



# Cabinteely Park Gate Lodge

## EIAR Screening

Proposed Development of Sports and Community Facilities

On behalf of:

Dun Laoghaire Rathdown County Council

*7 August 2024*



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# 1. INTRODUCTION

## 1.1 Background

This report provides an Environmental Impact Assessment (EIA) Screening Report in respect of development by Dun Laoghaire Rathdown County Council's at Cabinteely Park, Co. Dublin.

The application is being progressed by Dun Laoghaire Rathdown County Council. The main features of the proposed development, comprising the construction of a changing pavilion and works to the Gate-Lodge adjacent to the Bray Road entrance at Cabinteely Park.

The proposed works include the restoration and conservation of the gate-lodge (a Protected Structure) for community type usage, the construction of a changing rooms adjacent and the upgrade of the entrance. The site as outlined in red on the site location plan is approximately 0.12 Hectares.

## 1.2 Aims of Report

The application is being progressed by Dun Laoghaire Rathdown County Council. The process to bring the scheme forward must have regard to the conclusions of the EIA Screening, set out herein. This shall determine whether the appropriate process is a Part 8 (of the Planning and Development Regulations, 2001 to 2021) where the consenting authority is the Council, or an application is made to An Bord Pleanála.

## 1.3 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
- Interpretation of definitions of project categories of annex I and II of the EIA Directive, European Commission, 2015
- 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, Department of Housing, Local Government and Heritage
- Environmental Impact Assessment Screening- Practice Note, Office of the Planning Regulator, 2021

## 1.4 Overall 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 noted above.

For the purpose of this application, the relevant statutory provision is Article 103 of the Planning and Development Regulations, 2001 (as amended).

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

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 about 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.

The consideration of potential impacts covers all significant direct, indirect and secondary impacts as relevant having regard to the criteria for determining whether development listed in part 2 of schedule 5 should be subject to an environmental impact assessment under Schedule 7 of the Planning and Development Regulations, 2001 to 2021.

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

Pursuant to Article 81(ca) of the Regulations 2001, a Planning Authority must indicate its conclusion under article 120(1)(b)(i) (a preliminary examination) or screening determination under article 120(1B)(b)(i) in the public notices that form part of a Part 8 process.

## 1.5 Structure of Report

This EIA Screening Report is structured to assess the relevant project and environmental criteria as follows:

- Description of Site and surrounding area
- Description of the proposed development
- The legislative basis for EIA
- Mandatory Threshold Review
- Preliminary Screening Examination

- Screening determination
- Conclusions

## 1.6 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>
- Dun Laoghaire Rathdown County Council Development Plan 2022 – 2028
- Dun Laoghaire Rathdown County Council Planning Applications
- 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 the following project specific reports were utilised to inform this report:

- Appropriate Assessment Screening Report by Altemar Ecological Consultants
- Arboricultural Assessment, Tree Constraints Plan and Tree Protection Plan by Arborist ~Associates Ltd.
- Plans and Elevations by Cubetecture Design Ltd.
- Conservation Report by Dun Laoghaire Rathdown County Council, Architects Department

