



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

FOR

STRATEGIC HOUSING DEVELOPMENT

AT


LANDS AT NO. 146A AND NOs. 148-148A,  
RICHMOND ROAD, DUBLIN 3


December 2021

ON BEHALF OF

Birkey Limited

Prepared by  
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## 1 INTRODUCTION

### 1.1 Background

Enviroguide Consulting was retained by Thornton O'Connor Town Planning acting on behalf of Birkey Limited (the applicant) to prepare a Statement in accordance with Article 299B(1)(b)(ii)(II)(C) of the Planning and Development Regulations 2001, as amended. This Statement is to be read in conjunction with the Environmental Impact Assessment (EIA) Screening Report that was prepared in relation to a Strategic Housing Development on a site at no. 146A and Nos. 148-148A Richmond Road, Dublin 3.

The purpose of this Statement and the EIA Screening Report is to identify and assess any potential for environmental impact as a result of the Proposed Development and to determine if EIA is required for the Proposed Development and indicate how available results of relevant assessments of effects on the environment have been carried out pursuant to relevant European Legislation.

## 2 PRINCIPAL FEATURES OF THE PROPOSED DEVELOPMENT

Birkey Limited intend to apply to An Bord Pleanála for permission for a strategic housing development at this c. 0.61 hectare (c. 6,067 sq m) site at No. 146A and Nos. 148-148A Richmond Road, Dublin 3 (Eircodes D03 W2H1, D03 T6P0, D03 Y8R9, D03 PX27, D03 K6F7, D03 E447 and D03 HR27). The site is bounded to the north-east by Richmond Road and the Leyden's Wholesalers & Distributor Site, to the north-west by an apartment development (Deakin Court), to the south-west by the Tolka River and to the south-east by a residential and commercial development (Distillery Lofts). Improvement works to Richmond Road are also proposed including carriageway widening and a new signal controlled pedestrian crossing facility on an area of c. 0.08 hectares (c. 762 sq m). The development site area and road works area will provide a total application site area of c. 0.69 hectares (c. 6,829 sq m).

The Proposed Development will principally consist of: the demolition of all existing structures on site (c. 2,346 sq m) including warehouses and 2 No. dwellings; and the construction of a part 6 No. to part 10 No. storey over basement development (with roof level telecommunications infrastructure over), comprising 1 No. café/retail unit (157 sq m) at ground floor level and 183 No. Build-to-Rent apartments (104 No. one bedroom units and 79 No. two bedroom units). The proposed development has a gross floor area of c. 16,366 sq m over a basement of c. 2,729 sq m. The proposed development has a gross floor space of c. 15,689 sq m.

The development also includes the construction of a new c. 126 No. metre long section of flood wall to the River Tolka along the site's southern boundary. The new flood wall is positioned at the top of the existing river bank and will connect to existing constructed sections of flood wall upstream and downstream of the site. The top of the wall will be set at the required flood defence level resulting in typical wall heights of c. 1.2 to 2 metres above existing ground levels. The development will also include the repair and maintenance of the existing river wall on site adjacent to the River Tolka.

The development also provides ancillary residential amenities and facilities; 71 No. car parking spaces including 8 No. electric vehicle spaces, 4 No. mobility impaired spaces and 1 No. car

share space; 5 No. motorcycle parking spaces; bicycle parking; electric scooter storage; a drop off space; the decommissioning of the existing telecommunications mast at ground level and provision of new telecommunications infrastructure at roof level including shrouds, antennas and microwave link dishes; balconies facing all directions; public and communal open space; a pedestrian/bicycle connection along the north-western boundary of the site from Richmond Road to the proposed pedestrian/bicycle route to the south-west of the site adjoining the River Tolka; roof gardens; hard and soft landscaping; boundary treatments; green roofs; ESB Substation; switchroom; comms rooms; generator; lift overruns; stores; plant; and all associated works above and below ground.

