CIOB Ireland Submission: Public Consultation on Environmental Impact Assessments (EIA) Screening Thresholds

Introduction

The Chartered Institute of Building is the world's largest and most influential professional body for construction management and leadership across the built environment.

We have a Royal Charter to promote the science and practice of building and construction for the benefit of society, and we've been doing that since 1834. Our members work worldwide, and across the island of Ireland in the development, conservation and improvement of the built environment.

We accredit university degrees, educational courses and training in universities and colleges in Ireland. Our professional and vocational qualifications are a mark of the highest levels of competence and professionalism, providing assurance to clients and other professionals procuring built assets.

The CIOB also has a dedicated policy and research function, whose expertise we have drawn on in the preparation of this response.

Our perspective on the modification of Environmental Impact Assessment (EIA) screening thresholds is guided by a commitment to proportional environmental stewardship, a sectoral shift toward circular construction, and the principle of accompanying any policy changes with a resource plan to ensure that the policy can be effectively implemented in the wider public interest.

For smaller urban sites, the literature suggests that environmental outcomes are far more effectively protected through robust, standardized building codes and strict enforcement of construction regulations, rather than application-by-application planning reviews. Conversely, for large-scale, infrastructure-heavy, or sensitive greenfield developments, project-level EIAs remain irreplaceable for safeguarding biodiversity and managing catchment-level flood risks (Jay et al, 2007).

Ireland's built environment is directly responsible for approximately 37% of Ireland's carbon emissions (with 23% originating from operational carbon and 14% from embodied carbon).

As outlined in this response, it is our view that introducing exclusionary thresholds is not an argument for diluting environmental safeguards. Rather, it should be framed via the simultaneous introduction of a resource plan for local authorities, as a mechanism for regulatory resource optimization. Subjecting minor, low-risk, sub-threshold developments to individualized project-level screening creates an administrative duplication that traps the sector in a reactive compliance loop.

We reject the binary that pits environmental protection against housing delivery velocity. Instead, we advocate for a system of proportional environmental stewardship.

Historically, regulatory rollbacks in the Irish planning system have frequently compromised long-term standards to chase short-term volume. The built environment is a primary driver of carbon expenditure and resource depletion, accounting for 37% of Ireland's total carbon emissions (23% operational and 14% embodied carbon). Given that residential and civic assets built today carry

an operational footprint spanning 60 to 100 years, the planning system must treat climate resilience and carbon accounting as structural mandates, not administrative inconveniences.

Therefore, CIOB does not view the introduction of exclusionary thresholds as a mechanism to weaken environmental safeguards. Rather, it should be part of a wider strategy for regulatory resource optimization.

By removing administrative duplication, the state can securely shift accountability to robust, on-the-ground building regulations (such as Part D) and certified professional competence, while concentrating intensive, uncompromised EIA oversight on complex, large-scale, or demolition-heavy developments where true ecological risks reside.

References

Jay, S., Jones, C., Slinn, P., & Wood, C. (2007). Environmental impact assessment: Retrospect and prospect. Environmental Impact Assessment Review, 27(4), 287–300.

1. Do you agree with the introduction of exclusionary thresholds to provide for a traffic light system of screening for EIA? Please state why?

Agree, subject to the implementation of renewed Local Authority Resourcing plans to accompany any changes.

While public and industry critiques frequently blame the rigid, multi-layered architecture of Environmental Impact Assessments (EIAs) for stalling housing delivery, this perspective overlooks a structural reality: perceived planning delays are as much a product of severe resource and funding pressures on Local Authorities (LAs) as they are of the regulatory processes themselves. In recent years, central funding allocations to local government have technically stabilized or seen modest nominal increases, buoyed by strong national exchequer surpluses. However, these figures mask a widening real-terms operational deficit. LAs have been hit with an exponential expansion of statutory mandates—spanning the Climate Action Plan, biodiversity policies, Appropriate Assessments (AA), and circular economy directives—without a corresponding, proportional scale-up in their baseline administrative and technical budgets. This is crucial.