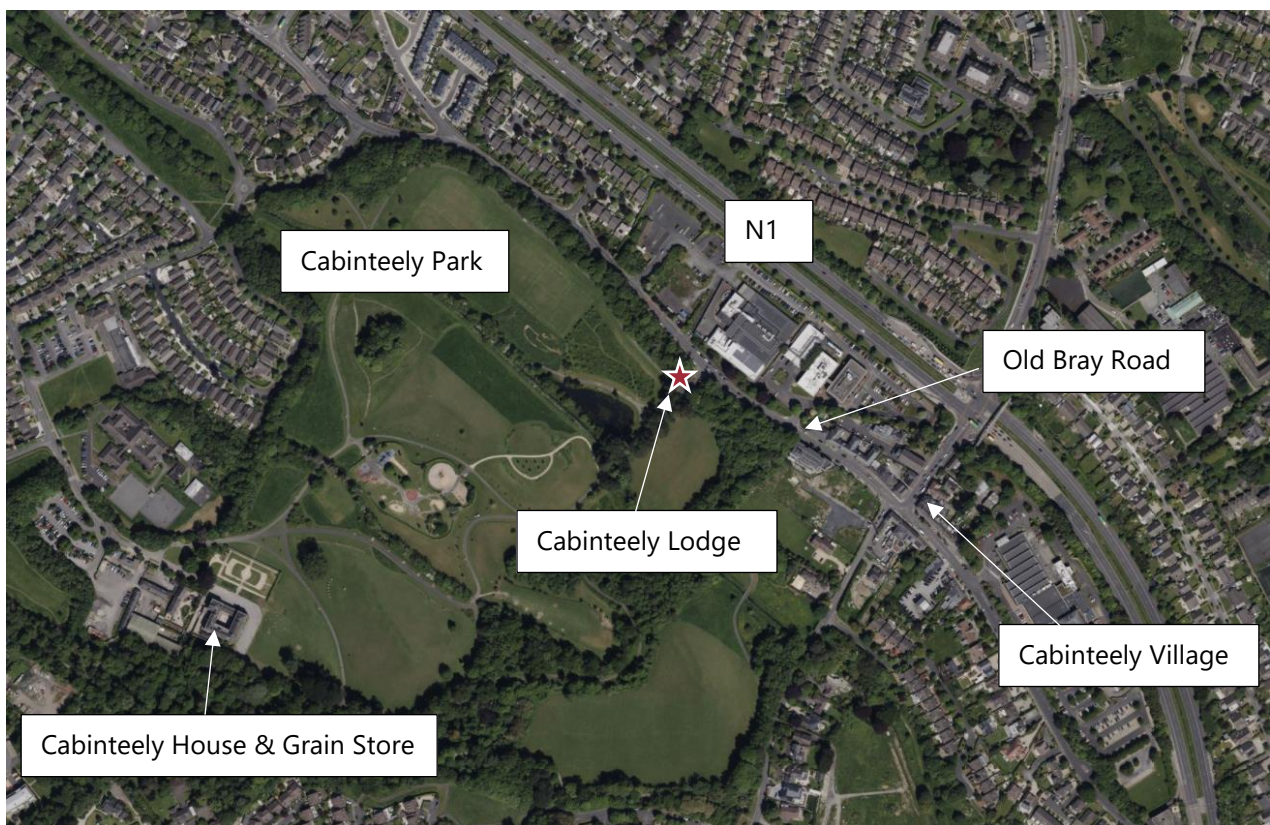
## 1.7 Qualification

This EIA Screening Report has been prepared by Richard Hamilton, BA MSc P.Grad EMAE, MIPI MRTPI. Richard is a Chartered Town Planner with over 28 years experience in public and private sectors in Ireland including the preparation of EIS, EIAR and EIA Screening for infrastructure, commercial and residential development projects. He has a Post Graduate Diploma in Environmental Monitoring Assessment and Engineering (EMAE) from Trinity College Dublin.

## 2. SITE AND LOCATION

### 2.1 Description of the Site and Surrounding Area

The site is located in south Dublin, in the DunLaoghaire Rathdown area close to Cabinteely Village centre, and mature suburbs to the west of the N11. The site is located within Cabinteely Park which is one of 6 regional parks in Dun Laoghaire Rathdown and situated beside a park access on the Old Bray Road. The Park is approximately 45 Hectares in size and includes an 18<sup>th</sup> century country house, boundary walls, gate lodges, ornate iron entrance gates, a walled garden, woodlands, café, public toilets, a playground, playing pitches, etc. The park is an important amenity for the county and surrounding population.