## 2.1 EIA Screening

An EIA Screening Report has been prepared by Enviroguide Consulting on behalf of Birkey Limited. The overall objective of the EIA Screening exercise was to identify and assess any potential for environmental impact associated with the Proposed Development and to determine if EIA would be required for the Proposed Development, based on best scientific knowledge.

The Proposed Development was assessed in accordance with the screening criteria set out in Annex III of the European Union 'EIA Directive'.

The EIA Screening Report concludes that having regard to:

- the nature and scale of the proposed development on an urban site served by public infrastructure,
- the absence of any significant environmental sensitivities in the area, and
- the location of the development outside of any sensitive location specified in article 109(3) of the Planning and Development Regulations 2001 (as amended),

The Proposed Development would not be likely to have significant effects on the environment. Therefore, a mandatory Environmental Impact Assessment Report (EIAR) has not been prepared for this Proposed Development.

### 3 ASSESSMENT OF RELEVANT EU LEGISLATION

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

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora	
<b>Summary of Relevance</b>	
<p>The EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive 1992) provides protection to designated species and habitats throughout Europe. The Habitats Directive has been transposed into Irish law through the EC (Birds and Natural Habitats) Regulations 2011.</p> <p>The Habitats Directive aims to protect some 220 habitats and approximately 1000 species throughout Europe. The habitats and species are listed in the Directives annexes, where Annex I covers habitats and Annex II, IV and V cover species. There are 59 Annex I habitats in Ireland and 33 Annex IV species which require strict protection wherever they occur. The Directive requires the designation of Special Areas of Conservation for areas of habitat deemed to be of European interest. The SACs together with the SPAs from the Birds Directive form a network of protected sites called Natura 2000.</p>	
<b>Assessment Reports Completed as part of Application Process</b>	
1.	<p><b>Appropriate Assessment Screening Report</b> Prepared by: Enviroguide Consulting Report Date: December 2021</p>
2.	<p><b>Natura Impact Statement</b> Prepared by: Enviroguide Consulting Report Date: December 2021</p>
3.	<p><b>Ecological Impact Assessment</b> Prepared by: Enviroguide Consulting Report Date: December 2021</p>
4.	<p><b>Invasive Alien Plant Species: Site Assessment Report and Management Plan</b> Prepared by: Invasive Plant Solutions Report Date: December 2021</p>
5.	<p><b>Landscape Planning Report</b> Prepared by: Mitchell + Associates Report Date: December 2021</p>
<b>Conclusions</b>	
<p>According to the Assessment Reports that have been prepared to support the application for the Proposed Development, it is concluded that, there will be no possibility of significant effects on any of the qualifying interests of the identified Natura 2000 Sites once appropriate control measures, as outlined within the Natura Impact Statement, are implemented.</p> <p>Based on the full implementation of the proposed works and control measures, carried out in accordance with the proposed landscape plan; it is deemed that there will be no significant negative</p>	



ecological impacts; to any valued habitats, designated sites or individual or group of species, arising from Construction and Operational Phases of the Proposed Development.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

- |           |                                                                                                                                        |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.</b> | <p><b>Site Specific Flood Risk Assessment</b><br/>Prepared by: DBFL Consulting Engineers<br/>Report Date: December 2021</p>            |
| <b>2.</b> | <p><b>Construction and Environmental Management Plan</b><br/>Prepared by: DBFL Consulting Engineers<br/>Report Date: December 2021</p> |
| <b>3.</b> | <p><b>Infrastructure Design Report</b><br/>Prepared by: DBFL Consulting Engineers<br/>Report Date: December 2021</p>                   |

#### Conclusions

According to the Assessment Reports that have been prepared to support the planning application for the Proposed Development, it is concluded that appropriate surface water management and discharge measures will be undertaken to ensure no significant impacts arise. Furthermore, it is considered that there is an adequate intervening distance between the Proposed Development and the nearest surface watercourse.

