

EIA Screening

Carbury Dispensary Site

16 January 2023



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1. INTRODUCTION

1.1 Background

This report has been prepared by MacCabe Durney Barnes on behalf of Kildare County Council, to support it in undertaking a screening determination for Environmental Impact Assessment in respect of a Part 8 application at Carbury dispensary site, Carbury, Co. Kildare. It has been prepared in respect of proposed five-unit social housing scheme and the refurbishment, alteration, and conversion of an existing dispensary building into a community building.

This document has been prepared in order to assist Kildare County Council in the determination of the proposed works at the subject site.

1.2 Legislation and Guidance

The EIA Screening Report has had regard to the following:

- Planning and Development Act 2000 as amended
- Planning and Development Regulations 2001 as amended
- Directive 2014/52/EU of 16 April 2014 amending Directive 2011/92/EU
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- Guidelines on the information to be contained in Environmental Impact Assessment Reports, Environmental Protection Agency, 2022
- Environmental Impact Assessment of Projects: Guidance on Screening, European Commission, 2017
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development 2003
- Circular Letter: PL 05/2018 27th August 2018 Transposition into Planning Law of Directive 2014/52/EU amending Directive 2011/92/EU on the effects of certain public and private projects on the environment (the EIA Directive) and Revised Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.
- Circular Letter: PL 10/2018 22 November 2018 Public notification of timeframe for application to An Bord Pleanála for screening determination in respect of local authority or State authority development
- Office of the Planning Regulator (May 2021) Environmental Impact Assessment Screening- Practice Note

1.3 Methodology

The EIA screening assesses the proposed scheme with reference to the relevant EIA legislation including the EIA Directive, and Planning and Development Regulations. The methodology has particular regard to the '3-Step'

assessment process set out in the Office of the Planning Regulator (OPR) Environmental Impact Assessment Screening Practice Note PN02 (June 2021). Regard is also had to European and National guidance documents.

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.

1.4 Data Sources

The information is obtained from review of several online databases and public sources including:

- Geological Survey of Ireland (GSI) online dataset - <https://www.gsi.ie>
- Kildare County Council Development Plan 2023-2029
- Kildare County Council Planning Application Portal
- An Bord Pleanála Planning Applications
- EPA - <https://gis.epa.ie/EPAMaps/>
- GeoHive – <http://map.geohive.ie/mapviewer.html>.
- Office of Public Works (OPW) - <http://www.floodinfo.ie/map/floodmaps>

In addition to the above an Appropriate Assessment Screening Report dated 17th January 2023, prepared by NM Ecology was used to inform this document.

2. THE SITE AND SURROUNDINGS

2.1 Site Context

The proposed development site is located in the south of Carbury village, located within Kildare County Council's administrative boundary. Carbury is located on the R402 regional road between Enfield and Edenderry. Carbury is located 47 km west of Dublin City Centre. The site is proximate to bus stop no. 10267, which serves between Dublin to Edenderry and Edenderry to Tullamore. According to the Settlement Hierarchy of the Kildare Development Plan 2023-2029, Carbury is listed as a Rural Node. The CDP describes Rural Nodes as largely unserved areas with limited social and community infrastructure and will accommodate limited development at a sustainable scale for local demands by way of small-scale cluster developments.

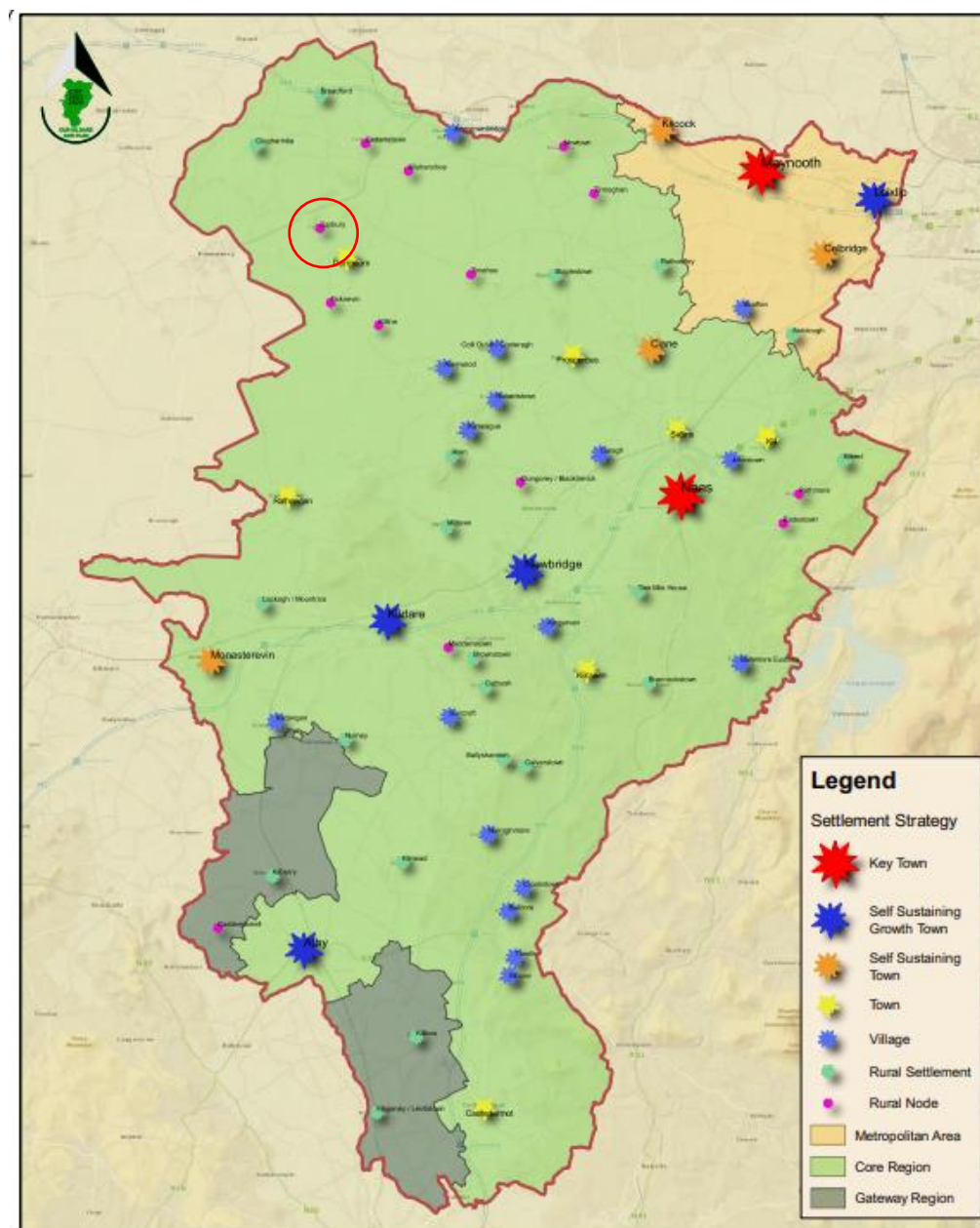


Figure 1: Settlement Hierarchy Map (Source: Kildare County Development Plan 2023-2029)

The site is situated in Carbury village. The village primarily consists of residential use with local amenities such as a church, bar and education services. The 2022 Census recorded a population of 2,335 persons within the Carbury Electoral Division. The broader surroundings of the village comprise agricultural land and the nearest town centre is Edenderry located approximately 5km from Carbury village. The subject site is located c.950m from Carbury castle and Motte. This prominent hill just north of the village of Carbury has been inhabited since the Bronze Age. Although partly silted up, at least two barrows from that time can still be found on top of the hill. The majority of the ruin that sits on top of the hill at Carbury dates from the late 16th and early 17th century however the site itself has a history dating back to pre-Christian times. The hill was once known as Sidh Nechtain (the Fairy-Hill of Nechtain), Nechtain was described as a poet and King of Leinster who had a fortress near this location.