**Figure 1: Site Location (Source: Bing Maps )**

The Gate Lodge itself is located inside the park entrance gate and boundary wall beside the Old Bray Road. The entrance is located opposite the Bank of Ireland Computer Centre and east of Cabinteely village with neighbourhood services, cafes, pubs, coffee shops and restaurants. Cabinteely Park is bounded by suburban residential neighbourhoods.





Figure 2: Site Location Aerial View (Source: Bing Maps – bird's eye view )

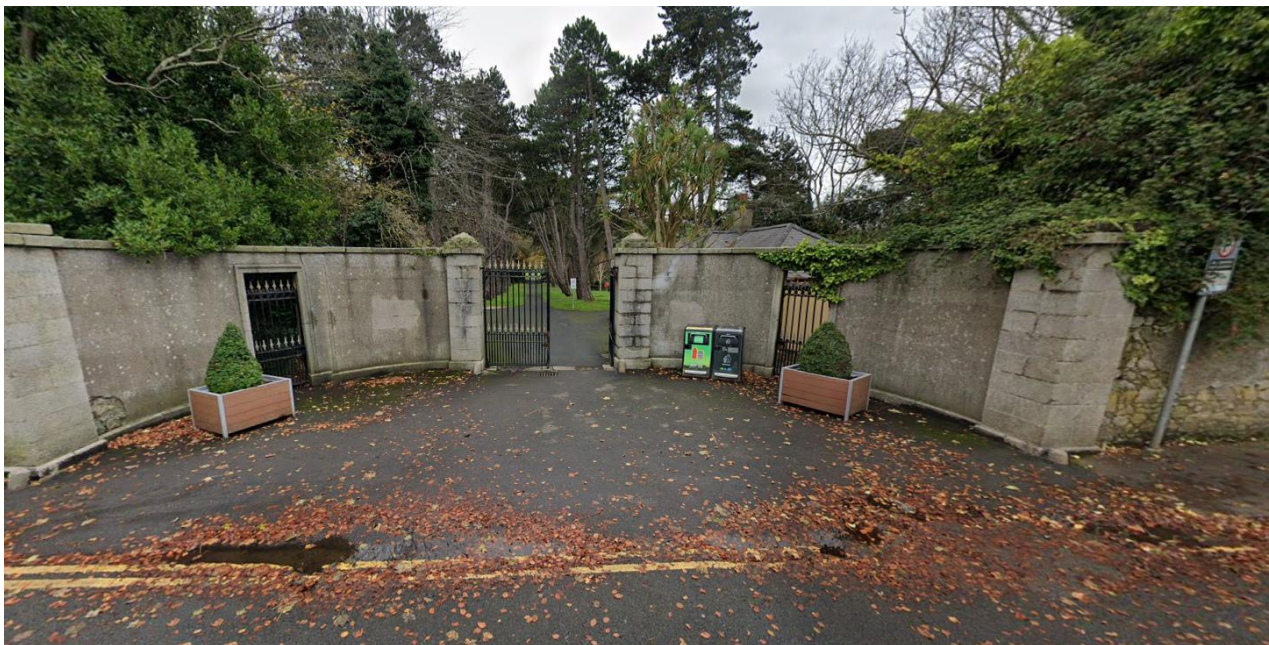


Figure 3 View of Cabinteely Park entrance to Bray Road at subject site (Source: Google Maps)