According to the Site-Specific Flood Risk Assessment, the development complies with the requirements of the Greater Dublin Strategic Drainage Study (GDSDS) and does not increase the risk of flooding elsewhere and does not result in displaced waters. The key impacts during the proposed construction and demolition works relate to the proposed excavation and dewatering works leading to inadvertent emissions of contaminated water containing silt, cementitious materials and/or other pollutants to the Tolka. Appropriate surface water management and discharge measures as well as flood mitigation measures will be employed to ensure that no significant impacts arise. It is proposed that the overall drainage system, serving this development, will contain a range of surface water treatment methods, as outlined within the Infrastructure Design Report, which will improve the quality of surface water being discharged from the Proposed Development.

It is not anticipated that there will be adverse impacts to groundwater or any watercourses in the vicinity of the Proposed Development due to adherence to appropriate control measures, as outlined in the Infrastructure Design Report, Site-Specific Flood Risk Assessment and Construction Environmental Management Plan.

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

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

#### Summary of Relevance

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

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

The Dublin City Development Plan 2016-2022 sets out policies and objectives to guide how and where development will take place in the city over the lifetime of the Plan. The Plan has been prepared in accordance with the requirements of the Planning and Development Act, 2000 (as amended), the Planning and Development (Strategic Environmental Assessment) Regulations, 2004 as amended. The content of the core strategy of the Development Plan has been informed by Strategic Environmental Assessment (SEA).

#### Assessment Reports Completed as part of Application Process

##### 1. Dublin City Development Plan 2016-2022

Prepared by: Dublin City Council  
Report Date: 2016-2022

##### 2. Environmental Impact Assessment Screening Report

Prepared by: Enviroguide Consulting  
Report Date: December 2021

#### Conclusions

The Dublin City Development Plan 2016-2022 has been consulted when preparing the relevant Assessment Reports. The content of the core strategy detailed in the Dublin City Development Plan has been informed by Strategic Environmental Assessment (SEA). No further assessment is required.

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

Directive 2002/49/EC on the assessment and management of environmental noise	
<b>Summary of Relevance</b>	
<p>The Environmental Noise Directive relates to the assessment and management of environmental noise. The Directive has been transposed into Irish law through the Environmental Noise Regulations 2006, as amended, which came into effect on 3<sup>rd</sup> April 2006.</p> <p>These Regulations apply to environmental noise to which people are exposed, in particular in built up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, near hospitals, and near other noise-sensitive buildings and areas. They are intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise.</p>	
<b>Assessment Reports Completed as part of Application Process</b>	
<b>1.</b>	<p><b>Noise and Vibration Impact Assessment</b> Prepared by: AWN Consulting Report Date: December 2021</p>
<b>2.</b>	<p><b>Construction and Environmental Management Plan</b> Prepared by: DBFL Consulting Engineers Report Date: December 2021</p>
<b>Conclusions</b>	
<p>During construction, temporary and intermittent impacts are predicted due to potential noise and dust, however these impacts will be localised and last only for the duration of this phase. The control measures identified in the Construction Environmental Management Plan will ensure that there will be no nuisance or impacts from the Construction Phase of Proposed Development beyond the Site boundary.</p> <p>A noise and Vibration Impact Assessment has been carried out by AWN Consulting in respect of the Proposed Development. This report considers the Site is suitable for residential development subject to the provision of the noise control recommendations as outlined within the report.</p>	

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

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

#### Summary of Relevance

The ambient air quality and CAFÉ Directive establishes air quality objectives and merges most of the existing air quality legislation into a single directive. The Directive includes certain limits or target values specified by the five published directives that apply limits to specific air pollutants for the improvement of human health and environmental quality. The Directive outlines assessment methodologies and provides corrective actions if the standards are not met. The CAFE Directive has been transposed into Irish legislation by the Air Quality Standards Regulations (S.I. No. 180 of 2011). National authorities are required to designate specific bodies to assess compliance with thresholds, limit values and target values for each pollutant covered by the directive. The regulations further provide for the distribution of public information. This includes information on any exceedances of target values, the reasons for exceedances, the area(s) in which they occurred, and the relevant information regarding effects on human health and environmental impacts. In Ireland, the EPA is the competent authority for the purpose of the CAFE Directive and develops an annual report on all pollutants covered by the legislation.

