

Environmental Impact Assessment Screening Report

for proposed

Public Park in lands adjacent to Glenamuck Road South

for: Dún Laoghaire Rathdown County Council

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1. Introduction

CAAS has been appointed by Dún Laoghaire Rathdown County Council to prepare this Environmental Impact Assessment Screening Report for the public park in lands adjacent to Glenamuck Road South, between 'Rockville House' and the proposed road. 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 legislation¹ including the EIA Directive, and Planning and Development legislation. 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 and *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, 2018, Department of Housing, Planning and Local Government and 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 consideration of potential impacts covers all significant direct, indirect and secondary impacts as relevant, with reference to the guidance and in compliance with the legislation, including the criteria for determining whether certain development types should be subject to EIA, and which are grouped into these categories in the Directive:

- (i) Characteristics of the proposal
- (ii) Location of the proposal
- (iii) Characteristics of potential impacts

Where used, descriptions of impacts follow the statutory EPA (draft) *Guidelines on the information to be contained in Environmental Impact Assessment Reports* (2017). For ease of reference, these standardised descriptions are reproduced in Appendix I of this report.

Information on the development has been obtained from Dún Laoghaire Rathdown County Council including a brief written description and relevant drawings.

The following sections of this report cover:

- The proposed development (s2)
- The legislative basis for EIA (s3)
- Screening considerations (s4)
- Conclusion (s5)

An overview of the author's competency is provided in Appendix II.

¹ see section 3 for details

2. The proposed development

2.1 Overview of the development

The proposed development involves providing a new public park directly adjacent to the proposed and already approved, Glenamuck District Roads Scheme (GDRS) and Glenamuck Road South. The park will accommodate a portion of excavated fill material derived from the construction of the GDRS and will be shaped and compacted to provide for a public park area.

2.2 Project details

The proposed development includes:

- Earthworks including compaction of excavated fill material (approx. 23,000m²) to provide profiles / contours which reflect a diverse park area.
- Provision of an attenuation pond designed to provide for suitable aquatic and marginal planting and circulation paths.
- Provision of pedestrian and cycle links to Glenamuck Road and the GDRS, and to the adjacent residential development at Rockville.
- Provision of shared areas, a natural play area, an activity path and a kickabout area.
- Provision of substantial parkland/woodland tree planting and shrub/wildflower planting.

The proposed park area is approx. 3.5ha in size.

Works for the GDRS are planned to commence in Autumn of 2021.

