

Environmental Impact Assessment Screening Report

for proposed

Traveller Accommodation Upgrade

at

Tig Mo Croí, Glenamuck

by

CAAS Ltd

for

Dún Laoghaire-Rathdown County Council



July 2024

Document Control

	Author/Reviewer	Date
prepared by	Paul Fingleton, Clodagh Ryan, and Leo Flood	Various dates to 24 July
checked by	Paul Fingleton	24 July 2024
Status	Issued as Final	1 August 2024
On client request, the site area and plan were updated to align with final confirmed Part 8 details on 5 June 2025. The report is otherwise unchanged.		

Table of Contents

1 Introduction1

2 The proposed development2

3 Legislative basis for EIA5

4 Project type5

5 Sub-threshold development8

6 Preliminary Examination8

7 Conclusions.....8

Figures

Figure 1 Location of the proposed development site4

Figure 2 Proposed Site Plan.....4

Appendices

Appendix I – Competency of Authors

1 Introduction

CAAS has been appointed by Dún Laoghaire Rathdown County Council to prepare this Environmental Impact Assessment Screening Report for a proposed development at Tig Mo Croí, Glenamuck Road, Glenamuck, County Dublin. This report has been prepared to form an opinion as to whether or not the proposed development should be subject to Environmental Impact Assessment (EIA) and if so, whether an Environmental Impact Assessment Report (EIAR) should be prepared in respect of it.

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

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

The first step involves a review of the characteristics of the development to find out if it corresponds to any type (class) which is subject to the EIA requirements as set out in the legislation. If it does correspond to any such type and does not equal or exceed a specified threshold (ref s5) then the second step is to carry out a 'preliminary examination' to establish the likelihood of significant effects on the environment arising from the proposed development. The outcome of the preliminary examination determines the subsequent steps of the screening process which may involve sub-threshold project considerations and review against prescribed criteria for determining whether the development should be subject to EIA.

The information on the proposed development, as used for purposes of this report, including a written description, was provided by Dún Laoghaire Rathdown County Council.

The following sections of this report cover:

- The proposed development (s2)
- The legislative basis for EIA (s3)
- Project type (s4)
- Sub-threshold development (s5)
- Preliminary examination (s6)
- Review against Schedule 7 criteria (s7)
- Conclusion (s8)

An overview of the authors' competency is provided in Appendix I.

2 The proposed development

2.1 Overview of the development

The proposed development comprises an upgrade to an existing traveller accommodation and primarily involving extensions to 3 existing dwelling units and associated site works. An existing single-story 3-bed dwelling on the site will be retained.