#### Assessment Reports Completed as part of Application Process

##### 1. Construction Environmental Management Plan (CEMP)

Prepared by: AWN Consulting  
Report Date: December 2021

##### 2. Traffic and Transport Assessment Report

Prepared by: DBFL Consulting Engineers  
Report Date: December 2021

#### Conclusions

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

In accordance with the Traffic and Transport Impact Assessment, the impact on the surrounding road network, as a result of the proposed redevelopment on the subject infill Richmond Road lands will be minimal. Due to the predicted volume of increased traffic as a result of the Proposed Development, it is considered unlikely for significant air quality impacts to occur as a result of increased traffic flow, and an associated air quality assessment is not required.

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

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

#### Summary of Relevance

The Directive on the assessment and management of flood risks establishes a framework for measures to reduce the risk of floods within the EU and requires EU countries to assess the risk of flooding in coastal regions and river basins by collecting historical data and defining the natural / physical environment. EU countries must also establish flood-risk management plans that are coordinated at the level of the river basin or coastal districts. These plans establish objectives for the management of flood risks, focusing mainly on prevention (e.g., avoiding construction in areas that may flood), protection (measures to reduce the likelihood of floods in a specific place) and preparedness (informing the public about flood risks and what do to in the event of flooding). The Directive was transposed into Irish legislation by the European Communities (Assessment and Management of Flood Risks) Regulations 2010.

#### Assessment Reports Completed as part of Application Process

- |           |                                                                                                                                                           |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.</b> | <p><b>Site Specific Flood Risk Assessment (Engineering Services Report)</b><br/>Prepared by: DBFL Consulting Engineers<br/>Report Date: December 2021</p> |
| <b>2.</b> | <p><b>Infrastructure Design Report</b><br/>Prepared by: DBFL Consulting Engineers<br/>Report Date: December 2021</p>                                      |

#### Conclusions

A Flood Risk Assessment (FRA) has been carried out for the Site of the Proposed Development. This Assessment has determined that, as per the OPW Guidelines, the sequential approach has been applied, the Proposed Development has passed the necessary justification tests, the development does not increase flood risk elsewhere and the development's design incorporates measures to address flood risk. The Infrastructure Design Report also discusses and outlines flood management strategies for the Proposed Development.

### 3.7 Other Relevant EU Legislation

#### 3.7.1 Bern and Bonn Convention

Convention on the Conservation of European Wildlife and Natural Habitats - Bern Convention Convention on the Conservation of Migratory Species of Wild Animals – Bonn Convention	
<b>Summary of Relevance</b>	
The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention 1982) was enacted to conserve all species and their habitats. The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention 1979, enacted 1983) was introduced to give protection to migratory species across borders in Europe.	
<b>Assessment Reports Completed as part of Application Process</b>	
<b>1.</b>	<b>Ecological Impact Assessment</b> Prepared by: Enviroguide Consulting Report Date: December 2021
<b>Conclusions</b>	
According to the EclA Report, the Site of the Proposed Development does not host significant species populations as designated under the Bern and Bonn Convention. Therefore, no adverse impacts are expected in this regard.	

#### 3.7.2 Ramsar Convention

The Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat	
<b>Summary of Relevance</b>	
The Ramsar Convention on Wetlands is an intergovernmental treaty signed in Ramsar, Iran, in 1971. The treaty is a commitment for national action and international cooperation for the conservation of wetlands and their resources. In Ireland there are currently 45 Ramsar sites which cover a total area of 66,994 Ha.	
<b>Assessment Reports Completed as part of Application Process</b>	
<b>1.</b>	<b>Ecological Impact Assessment</b> Prepared by: Enviroguide Consulting Report Date: December 2021
<b>Conclusions</b>	
According to the EclA report, the Site of the Proposed Development is not located within, or in close proximity to, a Ramsar site. Therefore, no adverse impacts are expected in this regard.	