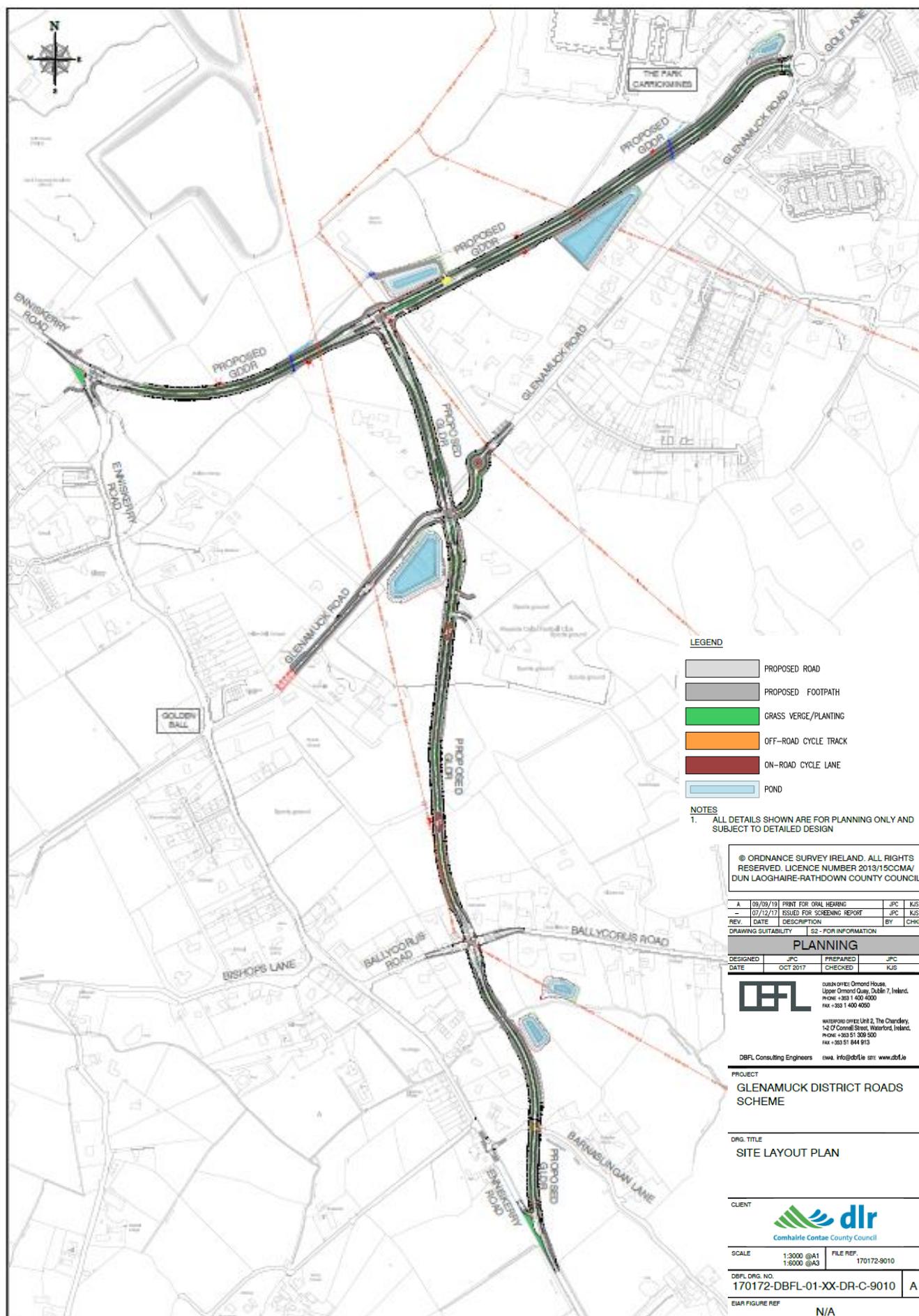


Figure 1 – Map of Glenamuck District Roads Scheme



Figure 2 – Red line boundary of proposed development



Figure 3 - Detailed illustration of proposed development

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 are the most relevant to this development.

- The Planning and Development Acts 2000-2020 (Part X), as amended by, *inter alia*, the:
 - Planning and Development Regulations 2001 (S.I. 600/2001)
 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018) (S.I. 296/2018)

Part 1 of Schedule 5 of these regulations 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.

4. Screening considerations

4.1 Project type

In the first instance it is necessary to determine whether the project is of a type that requires EIA.

Potentially relevant project types prescribed for EIA purposes in the Planning and Development legislation are listed in the table below, with commentaries of their applicability to the proposed development. Criteria prescribed in the legislation for changes or extensions are included.

Project type / criteria	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) (iv)</i>		
<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 ² 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 project does not correspond to or have similar characteristics to any of the above listed project types.	No

² Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015, EU

Project type / criteria	Comment	Is EIA required on this basis?
<i>Project type 13. Changes, extensions, development and testing</i>		
<p><i>(a) Any change or extension of development which would:-</i></p> <p><i>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and</i></p> <p><i>(ii) result in an increase in size greater than-</i></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 proposed development will not result in:</p> <p>(i) the development being of a listed class*</p> <p>* In this context <i>class</i> refers to the type <u>and</u> scale of the project.</p> <p>As it does not correspond to any listed class, neither of the expansion scale criteria given in (ii) are applicable.</p>	No

4.2 Subthreshold development

Article 92 of the Regulations of 2001, as amended define: ‘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 - 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 the proposed development does not fall into any project type prescribed in Schedule 5, it is not considered to comprise ‘sub-threshold development’. Therefore, it is not required to review it against the Annex III / Schedule 7 criteria.

4.3 Project Splitting / Cumulative Effects

The park proposal is directly related to the proposed and previously permitted Glenamuck District Roads Scheme (GDRS) project. The question of project splitting arises in this context. Project splitting means splitting a project into a number of smaller parts so that these parts are below the applicable EIA threshold, thus circumventing the requirements of the EIA Directive.

The GDRS project has been subject to full EIA, in compliance with the requirements of the Directive. The proposed park project was not under consideration at time of scoping or preparation of the GDRS proposal. It has been proposed since completion of the GDRS EIA and has been screened per the full requirements of the legislation and found not to require EIA. Each project has thus been

subject to the appropriate requirements of the EIA legislation and the requirements of the Directive have not been circumvented.

Regarding cumulative effects; as the proposed development does not fall within any project type prescribed in Schedule 5 and as explained in s4.2 there is no need to review it against the Annex III/Schedule 7 criteria, it is not necessary to take account of cumulative effects which could arise in combination with environmental effects of other plans and projects .