This resourcing mismatch is most acute in the severe shortage of specialized, technical expertise within municipal planning and environmental sections. Properly evaluating complex EIA documentation requires highly advanced skillsets, including hydrologists, ecotoxicologists, and lifecycle carbon accountants (Cashmore, 2004).

Local authority funding frameworks have historically lacked the financial flexibility to offer salaries that compete with the private sector for these scarce skills, leading to chronic understaffing and high vacancy rates. When a small number of over-burdened officials are left to navigate highly technical environmental screenings alongside an unprecedented volume of standard development applications, bottlenecks and delays occur. The process slows down not because the regulatory design is inherently unworkable, but because the human infrastructure required to administer it is overstretched.

Ultimately, the system delays are a symptom of structural starvation, proving that regulatory reform cannot succeed without a concurrent, dedicated investment in local government capacity.

In terms of the thresholds proposed in the consultation, a clear traffic light system introduces necessary operational predictability. By establishing definitive Green Light parameters, the planning system moves away from a reactive, case-by-case evaluation of benign sites and moves toward a strategic framework where baseline environmental expectations are standardized.

However, while we support creating considered appropriate parameters for EIAs, our support hinges on the introduction of an accompanying resource pan for local authorities to ensure appropriate resource is allocated to local planning departments so they can support sustainable development more broadly.

Introducing exclusion thresholds in isolation provides no automatic guarantee that freed-up local authority planning resources will seamlessly transfer to higher-risk, larger-scale projects. Without explicit structural resource plans, the administrative capacity saved by eliminating minor screenings risks being absorbed by existing municipal backlogs, local authority understaffing, or internal bureaucratic inertia.

To ensure that resource reallocation actually occurs, we recommend that the Department pair these regulatory amendments with a Local Authority Resourcing Plan. To facilitate this, and in the first instance, central government, i.e. the Department, should provide sufficient additional funding to Local Authorities to ensure the proposed changes to EIAs can be put in place and function effectively.

Once the resourcing plan for local authorities has been provided, local authorities should use the additional resource to:

- Formally audit and log the planning hours reclaimed by the introduction of the Green Light exclusion thresholds.
- Establish dedicated High-Risk Environmental Vetting Desks within planning departments, ensuring that the saved administrative hours are explicitly ring-fenced to conduct rigorous, exhaustive audits of large-scale, greenfield, or demolition-heavy applications.
- Shift the regulatory focus from reviewing low-impact, standardized paperwork to auditing high-impact developments on factors like long-term climate resilience, biodiversity net gains, and whole-life carbon calculations.

References

Cashmore, M. (2004). The role of science in environmental impact assessment: An evaluation of challenge and opportunity. Environmental Impact Assessment Review, 24(4), 403–426. https://doi.org/10.1016/j.eiar.2003.12.002

2. Do you agree with the introduction of exclusionary thresholds for projects that fall under the category 'Construction of dwelling units'? If yes, please indicate where the exclusionary threshold should be set? If no, please state why?

Yes, agree, with the threshold set at a conservative baseline of 30 to 50 dwelling units, subject to strict ecological zoning and hardwired professional competency metrics.

Small and Medium Enterprises (SMEs) and local contractors deliver a critical portion of Ireland's housing stock, yet they face disproportionate financial and administrative barriers when

navigating sub-threshold screening requirements. Unlike major tier-one developers, these smaller operators lack internal, multi-disciplinary legal and environmental compliance departments to absorb the multi-month delays and high consultancy fees of ad-hoc screenings.

As outlined in the *CIOB Apprenticeship Action Plan Consultation Response*, regulatory volatility and policy unpredictability directly suppress SME market participation, contributing to the activation lag of valid residential permissions across the state.

