition for the SPA's qualifying interests, it is not considered possible that any pollutants from the Site could negatively affect the qualifying interests of the SPA. Therefore, we conclude that the proposed development poses no risk of impacts on the Poulaphouca Reservoir SPA.'

(b) the use of natural resources, in particular soil, land, water and biodiversity.

There are potential spills to surface water and ground water during the construction phase. These impacts will temporary and reversible. A construction management plan will be prepared by the contractor in advance of construction.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

Response

Please refer to section 5.1 of this report.

5.3 Any further relevant information

Response

This part 8 is accompanied by a suite of documentation to support the conclusions included in this report, this includes:

- Appropriate Assessment Screening Report
- Winter Bird Survey
- Ecological Impact Assessment
- Drainage and Watermain Design Report
- Archaeological Impact Assessment
- Geophysical Survey Report
- Archaeological Testing Report
- Tree survey report

A suite of architectural, engineering and landscape drawings and reports also accompanies the documentation detailing the proposed development.

5.4 Any mitigation measures

The following mitigation measures are proposed as part of the Part 8 application:

A construction management plan will be prepared in advance of the construction phase to minimise impacts on the local population.

Tree and hedgerows removed to accommodate the development will be substituted with new planting as part of the landscaping proposals.

Any tree felling and site clearance works will be carried out between September and February (inclusive) i.e outside of nesting season. If that is not possible, then an ecologist will be retained to survey the affected area(s) to assess whether any breeding birds are present.

Bats sensitive lighting techniques will be incorporated into the public lighting.

5.5 Available results under other relevant EU environmental legislation,

Other relevant EU environmental legislation may include:

- SEA Directive [2001/42/EC]
- Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]

- Water Framework Directive [2000/60/EC]
- Marine Strategy Framework Directive
- Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive
- Industrial Emissions Directive
- Seveso Directive
- Trans-European Networks in Transport, Energy and Telecommunication
- EU Floods Directive 2007/60/EC

Directive	Results
SEA Directive [2001/42/EC]	The proposed development is located of lands which have been zoned under the Blessington Local Area Plan 2013-2019 and the Wicklow County Development Plan 2016-2022. These have been subject to Strategic Environmental Assessment.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	<p>An appropriate assessment (AA) screening report accompanies this part 8 submission. An Ecological Impact Assessment (EclA) was also completed. It was supported by a winter bird survey.</p> <p>The AA concludes that <i>‘with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. Therefore, we conclude that Appropriate Assessment is not required.’</i></p> <p>The EclA identifies a number of measures to minimize impacts on wildlife, specifically birds and bats.</p>
Water Framework Directive [2000/60/EC]	The main surface water feature in the area is the active Poulaphouca Reservoir (also described as a lake) c 250 m east of the site that supplies drinking water to the Dublin area.

Directive	Results
	<p>Under the Water Framework Directive status assessments 2013 – 2018, Poulaphouca Lake is of Good status.</p> <p>A potential pathway via groundwater was identified between the site and the Poulaphouca Reservoir. The bedrock underlying the Site has low permeability (it is a poor aquifer), but the soils appear to be well-drained. This suggests that rainfall (or other surface water) at the Site will percolate to ground and flow laterally through the subsoil / soil. The <i>Poulaphouca Reservoir</i> SPA is located approx. 250 m to the east of the Site, and is at a lower altitude, so it is possible that groundwater will seep in that direction.</p> <p>The EclA notes that <i>'any waterborne pollutants that percolate to ground during the construction of the proposed development would be filtered by 250 m of intervening soils prior to reaching the reservoir. Most pollutants would be filtered to negligible concentrations within that distance. Even if there was a large-scale pollution event within the Site, it is expected that only trace quantities of pollutants would reach the reservoir.'</i></p>
Marine Strategy Framework Directive	The site is located c. 31km from the MSFD assessment area. There is no likely impact given the distance.
Ambient Air Quality Directive and Heavy Metals in the Ambient Air Directive	n/a to proposed development
Industrial Emissions Directive	n/a to proposed development
Seveso Directive	n/a to proposed development
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	No flood risk identified.

5.6 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

i) a European site,

An appropriate assessment (AA) screening report accompanies this part 8 submission. It was supported by a winter bird survey.

The AA concludes that *'with regard to Article 42 (7) of the European Communities (Birds and Natural Habitats) Regulations 2011, it can be excluded on the basis of objective scientific information following screening, that the plan or project, individually or in combination with other plans or projects, will have a significant effect on a European site. Therefore, we conclude that Appropriate Assessment is not required.'*

The EclA identifies a number of measures to minimize impacts on wildlife, specifically birds and bats.

ii) an area which is the subject of a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),

Response

The Ecological Impact Assessment has not identified any likely significant effect on areas subject to a notice under Section 16(2)(b) of the Wildlife (Amendment) Act 2000.

iii) an area designated as a Natural Heritage Area (NHA) under Section 18 of the Wildlife (Amendment) Act 2000),

Response

The Ecological Impact Assessment has not identified any likely significant effect on a Natural Heritage Areas.

iv) land established or recognised as a nature reserve within the meaning of Section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),

Response

The Ecological Impact Assessment has not identified any likely significant effect on a nature reserve.

v) land designated as a refuge for flora or as a refuge for fauna under Section 17 of the Wildlife Act 1976,

Response

The Ecological Impact Assessment has not identified any likely significant effect on a refuge for flora or a refuge for fauna.

vi) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area plan, or proposed variation of a development plan, for the area in which the development is proposed, or

Response

The Ecological Impact Assessment has not identified any likely significant effect on a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of the Wicklow County Development Plan 2016 or the Blessington Local Area Plan 2013-2019.

vii) a proposed Natural Heritage Area (pNHA).

The Ecological Impact Assessment has not identified any likely significant effect on pNHA.

6 Screening determination recommendation

Having regard to the criteria in Schedule 7, the information provided in accordance with Schedule 7A of the Planning and Development Regulations 2001, as amended, and the following:

- The scale, nature and location of the proposed impacts
- The potential impacts and proposed mitigation measures
- The results of the any other relevant assessments of the effects on the environment

It is considered that the proposed development would not be likely to have significant effects on the environment and it is recommended that environmental impact assessment report is not required.