Figure 2: Land use patterns in the context of the Subject Site (source: Myplan.ie)

2.2 Site Description

The proposed development site of c. 0.52 ha and currently consists of two structures with a large garden on a cul de sac road. The R402 road forms the southern boundary of the site with a pedestrian access route between the subject site and the main road allowing access to the bus stops proximate to the site. The site is accessed from the main street of Carbury, which forms the western boundary. There is residential accommodation immediately adjacent and sand along the cul de sac. Agricultural pasture is located immediately north and east of the site.



Figure 3: Site Location (Myplan.ie)



Figure 4: Image of the Current Structures on the Subject Site (source: Google maps)

2.3 Environmental Sensitivities of the Site

The information set out below was derived from the data available within the EPA Mapping Tool, the Kildare County Council Planning Application Portal, and the relevant local statutory planning documentation, including the adopted Kildare County Development Plan 2023-2029.

2.3.1 Bedrock

According to an examination of the information available on GeoHive, the site is part of the Lucan formation with dark limestone and shale bedrock.

2.3.2 Soils

The SIS national soils at the subject site are fine loamy drift with limestones, which includes moderate drainage and a fine loamy texture. According to EPA Maps subsoil type is categorised as till and this is described as limestone till (carboniferous).

2.3.3 Hydrology

There are no rivers, streams or drainage ditches within the site. The site is located c.200m from the Boyne River, which initially flows in a south westerly direction before it turns north at Edenderry and travels through County Meath and reaching the coast at Drogheda. The River Boyne and River Blackwater SAC/SPA are approx. 25 km downstream of the subject site via the River Boyne. Under the Water Framework Directive status 2013-2018, the River Boyne is of moderate status. In addition to the river Boyne, the River Killooney (EPA Code 07C23) and Haggard Stream (EPA code 07C47). Both waterbodies are categories as moderate status under the Water Framework Directive 2013-2018. The proposed development is located in the Boyne WFD Catchment.

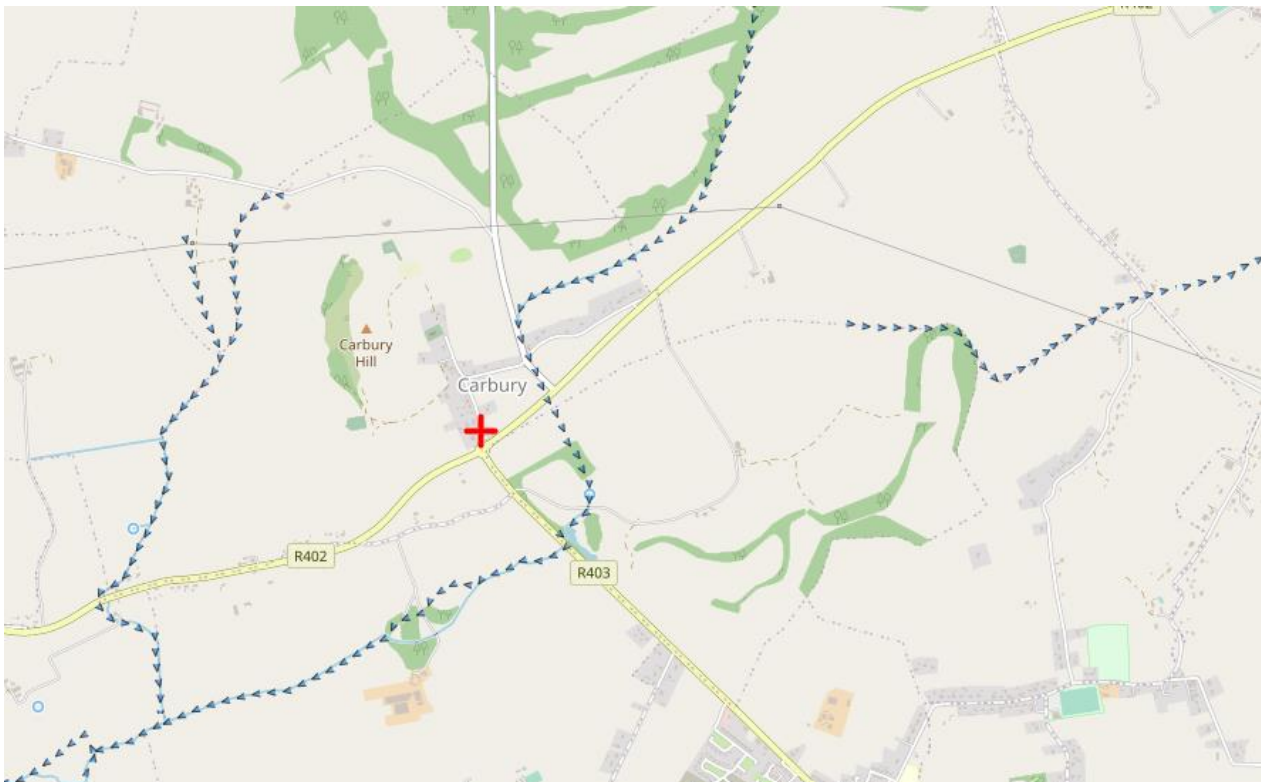


Figure 5: River Waterbodies in the context of the subject site (Source: EPA Maps)

2.3.4 Aquifer and Groundwater

The subject site is underlain by an aquifer, which is identified as a “Locally Important Aquifer”. The bedrock is categorised as moderately productive.

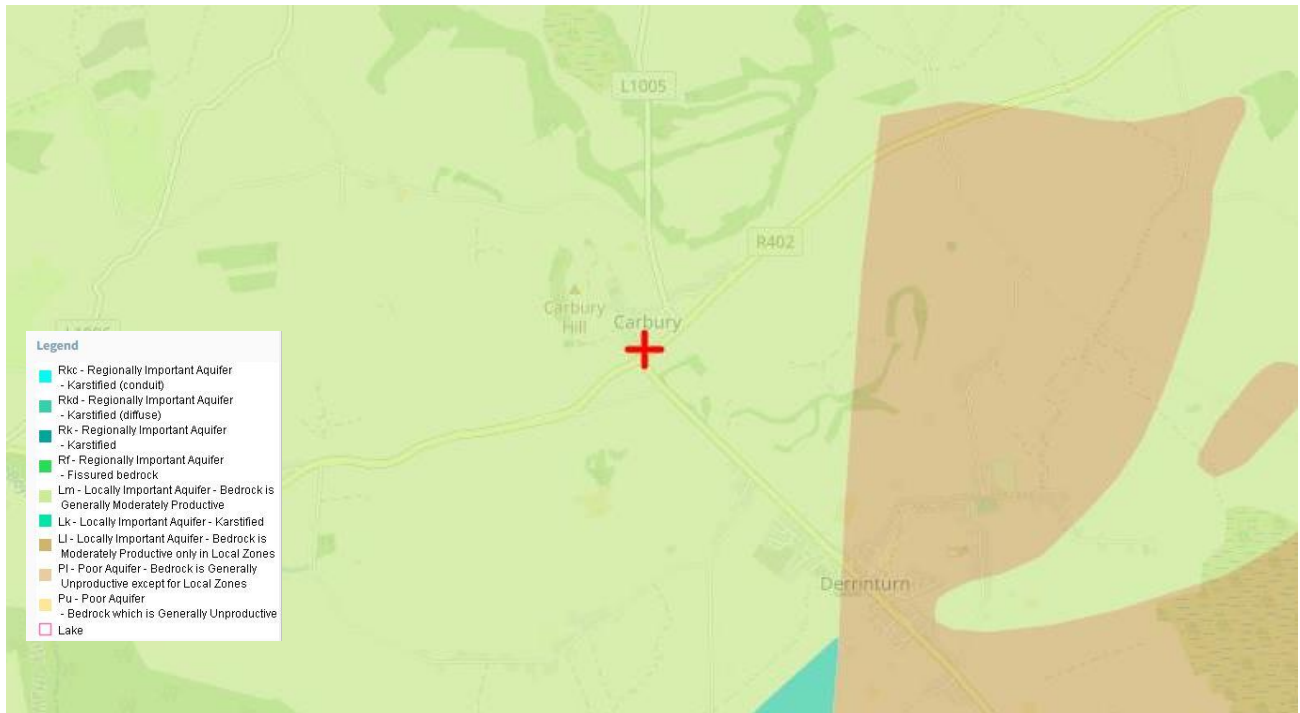


Figure 6: Aquifers in the vicinity of the Site (Source: EPA Maps)

2.3.5 Ground Water Vulnerability

The EPA Mapping Tool shows that the groundwater vulnerability at the subject site is of high vulnerability.