5. Conclusions

It is considered that the public park in the lands adjacent to Glenamuck Road South and the Glenamuck District Roads Scheme 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 proposed development, including its characteristics, location and the likelihood of it causing significant environmental impacts. The screening has followed the relevant legislation and has had regard to the relevant guidance.

Appendix I – Standard Descriptions of Effects

(from *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, 2018 draft, EPA)

<p>Quality of Effects</p> <p>It is important to inform the non-specialist reader whether an effect is positive, negative or neutral</p>	<p>Positive Effects</p> <p>A change which improves the quality of the environment (for example, by increasing species diversity; or the improving reproductive capacity of an ecosystem, or by removing nuisances or improving amenities).</p>
	<p>Neutral Effects</p> <p>No effects or effects that are imperceptible, within normal bounds of variation or within the margin of forecasting error.</p>
	<p>Negative/adverse Effects</p> <p>A change which reduces the quality of the environment (for example, lessening species diversity or diminishing the reproductive capacity of an ecosystem; or damaging health or property or by causing nuisance).</p>
<p>Describing the Significance of Effects</p> <p>“Significance” is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful (also see <i>Determining Significance</i> below.).</p>	<p>Imperceptible</p> <p>An effect capable of measurement but without significant consequences.</p>
	<p>Not significant</p> <p>An effect which causes noticeable² changes in the character of the environment but without significant consequences.</p>
	<p>Slight Effects</p> <p>An effect which causes noticeable changes in the character of the environment without affecting its sensitivities.</p>
	<p>Moderate Effects</p> <p>An effect that alters the character of the environment in a manner that is consistent with existing and emerging baseline trends.</p>
	<p>Significant Effects</p> <p>An effect which, by its character, magnitude, duration or intensity alters a sensitive aspect of the environment.</p>
	<p>Very Significant</p> <p>An effect which, by its character, magnitude, duration or intensity significantly alters most of a sensitive aspect of the environment.</p>
	<p>Profound Effects</p> <p>An effect which obliterates sensitive characteristics</p>
<p>Describing the Extent and Context of Effects</p> <p>Context can affect the perception of significance. It is important to establish if the effect is unique or, perhaps, commonly or increasingly experienced.</p>	<p>Extent</p> <p>Describe the size of the area, the number of sites, and the proportion of a population affected by an effect.</p>
	<p>Context</p> <p>Describe whether the extent, duration, or frequency will conform or contrast with established (baseline) conditions (is it the biggest, longest effect ever?)</p>

Describing the Probability of Effects Descriptions of effects should establish how likely it is that the predicted effects will occur – so that the CA can take a view of the balance of risk over advantage when making a decision.	Likely Effects The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented.
	Unlikely Effects The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented.
Describing the Duration and Frequency of Effects 'Duration' is a concept that can have different meanings for different topics – in the absence of specific definitions for different topics the following definitions may be useful.	Momentary Effects Effects lasting from seconds to minutes
	Brief Effects Effects lasting less than a day
	Temporary Effects Effects lasting less than a year
	Short-term Effects Effects lasting one to seven years.
	Medium-term Effects Effects lasting seven to fifteen years.
	Long-term Effects Effects lasting fifteen to sixty years.
	Permanent Effects Effects lasting over sixty years
	Reversible Effects Effects that can be undone, for example through remediation or restoration
	Frequency of Effects Describe how often the effect will occur. (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually)
Describing the Types of Effects	Indirect Effects (a.k.a. Secondary Effects) Impacts on the environment, which are not a direct result of the project, often produced away from the project site or because of a complex pathway.
	Cumulative Effects The addition of many minor or significant effects, including effects of other projects, to create larger, more significant effects.
	'Do-Nothing Effects' The environment as it would be in the future should the subject project not be carried out.
	'Worst case' Effects The effects arising from a project in the case where mitigation measures substantially fail.
	Indeterminable Effects When the full consequences of a change in the environment cannot be described.

	Irreversible Effects When the character, distinctiveness, diversity or reproductive capacity of an environment is permanently lost.
	Residual Effects The degree of environmental change that will occur after the proposed mitigation measures have taken effect.
	Synergistic Effects Where the resultant effect is of greater significance than the sum of its constituents, (e.g. combination of SO _x and NO _x to produce smog).

Appendix II - Competency of Author

The lead author, Paul Fingleton, 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 Guidelines³ and accompanying Advice Notes⁴ 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.

³ *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2017 (Draft)

⁴ *Advice notes on current practice in the preparation of Environmental Impact Assessment Reports*, EPA, 2003