2.2 Project details

The proposed development will include

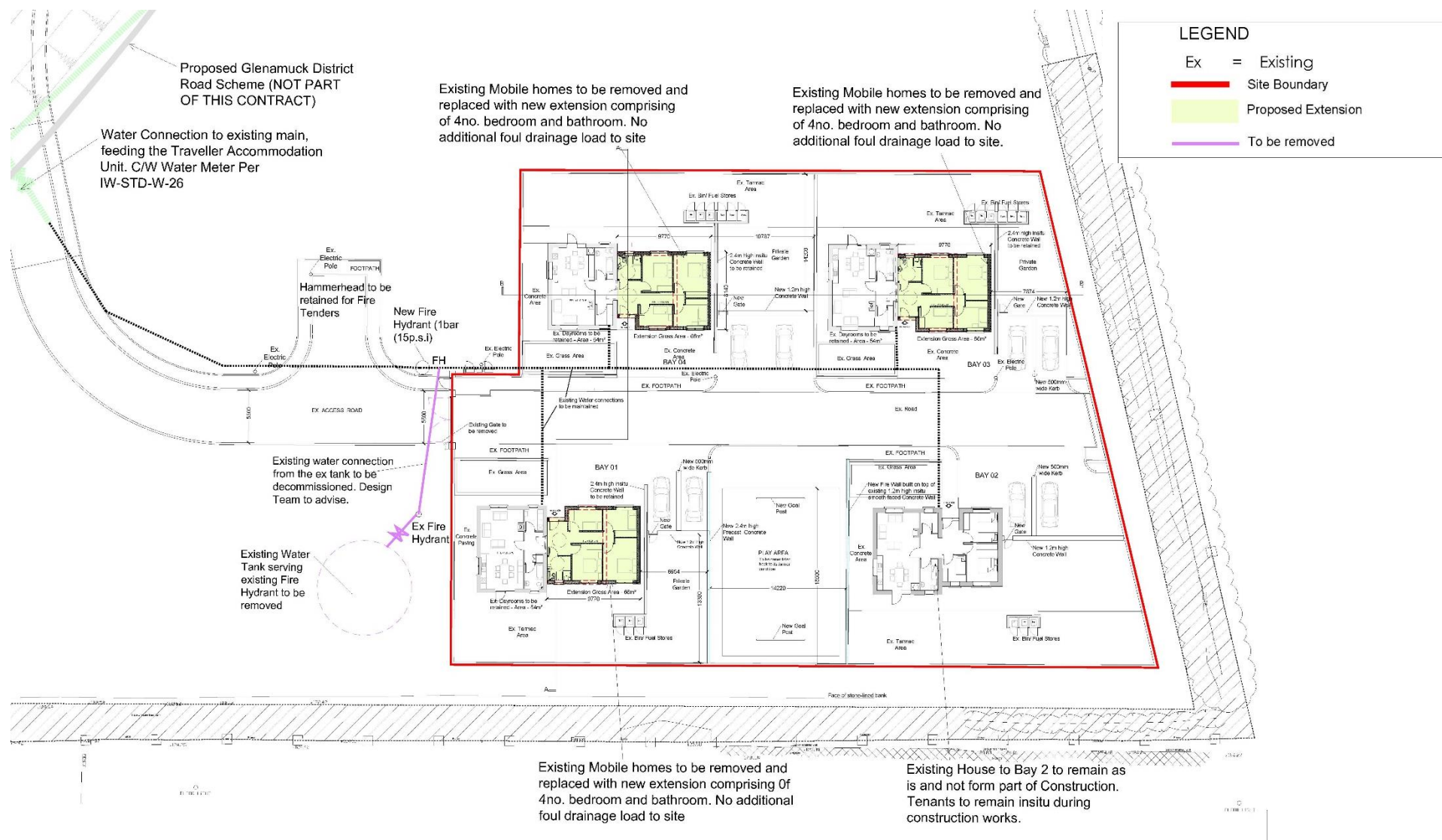
- Extensions to 3 existing dwelling units to include 4 bedrooms and 1 bathroom per unit,
- 6 car spaces
- Associated ancillary development including 6 concrete walls and 4 gates as shown on figure 2
- Removal of 3 mobile homes.

The proposed development will be carried out within the 0.33 ha site area shown in Figure 1. The proposed extensions are 198 m² combined.



Figure 1 Location of proposed development site¹

¹ Source: Google maps (site boundary is approximate)
 by CAAS for Dún Laoghaire Rathdown County Council

Figure 2 Proposed site plan⁴⁴ Source: Dún Laoghaire Rathdown County Council (See accompanying drawing set for full resolution versions of all drawing)

3 Legislative basis for EIA

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

- Planning and Development Acts 2000-2020 (Part X)
- Planning and Development Regulations 2001 (S.I. 600/2001) as amended
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. 296/2018)

4 Project type

In the first instance it is necessary to determine whether the proposed development corresponds to any project type that is subject to EIA requirements.

The prescribed classes of development for the purposes of Section 176 of the Planning and Development Act 2000 are set out in Schedule 5 of the Planning and Development Regulations 2001 as amended. Part 1 of Schedule 5 lists projects included in Annex I of the Directive which automatically require EIA. For projects included in Annex II of the Directive, Part 2 of Schedule 5 provides thresholds above which EIA is required.

The proposed development, which is an extension to 3 existing dwelling units does not correspond to any class of development prescribed within Part 1 of Schedule 5, and so it is necessary to consider whether it corresponds to any class prescribed within Part 2 of Schedule 5.

Potentially relevant project types (or classes) prescribed for EIA purposes in Part 2 of Schedule 5 are listed in the table below, with commentaries of their applicability to the proposed development.

