



Parks & Landscape Services Section, Municipal Services Department

**Proposed Development of Myrtle Square &
Convent Lane, Dun Laoghaire, Co. Dublin
PC/PKS/01/20**

**Appendix 2 – Environmental Impact Assessment
Screening Report**

Environmental Impact Assessment Screening Report

for proposed

Public Square at Bloomfields (Myrtle Square) and update of Convent Lane

for: Dún Laoghaire Rathdown County Council

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Table of Contents

1. Introduction	1
2. The proposed development	2
Overview of the proposed development	2
Details of measures.....	2
3. Legislative Basis for EIA	6
4. Screening Considerations	7
Subthreshold Development.....	9
5. Conclusions.....	9
Appendix I – Standard Descriptions of Effects	1
Appendix II - Competency of Author	1

Figures

1 Map of proposed development area (drawing number DRP 2371-01)	4
2 Proposed design of development	5

Appendices

Appendix I – Standard Descriptions of Effects

Appendix II - Competency of Author

1. Introduction

CAAS has been appointed by Dún Laoghaire Rathdown County Council to prepare this Environmental Impact Assessment Screening Report for the proposed development of a new public square at Bloomfields (Myrtle Square) and upgrade of Convent Lane. 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 relevant EIA legislation¹ including the EIA Directive, the Planning & Development legislation 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*, EC. It also has regard to relevant parts of *EIA Guidance for Consent Authorities regarding sub-threshold development, 2003*.

The consideration of potential impacts covers direct, indirect and secondary impacts as relevant, with reference to the guidance and in compliance with the legislation, including consideration of:

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

Descriptions of impacts follow the statutory EPA (draft) *Guidelines on the information to be contained in Environmental Impact Assessment Reports (2018)*. For ease of reference, these standardised descriptions are reproduced in Appendix I of this report.

Information on the development has been obtained from Dun Laoghaire Rathdown County Council's Parks, Municipal Services Department, comprising scheme drawings (plans and sections) and a brief written description.

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

Overview of the proposed development

The proposed development comprises a new public square at Bloomfields (Myrtle Square) and upgrade of Convent Lane. The development will provide a public plaza, with provision for events and markets throughout. The area will provide a space to congregate and hold community events, characterised by trees and other planting with public seating, a canopy structure for shelter, provision for play and exercise, public drinking water and an art installation.

The site is located in the centre of Dún Laoghaire Town in the area between St. Michael's Hospital and Bloomfields Shopping Centre, and the lane running parallel to Georges Street, alongside the shopping centre.

Details of measures

The proposed measures include:

Myrtle Square:

- Construction of a landmark plaza and upgrade of Convent Lane
- Demolition of existing buildings 35-37 Georges St.
- Removal of existing block paving, bollards, trees, car parking and loading bays.
- Re-location of disabled parking spaces to Georges St. and Convent Rd., relocation of taxi rank to Georges St.
- Removal of all through traffic from Georges St. except for deliveries, traffic from Convent Lane and for home delivery service.
- Installation of translucent canopy.
- Installation of raised planters and seating integrated into planter walls, including additional planted beds.
- Provision of event space with integrated utilities in canopy and planter walls.
- Surfacing including granite paving, resin bound aggregate and exposed aggregate concrete.
- Hit and miss paving to remove surface water and to add greening.
- Installation of play features including climbing frame and slide.

Convent Lane:

- Shared surface laneway with pedestrian/cycle priority and space for cafes/retail and restaurant to open onto the street from the Georges St. side. Lane will form a mini plaza framed with planting.
- Greening of laneway through planted beds, hit and miss paving and extensive tree planting.
- Integrated bin storage units for small and large wheelie bins constructed of sheet metal or timber.
- Installation of callisthenics exercise units to animate the space and make use of the wide lane.
- Surfacing consisting of granite, exposed aggregate concrete and resin bound aggregate.
- Installation of granite bollards to protect buildings from vehicular traffic.

Georges Street:

- Re-alignment where Georges St. meets Myrtle Sq. to provide chicane and ramp
- Chicane notification signage to be installed at junction of library Rd. and Georges St. to signal the removal of the road.

Additional Measures:

- Utilities and other services will be diverted and upgraded as required. Provision will be left to connect services at the edge of properties on Convent Lane to allow for development. Power and water to be integrated into planters, canopy or lighting poles for markets and events.
- Installation of re-fillable water station.
- Surface water run-off to be directed to soft landscaping beds (rain gardens or similar) through channel drainage or the natural falls of the site. Installation of an underground attenuation tank, installation of hydrobreak to limit high level overflow to 2 litres/second/hectare.
- Provision of extensive bike and e-bike stands as well as covered bike parking.
- Low energy LED lights using the uprights of canopies and various poles for catenary lighting, designed with the consideration of bat sensitivities. Lighting design considers and minimises glare and/or omitting of light above the horizontal plane.
- It is the intention of Dún Laoghaire Rathdown that any damage made to roads during construction will be made good.
- Appropriate measures to be implemented to during construction to eliminate potential for run-off of cementitious or other deleterious materials, including bunding and covering of construction materials to prevent washout.