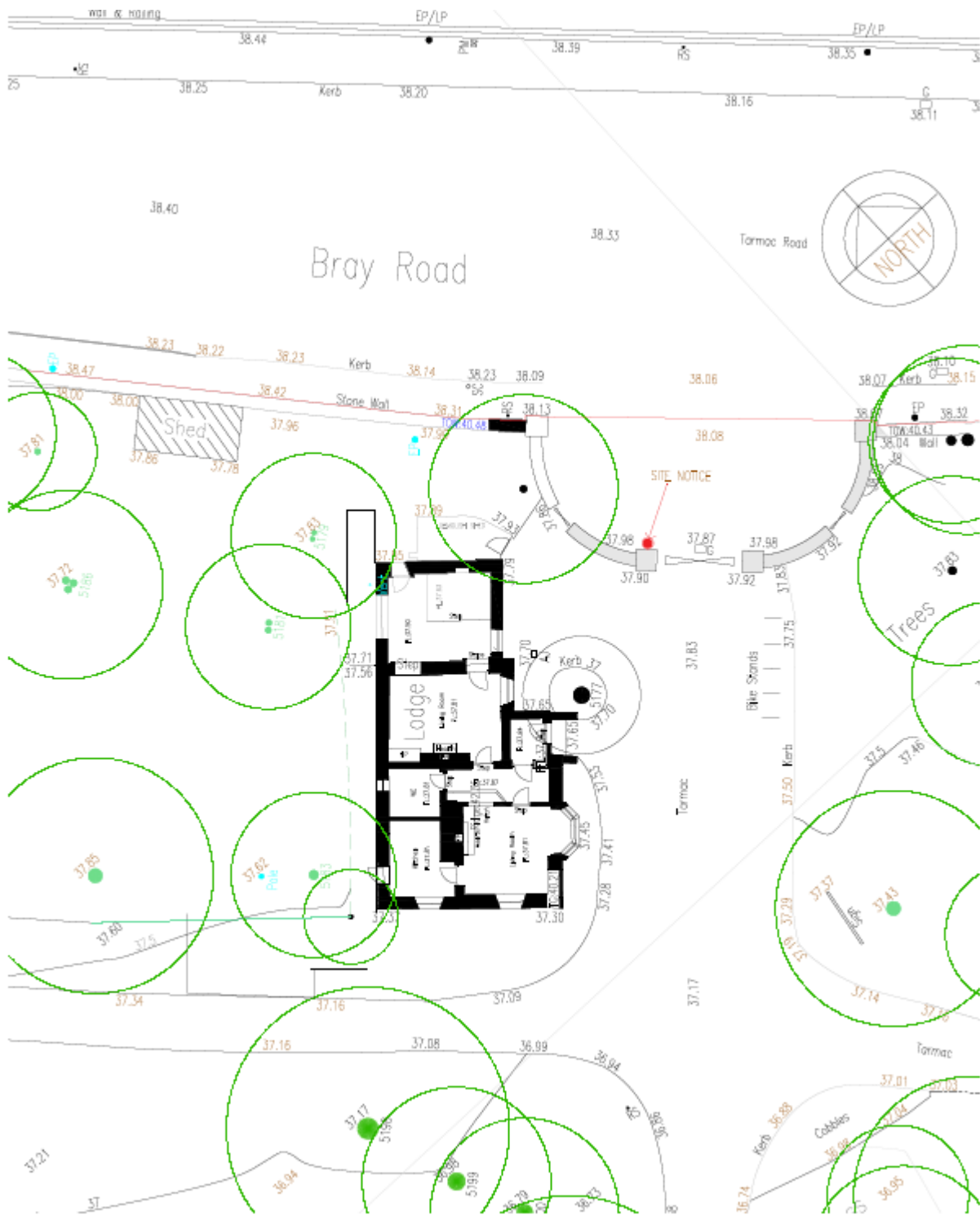


Figure 4 Site survey of Gate lodge site (Source: Ordnance Survey/ Cubetecture Design Ltd.)