A clear exclusion baseline between 30 and 50 units provides the operational certainty required to unblock regional housing pipelines. However, to protect local ecosystems and maintain public trust, this exclusion must be strictly conditional.

Furthermore, falling below an EIA screening threshold must never serve as an exemption from environmental accountability. For sub-threshold housing schemes, critical climate adaptation features—including passive cooling provisions to prevent overheating, property-level flood mitigation, and nature-based sustainable drainage—must be hardwired directly into the project's execution through strict compliance with Building Regulations, backed by validated professional competency paths such as the CIOB Academy Climate Resilience Framework.

3. Do you agree with the introduction of exclusionary thresholds for projects that fall under the category 'Urban development'? If yes, please indicate where the exclusionary threshold should be set? If no, please state why?

Yes, agree, with the threshold set at 0.5 hectares for projects inside defined municipal footprints that prioritize structural reuse.

In our policy report, *Building Adaptably: How the construction sector can future proof Irish cities*, we highlight that the long-term sustainability of Irish urban centres relies heavily on the rapid, efficient reuse of urban land, infill spaces, and brownfield footprints. Subjecting minor modifications of the existing urban fabric to project-specific EIA screenings discourages adaptive reuse and circular economy practices.

A project-level EIA screening for an urban brownfield site under 0.5 hectares frequently duplicates information that has already been extensively assessed during the Strategic Environmental Assessment (SEA) phase of the local City or County Development Plan. Eliminating this duplication through a 0.5-hectare exclusion threshold removes a major layer of administrative friction. This directly incentivizes a cultural shift toward a circular economy by streamlining the revitalization of underutilized urban footprints, provided projects adhere strictly to local sustainable drainage systems (SuDS) and municipal green infrastructure frameworks.

4. Do you consider that the thresholds for 'Urban Development' should be determined by size and location i.e. the size threshold is determined by the location of the project (business district, built up area, elsewhere)?

Yes.

Environmental baselines and carbon calculations are context-dependent, and regulatory frameworks must reflect this reality.

Established, high-density urban zones consist of heavily modified, sealed surfaces and existing utility infrastructure that have already altered local baselines. Their capacity to absorb small-to-

medium developments without causing fresh, systemic ecological harm is substantially higher. These built-up environments are ideal for advanced circular supply loops, verifying reclaimed components, and embedding Digital Material Passports under Building Regulations Part D to eliminate waste. Accordingly, higher exclusion thresholds are fully justified in these zones to actively incentivize the retrofitting and densification of our commercial cores.

Conversely, projects situated on peri-urban edges, greenfield sites, or agricultural zones interact with highly sensitive natural baselines. In these areas, new developments carry heavy penalties in infrastructure-led carbon emissions, habitat fragmentation, and the destruction of natural carbon sinks. For sites categorized as elsewhere, much lower thresholds and rigorous project-level screening must remain mandatory to prevent unsustainable, car-dependent sprawl and to protect baseline biodiversity networks.

5. Do you agree with amending the inclusion threshold for projects that fall under the category 'Wastewater Treatment Plant' and the introduction of exclusionary thresholds for these projects. If yes, please indicate where the exclusionary threshold should be set? If no, please state why?

Yes, strongly agree with aligning the inclusion threshold with EU norms and introducing an exclusion baseline for modernisation works.

Mandatory Inclusion Threshold should align with the standard EU EIA Directive baseline of 150,000 population equivalent.

Further, policy should establish an explicit exclusion baseline for essential maintenance, green technology optimization, or plant efficiency upgrades that result in less than a 25% increase in the plant's overall physical footprint or capacity (ref).

Ireland's historical mandatory inclusion threshold of a 10,000 population equivalent represents a significant regulatory anomaly, sitting roughly 93% lower than standard European benchmarks (ref). This divergence has restricted municipal utility modernisation.