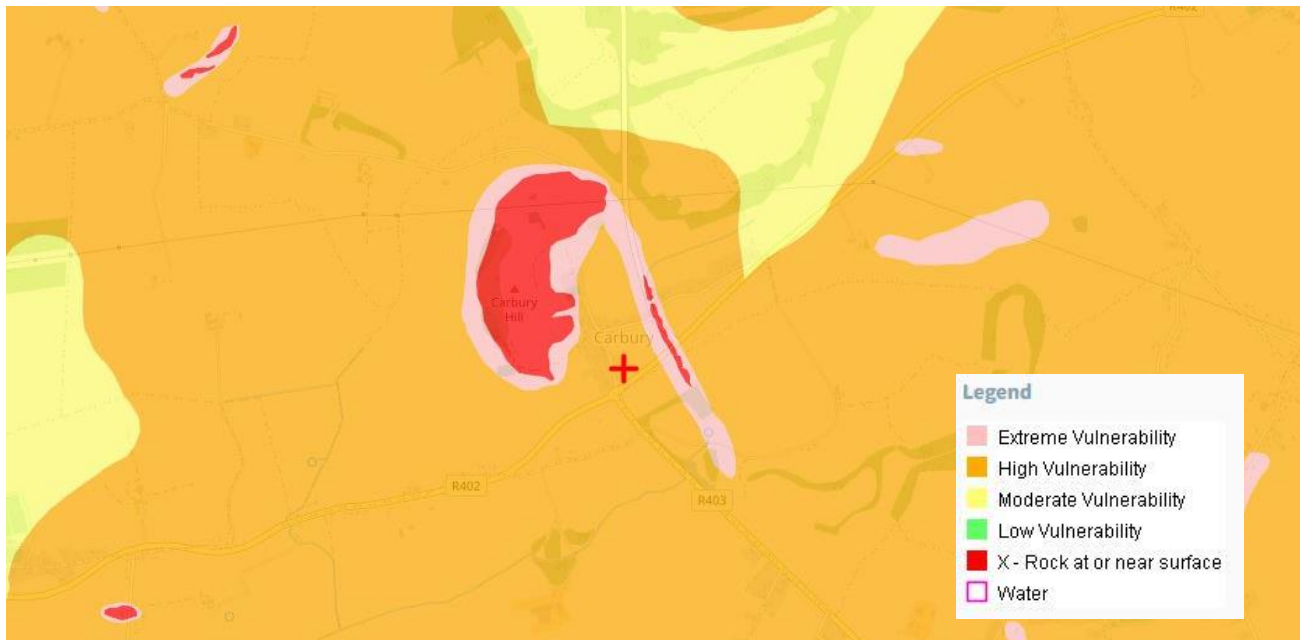


Figure 7: Ground Water Vulnerability (Source: EPA Maps)

2.3.6 Radon

Between one in ten homes in this area is likely to have high radon levels.

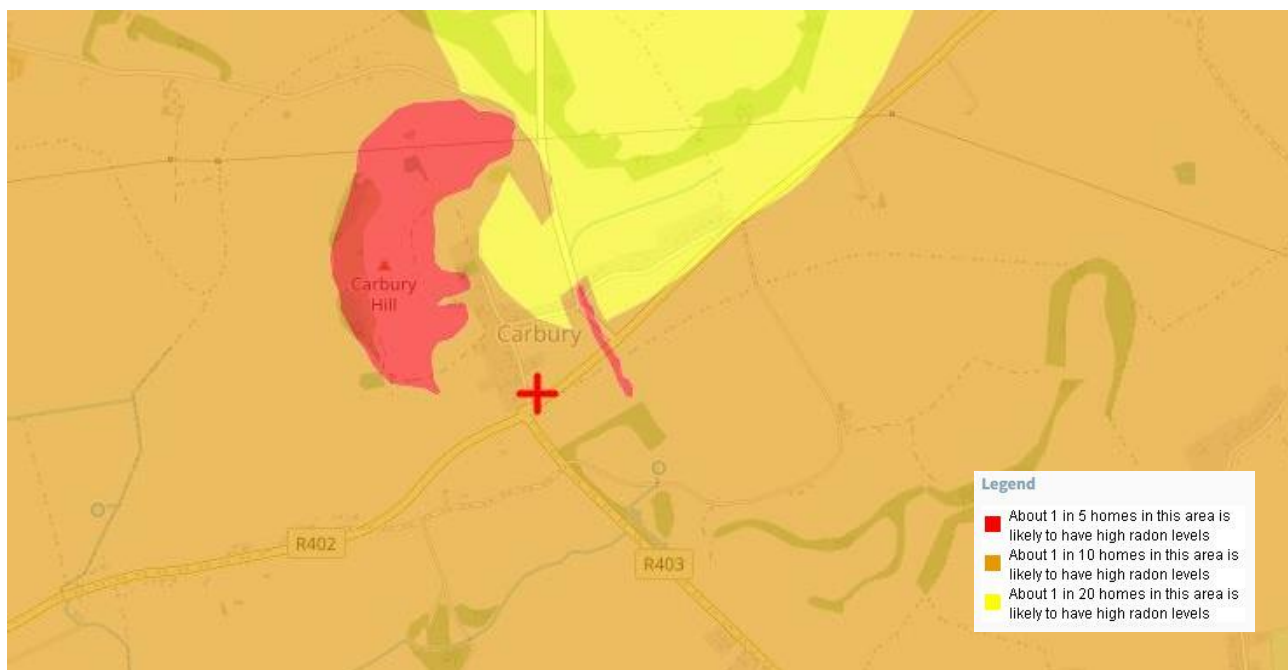


Figure 8: Radon Levels in the Context of the Subject Site (Source: EPA Maps)

2.3.7 Air quality

The site falls within Air Quality Index Region where the Index indicates that the air quality is 'Good'. According to EPA Maps, the site is situated in Air Zone D Rural Ireland.

2.3.8 Designated sites

There are no designated sites within the subject site or directly adjoining the subject site. The nearest Natura 2000 sites are presented in the table below.

Table 1: European Sites in the Context of the Subject Site

European Site (SAC & SPA)	Distance	Reason for Designation
Long Derries, Edenderry SAC (000925)	5 km	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia)

The nearest European site to the subject site is the Long Derries, Edenderry SAC. However, as previously mentioned above, the River Boyne and River Blackwater SAC/SPA are located c. 25 km downstream of the subject site via the River Boyne. The site is located c.200 m from the bank of the River Boyne. According to the accompanying AA Screening report prepared by NM Ecology, it is unlikely that any pollutants generated during the construction of the proposed development could reach the river and even if small quantities of pollutants reached the river, the 19 km of intervening watercourse would dilute any pollutants to negligible concentrations before they could reach the boundary of the SAC / SPA. On this basis, the river is not considered to provide a feasible surface water pathway to the SAC / SPA.

Table 2: Designated Natural Heritage Areas

Designated Natural Heritage Areas	Distance	Direct Pathway
Carbury Bog NHA (001388)	0.6 km	No

The Carbury Bog NHA is approximately 600m from the subject site and is listed as a Designated Natural Heritage.