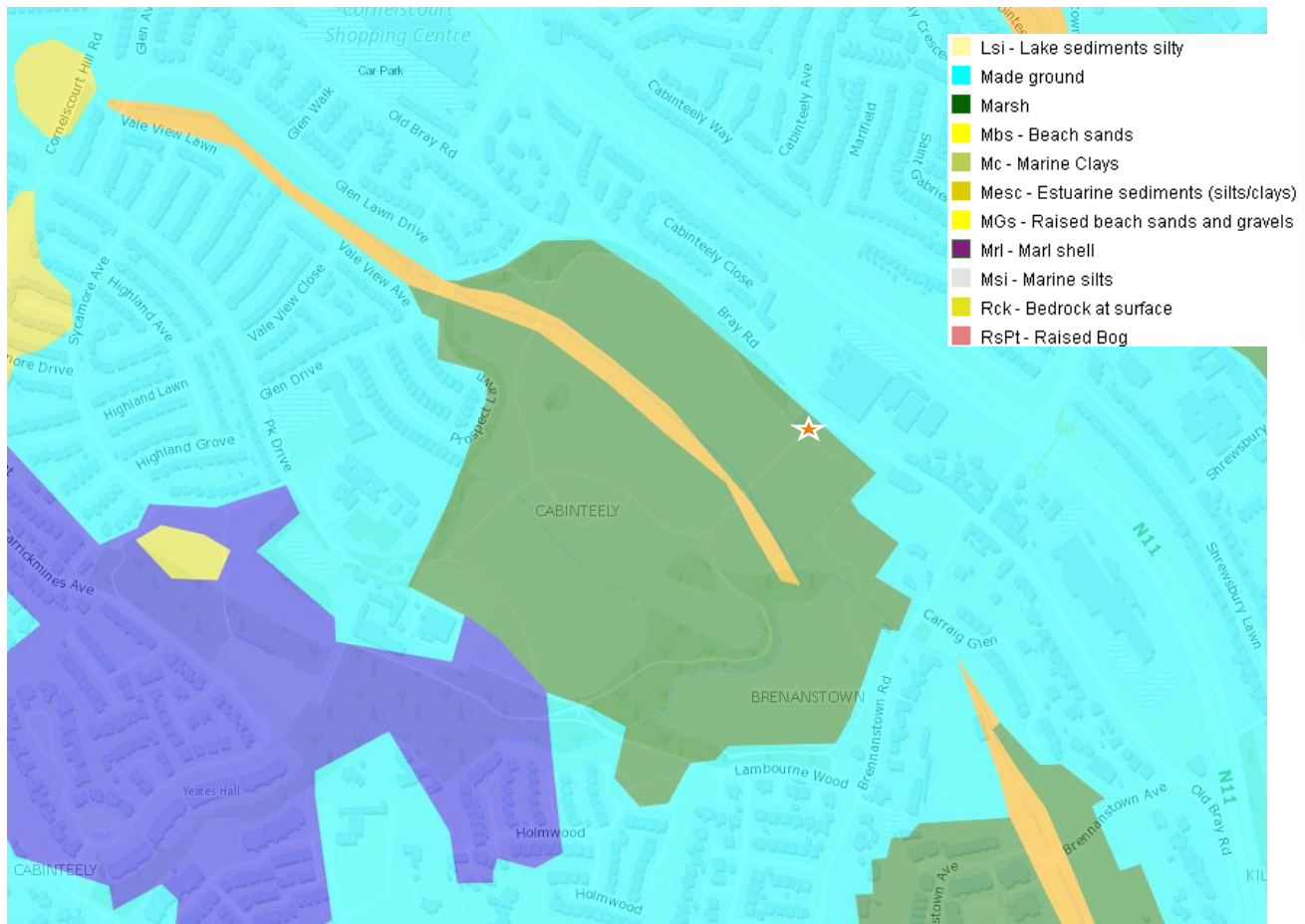
## 2.2 Environmental Sensitivity of the Site

### 2.2.1 Bedrock

According to an examination of the information available on GeoHive, the proposed site is on the following bedrock type: 'Type 2p microcline porphyritic': "Granite with microcline phenocrysts".

### 2.2.2 Soils

According to EPA Maps the subsoil type consists of "Limestone till (Carboniferous)".