The proposed hours of construction for the proposed development are 07:00-19:00 Monday to Saturday.

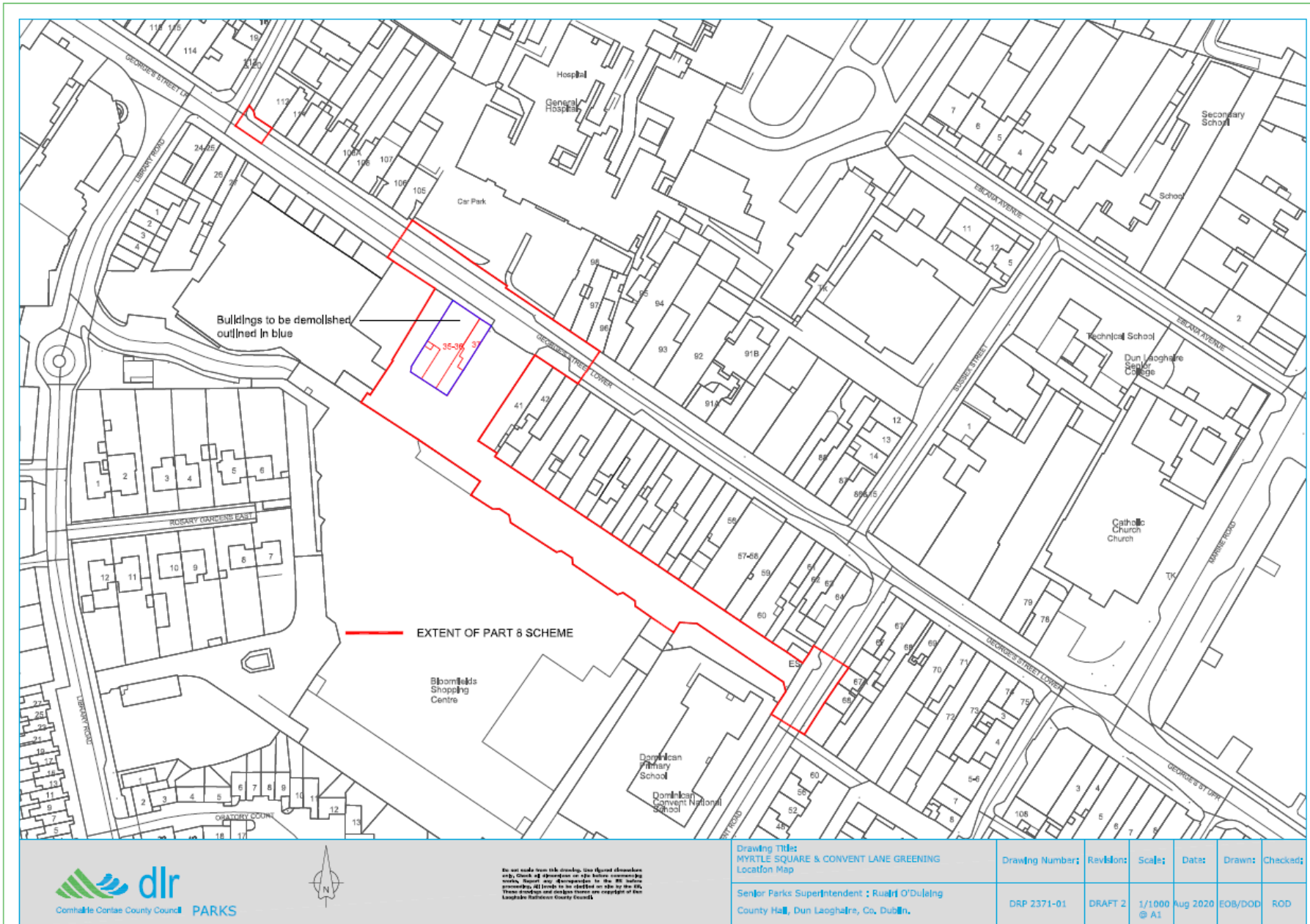


Figure 1 Map of proposed development area (drawing number DRP 2371-01)