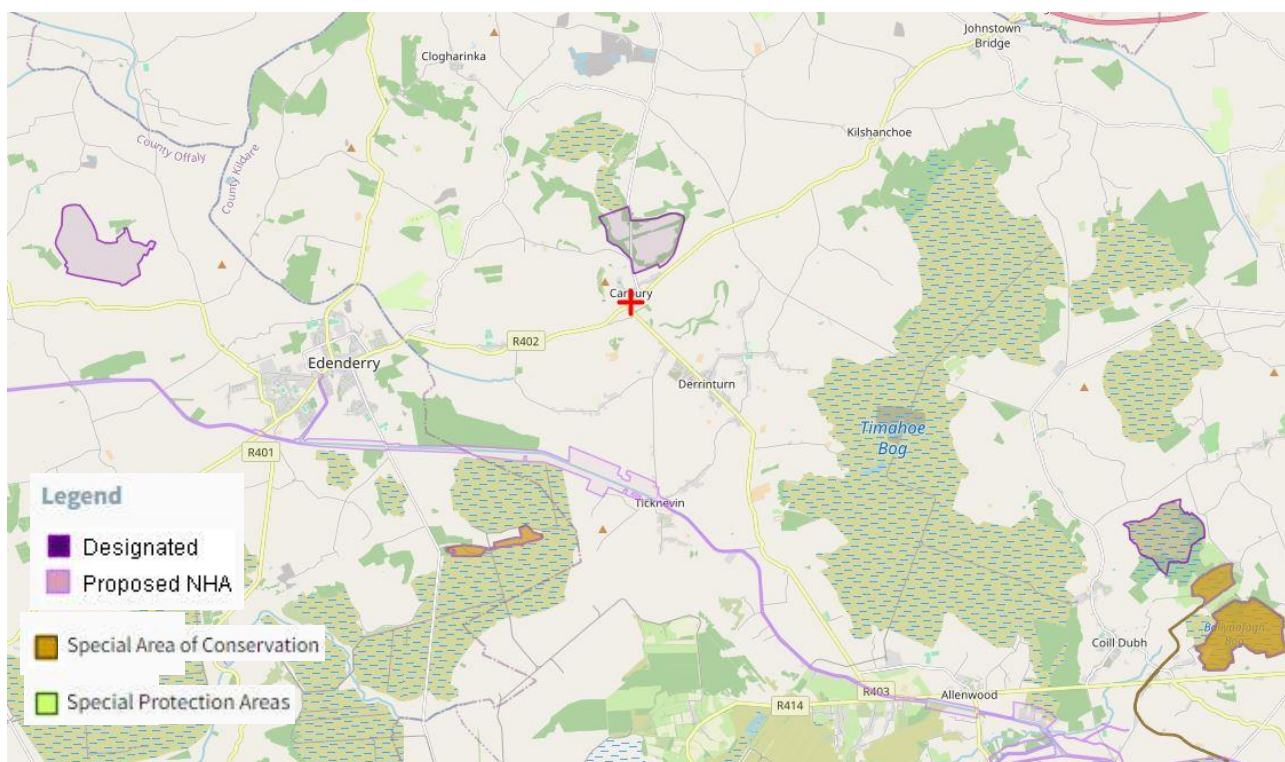


Figure 9: SAC, SPA Designated Area and Proposed NHA located in the context of the subject site (Source: EPA Maps)

2.3.9 Proposed Natural Heritage Areas (pNHA)

The Grand Canal is c. 3 km to the south of the site and is proposed as a Natural Heritage Area.

2.3.10 Archaeology

According to Geohive no protected structures nor national monuments are identified on or adjoining the site. A list of monuments identified within 1 km of the subject site are tabulated below.

Table 3: National Monuments Identified in the context of the subject site

RMP No.	Townland	Classification	Distance from Site (km)
KD008-018001	Carbury	Armorial plaque (present location)	0.2
KD008-012	Carbury	Ritual site - holy well	0.5
KD008-006002	Carbury	Graveyard	0.5
KD008-006001	Carbury	Church	0.6

KD008-003	Carbury	Barrow - mound barrow	0.6
KD008-005	Carbury	Barrow - ring-barrow	0.7
KD008-004	Carbury	Barrow - ring-barrow	0.8
KD008-002	Carbury	Redundant record	0.8
KD008-001007	Carbury	Mausoleum	0.9
KD008-001005	Carbury	Church	0.9
KD008-001004	Carbury	Designed landscape feature	0.9
KD008-001003	Carbury	House - fortified house	1.0
KD008-001002	Carbury	Castle - Anglo-Norman masonry castle	1.0
KD008-001001	Carbury	Castle - motte	1.0

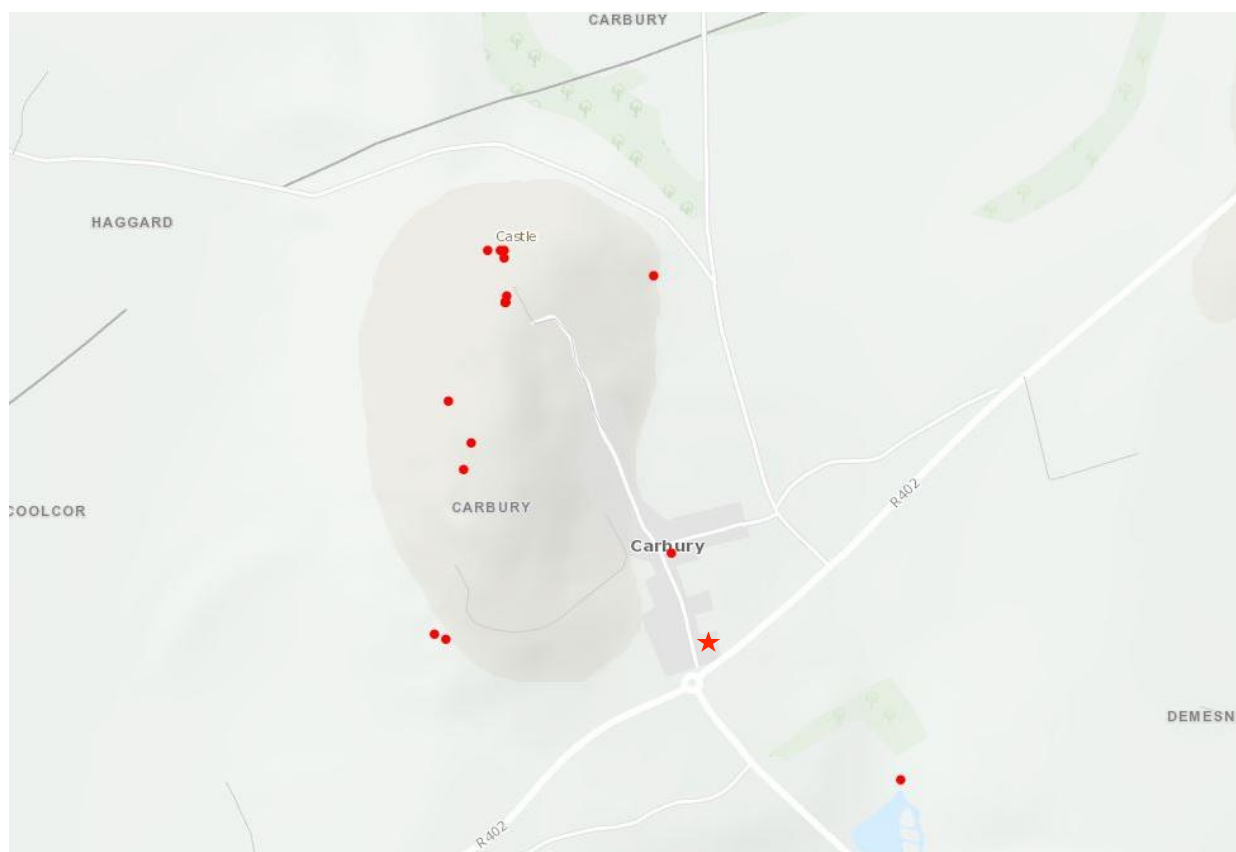


Figure 10: National Monuments in the context of the subject site (Source: Myplan.ie)

2.3.11 Zoning at the subject site

Under the Kildare County Development Plan 2023-2029 settlement hierarchy, Carbury is categorised as a 'Rural Node'. According to the County Development Plan the site is located in the Rural Housing Policy Zone 1: Areas under Strong Urban Influence. The 2022 Census recorded a population of approximately 2,335 persons within the Carbury Electoral Division. Based on the site currently consisting of two structures, the proposed development is considered to align with the parameters of a rural node, and this will not result in development pressure at an unsuitable location in Carbury.