Project type / threshold	Comment	Is EIA required on this basis?
Planning and Development legislation S.I. 600/2001, Schedule 5, Pt 2		
Project type 10. <i>Infrastructure projects (b)</i>		
(i) Construction of more than 500 dwelling units.	The proposed development comprises of an extension to 3 existing residential units. The proposed development does not include the construction of any new dwelling units; therefore, it does not meet the criteria described in (i).	No
(ii) <i>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.</i>	The proposed development includes 6 car parking spaces. These spaces are one element of the wider proposed development. Regarding whether they are incidental or not: - Incidental is defined in the Oxford Dictionary as ‘happening in connection with something else, but not as important as it, or not intended’. The car parking element of the proposal may thus be considered as ‘incidental’ to the primary purpose of the proposed development. Thus, project type 10(b)(ii) is not applicable.	No
(iv) <i>Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</i> <i>(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</i>	Commission guidance ⁵ lists a range of projects, stating that these or other projects with similar characteristics can be considered to be ‘urban development’. These include: <ul style="list-style-type: none"> • Shopping centres • Bus garages • Train depots • Hospitals • Universities • Sports stadiums • Cinemas • Theatres • Concert halls • Other cultural centres • Sewerage or water supply networks The proposed development does not correspond to or have similar characteristics to any of the above listed project types.	No

⁵ Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015, EU

Project type / threshold	Comment	Is EIA required on this basis?
	<p>On this basis it can be considered that this proposal does not fall into the 'urban development' project type (type 10(b)(iv)).</p> <p>It is notable however, that the judgement of the High Court in the case of Carvill & Flynn v Dublin City Council & Ors. [2021] IEHC 544 took a broad interpretation of the 'urban development' project type. It considered the proposed development of a cycleway in an urban area to fall into the 'urban development' project type, largely because it was <i>development in an urban</i> location. Applying this rationale, any development in an urban setting could be taken to comprise 'urban development'. At time of preparation of this report, this judgement is subject to an appeal process and could be overturned but in the meantime it stands. While the judgement made no reference to the Commission Guidance and appears to conflict with it, out of an abundance of caution it is considered prudent to acknowledge that project type 10(b)(iv) could be interpreted as being applicable to the proposed development. In this event, at 0.33 ha, the nature and scale of the proposed development is well below the applicable threshold (whether this is taken to be the 10 ha as would apply if the site was considered to be in a built-up area or 20 ha as would apply elsewhere).</p>	
Project type 13. Changes, extensions, development, and testing		
<p>(a) Any change or extension of development which would:-</p> <p>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, <u>and</u></p> <p>(ii) result in an increase in size greater than-</p> <ul style="list-style-type: none"> - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater. 	<p>The changes covered by the proposal will not result in the development being of a listed class, criterion (i) is not met. Therefore, project type 13(a) is not applicable.</p>	No

The above review against the potentially relevant classes shows that the proposed development does not correspond to project type 10(b)(i)(iii)(iv) or project type 13(a) as listed in Part 2 of Schedule 5.

5 Sub-threshold development

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

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

Annex III of the EIA Directive (2011/92/EU as amended) as transposed into Schedule 7 of the Planning and Development Regulations 2001 as amended - sets out criteria for review of sub-threshold projects to determine if they should be subject to EIA. These criteria include characteristics, location, and potential impacts. As explained in section 4, the proposed development does not correspond to any class listed in Part 2 of Schedule 5, therefore it is not a sub-threshold development.

6 Preliminary Examination

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

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

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

As the proposed development is not a sub-threshold development, the requirement to carry out a preliminary examination does not apply.

7 Conclusions

The proposed Traveller Accommodation Upgrade at Tig Mo Croí, Glenamuck does not correspond to any project type that is subject to EIA requirements. It is not a sub-threshold development. Because of this, no preliminary examination or consideration of the Schedule 7 screening criteria are required to be carried out for it. It does not need to be subject to Environmental Impact Assessment and no Environmental Impact Assessment Report is required for it.

This conclusion is based on an objective review of the characteristics of the proposed development against the requirements of the relevant legislation and has had due regard to the relevant guidance.

Appendix I - Competency of Authors

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

Paul is the lead author of the current EPA Guidelines⁶ and accompanying Advice Notes⁷ on EIARs. He has been involved in all previous editions of these statutory guidelines. He also provides a range of other EIA related consultancy services to the EPA. Paul is regularly engaged by various planning authorities and other consent authorities to provide specialised EIA advice.

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

Leo Flood, Graduate Impact Assessor has a BSc in Environmental Management, Technological University Dublin 2024. Leo provides technical assistance and support to senior EIA and AA staff.

⁶ *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2022

⁷ *Advice notes on current practice in the preparation of Environmental Impact Assessment Reports*, EPA, 2003