by CAAS for Dún Laoghaire Rathdown County Council

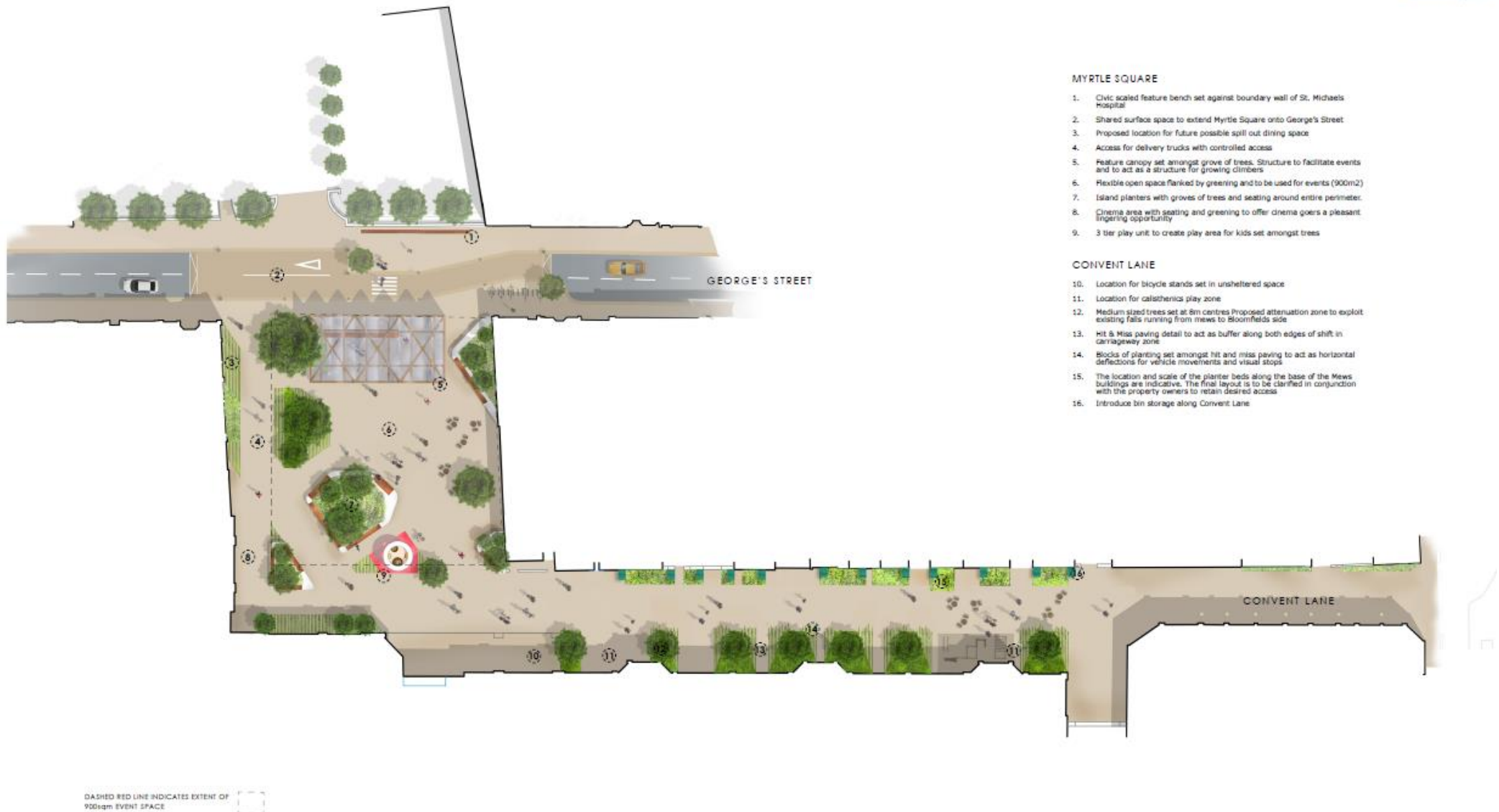


Figure 2 Proposed design of development

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 the following Irish legislation.

- The Roads Act 1993, as amended by, *inter alia*, the:
 - Roads Regulations, 1994 (S.I. 119/1994)
 - European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations, 2019 (S.I. 279/2019)

Section 50 of the Act specifies the types of roads projects that automatically require EIA and sets out criteria for determining whether or not other roads projects should be subject to EIA.

- 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

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 Roads and Planning and Development legislation are listed in this table with commentaries of their applicability to the proposed scheme.

Criteria for determining whether or not projects which do not clearly fall into any prescribed project type are also listed and commented upon.