2.3.12 Ecological nature of site

There are no identified habitats or species of ecological note within the site.

2.3.13 Other Site Environmental Sensitives

The proposed development includes refurbishment, alteration, and conversion of existing dispensary building into a community building, and construction of 4 no. residential units. All works will be undertaken in accordance with best practice protocols. There are no additional noted environmental sensitivities associated with the subject site.

3. PROPOSED DEVELOPMENT

3.1 Summary of Proposed Development

The proposed development is located in Carbury on a c. 0.5 ha site. The proposal comprises the following:

- Demolition of an existing structure (64 sqm)
- Refurbishment, alteration, and conversion of existing dispensary building into a community building.
- Construction of 4 no. residential units, including 2 no. 2 bedroom units and 2 no. 3 bedroom units.
- Provision of car parking for the community building and residential development.
- Treatment system and soakways
- Provision of private amenity space



Figure 11: Site Layout Plan



Figure 12: Proposed Residential design

4. PRELIMINARY EXAMINATION

4.1 Guidance on Environmental Impact Assessment Screening

The Office of the Planning Regulator (OPR) has issued guidance on EIA screening 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 11: Extract from OPR EIA Screening Guidance Note

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

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, 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).

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(c) of the OPR guidance a preliminary examination is required under Step 2.

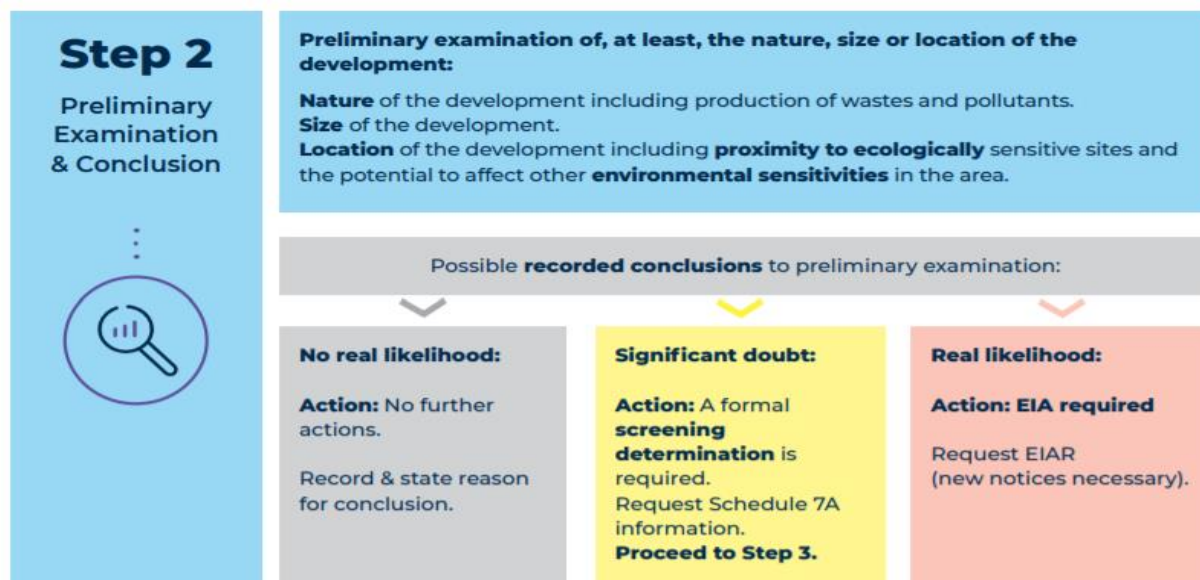


Figure 12: Extract from OPR EIA Screening Guidance Note

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.

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

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

4.4 Nature of the development:

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

The nature of the development is consistent with and does not detract from the objectives of Kildare County Council's Development Plan 2023-2029. The site is as Rural Housing Policy Zone 1, Areas under Strong Urban Influence.. The refurbishment, alteration, and conversion of existing dispensary building into a community building will provide appropriate community infrastructure and reuse of existing building stock within the village. In addition, the proposed development includes the delivery of 4 no. social residential units. The proposed uses on site provide an active and social use of the land. The site is situated within a predominantly residential area; therefore, the proposed development is not exceptional in the context of the surrounding environment.

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

The proposed development consists of refurbishment, alteration, and conversion works on the existing structures on site, which will give rise to waste during the work process. During the construction phase, any waste generated from the proposed development will be dealt with in the appropriate manner in accordance with the appropriate standards and best practice methodology. The proposed residential development by its nature will not cause any significant waste, emissions, or pollutants during operation.

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

The size of the development is not exceptional in the context of the existing environment. The development will result in the construction of 4 no. social residential units and community building on site. The site is located in Carbury 'Rural Node', where small scale clusters of dwellings / serviced sites of not more than 4 housing units for applicants complying with local need criteria and subject to the provision of appropriate physical infrastructure, according to section 3.13.3 . Therefore, the proposed development is not considered exceptional in its context.

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

A review of Kildare City Council's planning application portal has not highlighted relevant recent cases. There are no recent planning applications/permissions on site or near the subject site. Any recent planning applications around the area are one off houses, extensions, or small alterations of existing developments.

Kildare County Council and/ or ABP Reg. Ref	Lodged	Planning Status	Description of Development Summary	Development Address	Distance from Site (KM)	Applicant
18369	05/04/2018	Decision Granted 11/12/2018	Demolition of an existing rear extension and the construction of a single storey living room extension and front porch and a single storey garage extension, all to an existing bungalow.	Carbury Village, Carbury, Co. Kildare	0.4 km	James McNally
20893	12/08/2020	Decision Granted 21/01/2021	1. Development of new, one and a half-storey Contemporary style "Bed & Breakfast" Guest House of 255m ² over 31m ² Basement, Five	Carbury Village, Carbury, Co. Kildare	0.3 km	Liam Hogan

			Bedrooms, on site area of 0.15ha. 2. Reconstruction of neighbouring historical cottage, which will serve as of ancillary accommodation to "Bed & Breakfast", with two guest bedrooms on site area of 0.05ha.			
2328	16/01/2023	Pre-Validation 12/03/2023	Two-storey house extension to the side, consisting of the demolition of an existing single storey lean-to structure to the side and external shed to the rear and provision of 86 sqm gross floor area at ground and 48 sqm gross floor area at first floor.	Lily's, Carbury, Co. Kildare	0.7 km	Mark and Sabrina Gavin

4.5 Location

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

The Site is not located within or adjacent to any European sites. The nearest European site is long Derries SAC, Edenderry, which is located approximately 5km from the subject site. There is no direct or indirect pathway between the subject site and the SAC. However, the accompanying AA Screening report, notes potential indirect impacts were considered using the source-pathway-receptor model, and a distant surface water pathway to the River Boyne and River Blackwater SAC / SPA was identified. The location of the SAC and SPA is shown in the map below with a buffer zone of 2 km to assist with the interpretation of scale; details are provided in the following table.