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

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

#### Summary of Relevance

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

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

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

#### Assessment Reports Completed as part of Application Process

##### 1. Construction and Demolition Waste Management Plan

Prepared by: AWN Consulting  
Report Date: December 2021

##### 2. Operational Waste Management Plan

Prepared by: AWN Consulting  
Report Date: December 2021

#### Conclusions

A CDWMP and OWMP have been prepared for the Proposed Development. The aim of these plans is to ensure maximum recycling, reuse, and recovery of waste with diversion from landfill, wherever possible. The plans provide further guidance in relation to the collection and transport of waste to prevent issues associated with litter or environmental pollution (contamination of land or water resources).

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

##### 1. Construction and Demolition Waste Management Plan

Prepared by: AWN Consulting  
Report Date: December 2021

##### 2. Operational Waste Management Plan

Prepared by: AWN Consulting  
Report Date: December 2021

#### Conclusions

A CDWMP has been prepared for the Proposed Development and has been designed to ensure the highest possible levels of waste reduction, waste reuse, and waste recycling are achieved for the Proposed Development during the Construction Phase. The CDWMP has estimated the category and quantity of waste generated by the Proposed Development and includes recommendations for the bespoke management of various waste streams and refuse removal. The plan provides further guidance in relation to the collection and transport of waste to prevent issues associated with litter or environmental pollution (contamination of land or water resources).

An OWMP has been prepared to ensure that the management of waste during the Operational Phase of the Proposed Development is undertaken in accordance with the current legal and industry standards as outlined within the report. The aim of the OWMP is to ensure maximum recycling, reuse and recovery of waste with diversion from landfill, wherever possible. Furthermore, the OWMP provides guidance on the appropriate collection and transport of waste to prevent issues associated with litter or more serious environmental pollution (contamination of land or water resources). The plan has estimated the type and quantity of waste to be generated from the Proposed Development during the Operational Phase and provides a strategy for managing the different waste streams.

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

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

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

Not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

##### 1. Construction and Environmental Management Plan (CEMP)

Prepared by: DBFL Consulting Engineers  
Report Date: December 2021

##### 2. Noise and Vibration Impact Assessment

Prepared by: AWN Consulting  
Report Date: December 2021

#### Conclusions

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

Excavations and concrete works will be among the most significant activities. The activities which are likely to generate the most noise over prolonged periods will be demolition and concrete activities. Appropriate control measures will be implemented as outlined within the CEMP to reduce the likelihood of noise impacts occurring.

A Noise and Vibration Impact Assessment has been carried out in respect of the Proposed Development. From this report, it is considered that the Site is suitable for residential development subject to the provision of the noise control recommendations as outlined within the report.

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

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

#### Summary of Relevance

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

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

#### Assessment Reports Completed as part of Application Process

##### 1. Part L Planning Compliance for the Mechanical and Electrical Services Installations Report

Prepared by: Axiseng Consulting Engineers  
Report Date: December 2021

#### Conclusions

A Part L Planning Compliance for the Mechanical and Electrical Services Installations Report has been prepared for the Proposed Development which sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs throughout the building lifecycle. The report further states that the development complies with the Part L and NZEB requirements and is achieving an A2 BER.

The results show that the apartment units analysed have an Energy Performance Coefficient (EPC) between 0.219 and 0.271 which is less than the maximum permitted energy performance coefficient (MPEPC) of 0.3. The results also show that the apartment units analysed has a Carbon Performance Coefficient (CPC) between 0.210 and 0.265 which is less than the maximum permitted energy performance coefficient (MPEPC) of 0.35. Therefore, it is considered that the Proposed Development will make a positive contribution towards 2030 energy efficiency and climate goals and towards the Energy Union strategy.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

Not relevant to the Proposed Development.