Project type / criteria	Comment	Is EIA required on this basis?
Roads legislation		
SI 279/2019 (s.5, amending section 50 of the Roads Act)		
<i>(1) (a) A road development that is proposed that comprises any of the following shall be subject to an environmental impact assessment:</i>		
<i>(i) the construction of a motorway</i>	The proposed scheme does not provide for construction of a motorway	No
<i>(ii) the construction of a busway</i>	The proposed scheme does not include creation of new busways.	No
<i>(iii) the construction of a service area</i>	The proposed scheme does not include any service areas.	No
<i>(iv) any prescribed type of road development consisting of the construction of a proposed public road or the improvement of an existing public road</i>		
The prescribed types are given in section 8 of S.I. 119/1994 as:		
<i>(a) The construction of a new road of four or more lanes, or the realignment or widening of an existing road so as to provide four or more lanes, where such new, realigned or widened road would be eight kilometres or more in length in a rural area, or 500 metres or more in length in an urban area:</i>	The proposed scheme does not include construction, realignment or widening of any roads.	No

Project type / criteria	Comment	Is EIA required on this basis?
<i>(b) the construction of a new bridge or tunnel which would be 100 metres or more in length.</i>	The proposed scheme does not include construction of any new bridges or tunnel.	No
(1) (b) to (d) of S.I. 279/2019 require that any road development or road improvement project which would be likely to have significant effects on the environment, including projects located on ecologically protected sites, shall be subject to EIA.	The measures included in the scheme do not include for creation of any new road. They have no real likelihood of causing significant environmental effects including effects on any ecologically designated areas.	No
Planning and Development legislation S.I. 600/2001, Schedule 5, Pt 2		
Project type 10. <i>Infrastructure projects (b) (iv)</i>		
<p><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></p> <p><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></p>	<p>Commission guidance² lists a range of projects, stating that these or other projects with similar characteristics can be considered to be ‘urban development’. These include:</p> <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 <p>The proposed scheme does not correspond to any of these types of projects but it could be considered that there are similarities in some of its characteristics.</p> <p>At 0.42 hectares in area however, it is far below both the 2 and 10 hectare thresholds.</p>	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 	The changes covered by the proposed scheme will not result in: the development being of a listed class; and an increase in the size of the area of 25% or 50% of any applicable threshold.	No

Subthreshold Development

As the scheme could be considered to fall into project type 10 (b) (iv) of Part 2 of Schedule 5 it can be considered to comprise 'sub-threshold development'³ for EIA screening purposes.

Notwithstanding, it is far below the threshold and can be reasonably considered as having no real likelihood to cause significant environmental effects. Therefore, detailed review of its characteristics, location or of its potential impacts to determine whether it should be subject to EIA (as provided for in Annex II of the EIA Directive (2011/92/EU, as amended) and in Schedule 7 of the Planning and Development Regulations) is not required.

5. Conclusions

It is considered that the proposed development of a public square at Myrtle Square and upgrade of Convent Lane 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 Scheme, 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.

³ As defined in Article 92 of the Regulations of 2001, as amended

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>

<p>Describing the Probability of Effects</p> <p>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.</p>	<p>Likely Effects</p> <p>The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented.</p> <p>Unlikely Effects</p> <p>The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented.</p>
<p>Describing the Duration and Frequency of Effects</p> <p>'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.</p>	<p>Momentary Effects</p> <p>Effects lasting from seconds to minutes</p> <p>Brief Effects</p> <p>Effects lasting less than a day</p> <p>Temporary Effects</p> <p>Effects lasting less than a year</p> <p>Short-term Effects</p> <p>Effects lasting one to seven years.</p> <p>Medium-term Effects</p> <p>Effects lasting seven to fifteen years.</p> <p>Long-term Effects</p> <p>Effects lasting fifteen to sixty years.</p> <p>Permanent Effects</p> <p>Effects lasting over sixty years</p> <p>Reversible Effects</p> <p>Effects that can be undone, for example through remediation or restoration</p> <p>Frequency of Effects</p> <p>Describe how often the effect will occur. (once, rarely, occasionally, frequently, constantly – or hourly, daily, weekly, monthly, annually)</p>
<p>Describing the Types of Effects</p>	<p>Indirect Effects (a.k.a. Secondary Effects)</p> <p>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.</p> <p>Cumulative Effects</p> <p>The addition of many minor or significant effects, including effects of other projects, to create larger, more significant effects.</p> <p>'Do-Nothing Effects'</p> <p>The environment as it would be in the future should the subject project not be carried out.</p> <p>'Worst case' Effects</p> <p>The effects arising from a project in the case where mitigation measures substantially fail.</p> <p>Indeterminable Effects</p> <p>When the full consequences of a change in the environment cannot be described.</p>

	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 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 Guidelines⁴ and accompanying Advice Notes⁵ 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.

⁴ *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2017 (Draft)

⁵ *Advice notes on current practice in the preparation of Environmental Impact Assessment Reports*, EPA, 2003