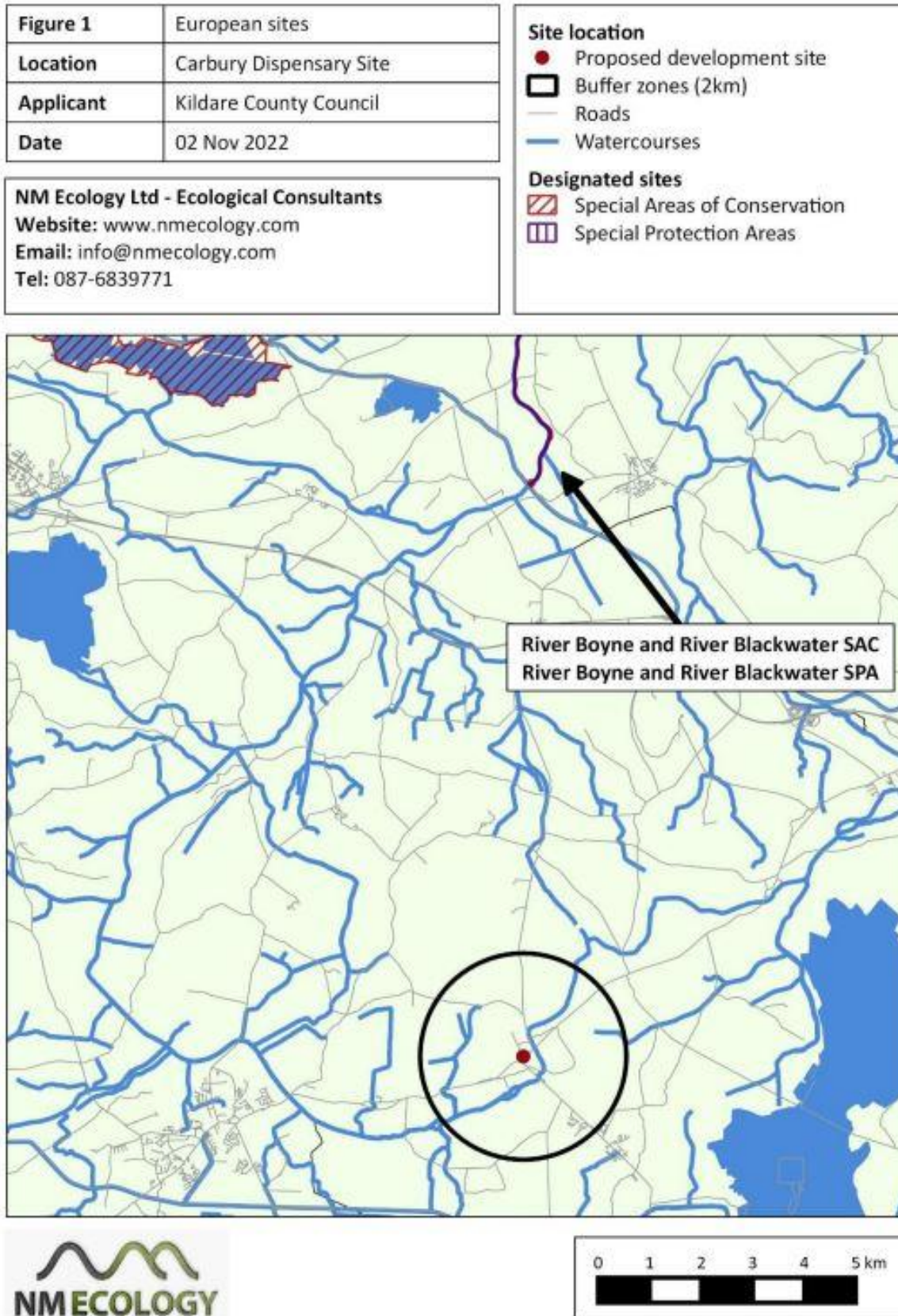


Figure 14: European sites (Source: AA Screening report prepared by NM Ecology. Figure 1)

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

The works consist of refurbishment, alteration, and conversion of existing building and the construction of 5 no. social housing and associated works. The proposed development is not considered to be development located on, in, or adjoining an ecologically sensitive site or location and does not have the potential to impact on an ecologically sensitive site or location. There are no structures on the Record of Protected Structures situated on or nearby the site.

4.6 Preliminary Examination Conclusion

Following the preliminary examination, it is concluded that there may be doubts regarding the likelihood of significant effects on the environment arising from the proposed development and to proceed to a Step 3 assessment as per the OPR Guidelines.

5. SCREENING DETERMINATION - SCHEDULE 7 ASSESSMENT AND SCHEDULE 7A INFORMATION

Where the requirement to carry out EIA is not excluded at preliminary examination stage, because there is significant and realistic doubt in regard to the likelihood of significant effects on the environment arising from the proposed development, the planning authority must carry out a screening determination.

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, and
- The likely significant effects on certain sensitive ecological sites.

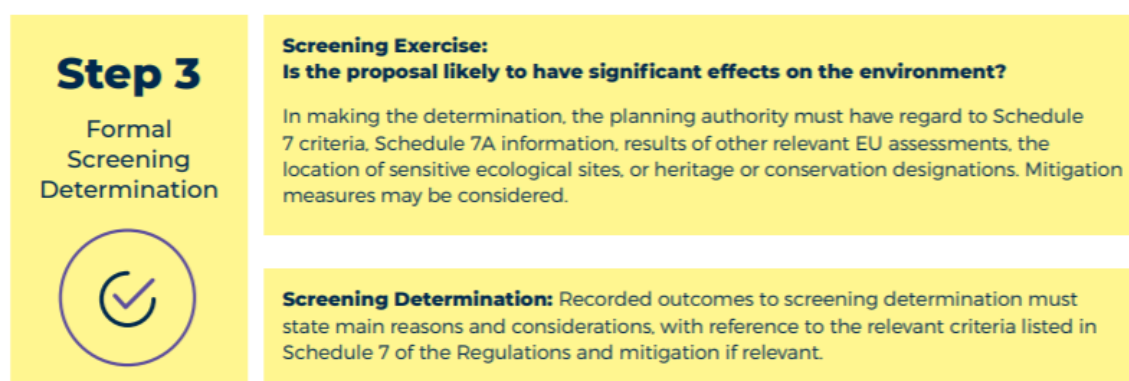


Figure 13: Extract from OPR EIA Screening Guidance Note

5.1 Schedule 7 criteria for determining whether development should be subject to an environmental impact assessment

The 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities Regarding Sub-Threshold Development', groups criteria for deciding whether or not a proposed development would be likely to have significant effects on the environment under three headings which correspond to the updated Schedule 7.

Schedule 7 criteria for determining whether development listed in part 2 of Schedule 5 should be subject to an environmental impact assessment.

- Characteristics of the proposed development.
- Location of the proposed development.

- Characteristics of potential impacts.

i. 1. Characteristics of proposed development

OPR guidance – “If relevant, briefly describe the characteristics of the development (i.e. the nature and extent):

(a) the size of the proposed development

The proposed development comprises the refurbishment, alteration and conversion of the existing dispensary building into a community building, construction of 4 no. residential units, including 2 no. 2 bedroom units and 2 no. 3 bedroom units on a c.0.5 ha site. The proposed development is considered at scale to the surrounding environment. Additionally, the proposed development aligns with the envisaged scale of development for Carbury outlined in the County Development Plan. The subject site currently accommodates two structures, and the proposed development will make an efficient use of the site area with additional units.

(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 4.4 (iv) of this report makes a review of planning applications around the area, for the assessment of cumulative effects. Together, with the proposed development at the subject site and the other permitted developments in the vicinity of the site are not likely to give rise to significant effects. In arriving at this conclusion, other permitted developments have been taken into account.

(c) the nature of any associated demolition works,

The proposed development includes demolition works of 64 sqm. The demolition works will be confined to the building located to the north of the site. All works including the clearance of the site will be undertaken in accordance with best practice protocols.

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

The nature of the proposed use and scale of the development is such that its development would not result in a significant use of natural resources. The proposed development makes efficient use of lands and is aligned with development patterns in the vicinity. There will be no use of natural resources at the site given the nature of works proposed.

The scale and quantity of construction materials used will not be such that would concern in relation to significant effects on the environment. The development will generate water demands during the construction and operational phases of the development.