Aligning these thresholds ensures that vital public health and environmental infrastructure can be rapidly deployed to unlock housing delivery. However, to prevent localized environmental failures, all excluded plant modernizations must feature strict component verification. For instance, using Agrément-certified or system-level validated assemblies could ensure that public health infrastructure is resilient against long-term operational climate stress, preventing latent environmental pollution caused by suboptimal materials.

Furthermore, all excluded projects must explicitly demonstrate compliance with long-term flood-risk management and energy-efficiency standards to guarantee operational continuity during extreme weather events, as detailed in the CIOB Guide to Sustainability in the Built Environment.

6. Do you consider that any other project categories in Schedule 5, Part 2 would benefit from the introduction of exclusion thresholds?

Yes, Category 13 (Changes or Extensions) and Category 14 (Works of Demolition) require the immediate introduction of explicit exclusion criteria to support building retrofits, structural renovations, and circular deconstruction.

To align the planning framework with Ireland's statutory target of net-zero emissions by 2050, regulations must actively prioritize the structural retention of buildings over carbon-heavy demolition. Retaining an existing concrete and steel frame saves up to 73% of embodied carbon emissions compared to traditional demolition and replacement. To complement market-based instruments, such as the tax adjustments outlined in CIOB's carbon policy analysis, the regulatory system must remove procedural hurdles for environmental innovation.

We recommend the following structural expansions to Schedule 5, Part 2:

Category 13: Changes or Extensions

Introduce a dedicated exclusionary threshold for deep energy retrofits, building fabric upgrades, and structural conversions of existing properties, provided there is no increase in the physical footprint of the site. Eliminating project-specific EIA screening delays for building renewals directly drives a culture of circularity, locks embodied carbon in place, and accelerates the decarbonization of the existing housing stock.

Category 14: Works of Demolition

Conversely, the planning system should implement a demolition filter. If an applicant proposes the complete demolition of a structurally sound building, they should face a *higher* formal screening hurdle to justify the loss of embodied carbon.

However, if a project transitions into a verified Circular Deconstruction and Reclamation Plan—where building components are systematically salvaged, catalogued via Digital Material Passports under Building Regulations Part D, and certified fit-for-purpose for subsequent reuse—it should benefit from an expedited exclusionary screening mechanism. This directly rewards environmental innovation and discourages unnecessary landfill waste.

References

- Cashmore, M. (2004). The role of science in environmental impact assessment: An evaluation of challenge and opportunity. Environmental Impact Assessment Review, 24(4), 403–426. https://doi.org/10.1016/j.eiar.2003.12.002
- Chartered Institute of Building (CIOB) Academy, *Climate Resilience & Adaptation in the Built Environment*, 2026. https://www.ciobacademy.org/publication/climate-resilience-adaptation-in-the-built-environment/
- Chartered Institute of Building (CIOB) Academy, *Guide to Sustainability in the Built Environment*, 2026. https://www.ciobacademy.org/product/guide-to-sustainability-in-the-built-environment/
- Chartered Institute of Building (CIOB), *Submission on the Amendment to Building Regulations, Part D (Materials and Workmanship)*, March 2026. https://www.ciob.org/industry/policy-research/part-d-submission-ireland
- Chartered Institute of Building (CIOB), *Building Up Ireland: Professional Insights from the Construction Sector*, 2023. https://www.ciob.org/campaigns/building-up-ireland

- Chartered Institute of Building (CIOB), *Building Adaptably: How the construction sector can future proof Irish cities*, 2025. https://www.ciob.org/industry/research/Building-Adaptably-Ireland
- Chartered Institute of Building (CIOB), *Balancing the tax system with Ireland's climate goals: a case for incentivising retrofit over demolition using VAT*, 2023. https://www.ciob.org/industry/policy-research/VAT-retrofit-ireland
- Jay, S., Jones, C., Slinn, P., & Wood, C. (2007). Environmental impact assessment: Retrospect and prospect. Environmental Impact Assessment Review, 27(4), 287–300