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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

##### 1. Part L Planning Compliance for the Mechanical and Electrical Services Installations Report

Prepared by: Axiseng Consulting Engineers  
Report Date: December 2021

#### Conclusions

A Part L Planning Compliance for the Mechanical and Electrical Services Installations Report has been prepared for the Proposed Development which sets out various energy conservation measures which will be incorporated into the Development design in order to aid in the reduction of energy consumption, carbon emissions, and costs. The report further states that the development complies with the Part L and NZEB requirements and is achieving an A2 BER. The results show that the apartment units analysed have an Energy Performance Coefficient (EPC) between 0.219 and 0.271 which is less than the maximum permitted energy performance coefficient (MPEPC) of 0.3. The results also show that the apartment units analysed has a Carbon Performance Coefficient (CPC) between 0.210 and 0.265 which is less than the maximum permitted energy performance coefficient (MPEPC) of 0.35. Therefore, it is considered that the Proposed Development will make a positive contribution towards 2030 energy efficiency and climate goals and towards the Energy Union strategy.

Therefore, it is considered that the Proposed Development will make a positive contribution towards fulfilling the EU target of a 30% reduction in GHG emissions from 2005 levels by 2030.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

The Site of the Proposed Development currently consists of made ground and GHG emissions as a result of land-use change are deemed insignificant in this instance. Therefore, this regulation is not relevant to the Proposed Development.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

##### 1. Part L Planning Compliance for the Mechanical and Electrical Services Installations Report

Prepared by: Axiseng Consulting Engineers  
Report Date: December 2021

#### Conclusions

The Part L Planning Compliance for the Mechanical and Electrical Services Installations Report outlines a number of renewable technologies which will be employed by the Proposed Development. HVAC systems are proposed as part of the development which collect warm air as it leaves a building via the ventilation system and then reuses the heat that would otherwise be lost to the outside environment to heat water stored in a cylinder. The use of a heat pump is a highly efficient system and solution and allows end users control their bills. This promotes energy reduction by the end user.

In accordance with the Energy Performance of Buildings Directive (EPBD), for new dwellings, the requirements of this should be met by providing that the nearly zero or very low amount of energy required is covered to a very significant extent by energy from renewable sources including energy from renewable sources produced on-site or nearby. As a result of the analysis carried out on the Proposed Development, it can be concluded that all units within the proposed development have been shown to achieve Part L (2019) compliance with respect to Maximum Permitted Energy Performance Coefficient (MPEPC) for energy performance requirements. As a result of this, overall-Nearly Zero Energy Buildings (NZEB) compliance can be shown throughout the proposed development, and the development is achieving an A2 BER. Therefore, it is considered that the Proposed Development will make a positive contribution towards the increased use of energy from renewable sources.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

According to the Building Lifecycle Report, to achieve the best possible BER rating, several low energy technologies will be considered to achieve the required rating as well as striving to reach the upcoming NZEB (Near Zero Energy Building) standards. Exhaust Air Source Heat Pump (EAHP) will be used for heating and hot water generation for all apartment units. Heat pumps can contain F-Gases. The specific requirements for the operators and end-users will be determined by the Co2 equivalent of the unit. The CO2 equivalent is calculated based on the volume of the F-Gas (in kilograms) contained in the unit and the Global Warming Potential (GWP) of the F-Gas type.

If energy reducing methods such as Exhaust Air Source Heat Pumps are installed, all operators employed to install F-Gas containing equipment at this Proposed Development will hold the appropriate Company Certification and Personnel Qualifications in accordance with the Regulations. Residents will be informed of their end-user requirements (leak checking and maintenance) as necessary.

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

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

#### Summary of Relevance

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

#### Assessment Reports Completed as part of Application Process

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

#### Conclusions

Not relevant to the Proposed Development.

## 4 CONCLUSIONS

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