During construction the contractor will be required to implement standard measures during the construction phase to ensure no adverse impacts of the environment occur due to construction works at the subject site. During construction the contractor will take all appropriate measures to protect against accidental spillages or pollution.

According to the AA screening report, no feasible pathways were identified to the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA or any other European sites. This conclusion is based on even if small quantities of pollutants reached the river, the 19 km of intervening watercourse would dilute any pollutants to negligible concentrations before they could reach the boundary of the SAC / SPA. On this basis, the river is not considered to provide a feasible surface water pathway to the SAC / SPA. A pathway via

groundwater can be ruled out due to the filtration provided by intervening soils. Pathways via land or air can be ruled out due to distance.

The operation of the scheme would not use such a quantity of water to cause concern in relation to significant effects on the environment. During the operation of the scheme, surface waters will be dealt with on site as far as practicable on-site with a number of small soakaways throughout the site and other hard surfaces will be permeable allowing rainwater to soak to ground. In addition, foul water will be discharged to a new foul water treatment system on site. The potential impact of climate change has been considered in the design of the surface drainage network and storage system.

The use of natural resources in relation to the proposed development is not likely to cause significant effects on the environment. The overall environmental impact under these headings is considered to be low. In addition, the AA Screening report accompanying this application concludes that there clearly no likelihood of direct or indirect impacts of any European sites.

(e) *the production of waste,*

All inert material and non-hazardous waste will be disposed of from the site in accordance with the categorisation of waste and in accordance with the relevant licencing and regulatory requirements. The scale of the waste production with the use of licenced waste disposal facilities and contractors does not cause concern for likely significant effects on the environment.

Normal builders waste (rubble, excess building materials) will also be generated during the construction phase. The proposed development will give rise to the demolition refurbishment, alteration and conversion works on site. It is intended that any waste generated from the demolition works which cannot be reused on site will be disposed of by licensed contractors.

During the operational phase, the proposed development will give rise to general non-hazardous waste including paper, cardboard, plastics, metals, electrical equipment and electrical waste commensurate with the residential use of the site.

(f) *pollution and nuisances,*

Noise, vibration, lighting, and dust arising from construction activities and construction traffic have the potential for pollution or nuisance. There will likely be potential for localised dust and noise produced during the demolition and construction phases. This will be managed by ensuring construction largely operates within the approved hours of construction. Standard dust and noise prevention mitigation measures will be employed and monitored. As such, pollution and nuisances are not considered likely to have the potential to cause significant effects on the environment.

There will be vehicular movements to and from the site that will make use of the existing road and entrance to the subject site. Due to the nature of these activities on the site, there is potential for elevated levels of noise. During the operational phase the principal form of air emissions relate to discharge from motor vehicles entering the site and heating appliances in the building. However, due to the scale of the proposed development, road design and the range of sustainable transport alternatives proximate to the site, this potential adverse impact will be mitigated against.

The main source of vibration during the construction phase is associated with demolition activities. In terms of the operational phases, there is also potential for pollution in the form of parking cars at the development. However, the ambient noise levels will mask this noise during the daytime.

Any risk of surface water pollution can be avoided by adherence to best practice construction and environmental management during the construction phase. The incorporation of permeable pavements and a number of small soakaways throughout the site.

The proposed development consists of residential development and the conversion of an existing building to community use. Accordingly, the nature of development is not likely to generate significant residues or emissions. Therefore, it can be considered that 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 / COMAH site. There are no technologies or substances to be used in the development which may cause concern for having likely significant effects on the environment. There is no significant risk of accidents or disasters. The site was not identified for flood risk according to the Flood Maps tool. A multiple/ recurring flood event location is shown in the below image and is c. 500m from the subject site.



Figure 15: Extract from Flood Maps showing past multiple/recurring flood events (Source: OPW)

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

The nature of the proposed development 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. The risk of contamination of any watercourse or groundwater is extremely low. There is no risk to human health within the meaning of the Directive.

5.1.1 Location of Proposed Development

(a) the existing and approved land use,

Currently, the site comprises two structures, which are unoccupied. According to the Kildare County Development 2023-2029 settlement hierarchy, Carbury is categorised as a 'Rural Node', and the site is located in the Rural Housing Policy Zone 1: Areas under Strong Urban Influence. In terms of land use patterns, the predominant use surrounding the site is residential. In determining the designation of a rural node for Carbury and the associated parameters for the quantum of development at Carbury based on its existing population, the Planning Authority will have thoroughly assessed the nature of the site as part of the Strategic Environmental Assessment and Appropriate Assessment for Carbury to ascertain its capacity to accommodate such development.

There are no apparent characteristics or elements of the design of the scheme that are likely to cause significant effects on the environment. The addition of this development is not considered to have a significant impact on the environmental sensitivities of the area.

(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 nature of the proposed development is such that the natural resources used in its development are limited and there would be minimal ongoing use of natural resources from the proposed use of the site.

An AA screening was prepared to accompany this application. An assessment of the project has shown that significant effects are not likely to occur at these areas alone or in combination with other plans or projects.

The proposed development site contains no features of any ecological significance.

As previously mentioned, there are no significant watercourses within the proposed development site, however, the River Boyne is located in close proximity to the site. The AA Screening report has determined that no feasible pathways to the River Boyne and River Blackwater SAC, River Boyne and River Blackwater SPA or any other European Site.

The nature of the proposed development will generate demand for water, but this is for residential and community use and given the scale of this development is not considered significant. The site is not identified for flood risk in the OPW flood map (see figure 15 above).

The site is part of the Lucan formation with dark limestone and shale bedrock. Subsoils type is limestone till carboniferous and soils are fine loamy drift with limestones. According to the EPA Mapping tool the subject site is underlain by an aquifer, which is identified as a "Locally Important Aquifer". The bedrock is categorised as moderately productive.

In addition, during construction all appropriate best practice construction methods and measures are being employed at the subject site. The construction of the project will be managed and carried out by a suitably qualified and experienced nominated contractor who will ensure that best practice measures are used in terms of the subject site and its environs to ensure the safeguarding of natural resources (such as soil, land and water).

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

(i) wetlands, riparian areas, river mouths;

The Site is located approx. 200 m from the bank of the River Boyne. There is no interaction from the development with this watercourse, therefore absorption capacity is not affected. 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. 50 km 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;

This site is not located proximate to mountains or forested areas.

(iv) nature reserves and parks;

The site is approximately located 5km from the Long Derries, Edenderry SAC, and 25km downstream from the identified River Boyne and River Blackwater SAC / SPA.

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

The subject site is not used by any protected species for feeding purposes. Direct and indirect pathways to the Natura 2000 sites are examined in the AA screening prepared by NM Ecology. The AA screening concludes that:

Having considered the particulars of the proposed development, we conclude that this application meets the first conclusion, because there is clearly no likelihood of direct or indirect impacts on any European 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. Appropriate Assessment is not required.

In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.

(vi) 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;

Under the Water Framework Directive Status Assessment 2016-2021, the River Boyne is currently of moderate status on the EPA Maps.

(vii) densely populated areas;

The development is located within an existing rural residential area. There are houses in the vicinity but no other sensitive land uses. In 2022, the electoral division population of Carbury consisted of 2,335 persons, rising from 1,913 in 2016. The total population of Kildare in 2022 was 246,977 persons. The proposed development is considered at scale in the context of the surrounding environment.

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

No archaeological monuments are located on the site. According to Geohive no protected structures nor national monuments are identified on or adjoining the site. The closest monument identified by the code KD008-

018001 is the Armorial plaque at c.200m. distance from the site. It is therefore unlikely that the proposed development would give rise to significant effects on the landscape.

5.1.2 3. *Types and characteristics of Potential Impacts*

The likely significant effects on the environment of proposed development relate to those criteria set out in paragraph (b)(i)(I) to (V) of 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.

The OPR's Practice Note on EIA Screening considers what are **likely significant effects**. Refer to Box 1 below.

Box 1: Likely Significant Effects

1. Are the effects identified likely to occur?

This refers to the effects that are expected to occur, those that can be reasonably foreseen as normal consequences of project construction and operation, including where relevant associated demolition, remediation and/or restoration.

2. Are the effects, which are likely to occur, significant?

EPA draft guidelines define a '*significant effect*' as an effect, which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment. The same draft guidelines provide useful definitions in relation to quality of effects, significance of effects, context of effects, probability of effects and duration and frequency of effects.

3. Will identified likely significant effects impact the environment?

Likely significant effects should cover the direct and indirect, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project.

The factors of the environment to be described and assessed are:

- population and human health;
- biodiversity, with particular attention to protected species and habitats;
- land, soil, water, air and climate;
- material assets, cultural heritage and the landscape; and
- the interaction between the factors.

The following table summarises the likelihood of effects on the environmental factors listed in the box above, having regard to the analysis set out in sections 2 and 4 of this assessment.

Screening Considerations

Aspect	Phase	Potential Effect	Extent	Probability	Significance of Effect	Quality of Effect	Duration
Landscape	C	Two unoccupied structures and a large garden. will be replaced with construction of 4 no. social units and the refurbishment and alteration of an existing structure for use as a community facility.	Local	Likely	Moderate	Neutral	Permanent
	O	Provision of private amenity space for each unit (private rear garden)	Local	Likely	Moderate	Positive	Permanent
Visual	C	Perceived negative changes due to emergence of plant and machinery and site clearance works	Local	Likely	Moderate	Negative	Short Term
	O	Changes to existing character of Carbury Village with residential and community development	Local	Likely	Moderate	Positive	Permanent
Biodiversity	C	None Predicted	-	-	-	-	-
	O	Planting selection comprises mix of various species and provision of measures to enhance natural habitats and biodiversity	Local	Likely	Moderate	Positive	Permanent
Land & Soil	C	Loss of subsoil from site	Local	Likely	Moderate	Negative	Permanent
		Potential contamination due to accidental spillage.	Local	Not Likely	Imperceptible	Neutral	Brief
	O	Residential development and refurbishment and alteration of an existing structure for community use.	Local	Likely	Moderate	Positive	Permanent
Human Health	C	None Predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-

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Water	C	Accidental pollution events occurring to nearby River Boyne or the groundwater table	Local	Not Likely	Imperceptible	Neutral	Brief - Temporary
	O	Discharge of treated attenuated surface water to existing surface water network	Local	Likely	Imperceptible	Neutral	Permanent
		Discharge of foul and waste water to existing waste water network	Local	Likely	Imperceptible	Neutral	Permanent
Air Quality & Climate	C	Reduction of air quality as a result of construction traffic and HGVs, and emissions from construction and plant machinery	Local	Likely	Not significant	Neutral	Temporary
	O	None predicted	-	-	-	-	-
Noise	C	Increase in noise as a result of construction activity, and operation of plant and machinery.	Local	Likely	Slight	Negative	Temporary
	O	Increase in noise level as a result of vehicular movements in and out of residential development	Local	Likely	Imperceptible	Neutral	Permanent
Cultural Heritage: Built Heritage	C	None predicted	-	-	-	-	-
	O	None predicted	-	-	-	-	-
Cultural Heritage: Archaeology	C	None Predicted	-	-	-	-	-
	O	None Predicted	-	-	-	-	-

I. Interaction of Effects

There is potential for interaction of effects during the construction phase in relation to soil, water and biodiversity. The negative impacts arise from potential risk of pollution, dust and noise. However, best practice construction measures will be put in place during the construction phase and these measures will continue to be employed in the completion and construction of the remaining elements of the proposed development which will ensure that there are no significant effects on the environment.

II. 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.

III. Transboundary effects

Owing to the scale, nature, and location of the development there will be no transboundary effects. No mitigating measures are required.

IV. Residual Effects

Having regard to the nature and scale of the proposed development, it is considered that there are no residual effects, as a result of the works at the subject site.

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

Response

Refer to Section 5.1.1 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.

Response

Refer to Section 5.1.2 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 5.1.3 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,

Response

The development will be carried out in accordance with construction standards and best practice that will ensure there is no likely significant effects on the environment. Waste and emissions arising during the operational phase are not considered to be significant within the meaning of the Directive.

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

Response

Refer to 5.1.1. of this report.

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 –

The Planning Authority are referred to the information submitted with this report to support the conclusions included in it, this comprises:

- Appropriate Assessment Screening Report– prepared by NM Ecology

5.4 Any mitigation measures

Standard construction measures and regulations will need to be adhered to in the construction of the proposed development. Given the nature and scale of the proposed development no additional mitigation measures are considered necessary to avoid any adverse impact at the subject site.

5.5 Available Results under other 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

Table 4: EU Legislation

Directive	Results
<u>SEA Directive [2001/42/EC]</u>	Carbury has been designated as a rural node in the County Development Plan. Each rural node can cater for a 10-15% population growth from their current population base over the period of the Plan. The 2022 Census recorded a population of approximately 2,335 persons within the Carbury Electoral Division. An SEA was undertaken in the preparation of the County Development Plan. Therefore, the proposed development is considered compatible with the CDP.
Birds and Habitats Directives [79/409/EEC, 2009/147/EC & 92/43/EEC]	<p>An appropriate assessment (AA) screening report prepared by NM Ecology Ltd. accompanies this Part 8 application.</p> <p>Having taken into consideration the proposed development works and operation, the lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other effluent and surface runoff, it is concluded that this development that would not give rise to any significant effects to designated sites.</p> <p>The AA screening concludes that:</p> <p><i>Having considered the particulars of the proposed development, we conclude that this application does not require an Appropriate assessment and the planning application can proceed as normal. Because there is clearly no likelihood of direct or indirect impacts on any European sites. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file. 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. Appropriate Assessment is not required.</i></p> <p><i>In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.</i></p>
<u>Water Framework Directive [2000/60/EC]</u>	Foul water will be discharged to a new foul water treatment system on site to service the proposed development. Plant. Storm water from roofs and hard surfaces will be directed to a number of small soakaways throughout the Site. Other hard surfaces will be permeable, allowing rainwater to soak to ground.

Marine Strategy Framework Directive	The site is located inland, away from the coast, 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	There are no Seveso sites in the vicinity
Trans-European Networks in Transport, Energy and Telecommunication	n/a to proposed development
EU Floods Directive 2007/60/EC	<p>According to the OPW flood mapping there has been no flooding events at the subject site or surrounding the site. However, c.500m from the subject site the OPW flood maps indicate a multiple/ recurring flood events.</p> <p>The potential impact of climate change has been considered for in the design of the surface water drainage network and storage system at the subject site.</p>

5.6 Likely significant effects on certain sensitive ecological sites

Sensitive areas include:

1) a European site,

Response

An appropriate assessment (AA) screening report accompanies this application. The AA screening concludes:

Having considered the particulars of the proposed development, we conclude that this application does not require an Appropriate assessment and the planning application can proceed as normal. Because there is clearly no likelihood of direct or indirect impacts on any European sites. Documentation of the screening process including conclusions reached and the basis on which decisions were made must be kept on the planning file. 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.

Appropriate Assessment is not required. In accordance with the OPR 2021 guidance, we note that no mitigation measures have been considered when reaching this conclusion.

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

It is not subject to a notice under Section 16(2)b of the Wildlife Act 2000.

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

Response

No likely significant effects on a Natural Heritage Areas have been identified.

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

No likely significant effects on a nature reserve have been identified.

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

Response

No likely significant effects on a refuge for flora or a refuge for fauna have been identified.

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,

Response

The AA Screening document has not identified any likely significant effect on a place, site or feature of ecological interest.

vii) a proposed Natural Heritage Area (pNHA).

The AA Screening document has not identified any likely significant effect on any pNHA.

6. SCREENING CONCLUSION

Having regard to the nature and scale of the proposed development which is below the thresholds set out in Class 10 of Part 2 of Schedule 5, 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 concluded that an environmental impact assessment report is not required.



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