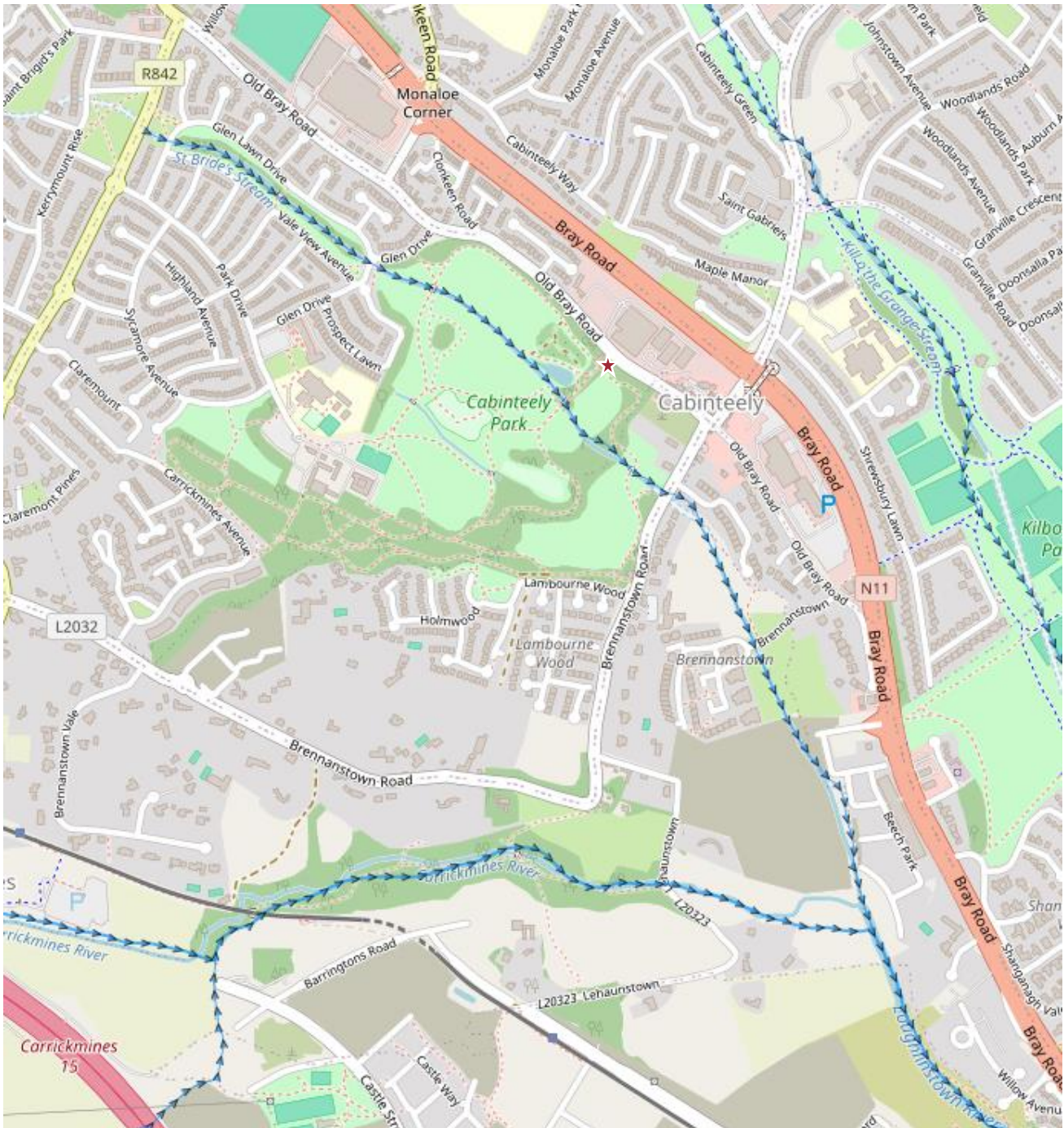
**Figure 5 National Subsoil Map (Source: EPA Maps)**

### 2.2.3 Hydrology

The subject site is situated in close proximity to the St Brides Stream which flows into the Loughlinstown River and in turn flows into the Shanganagh River and into Killiney Bay. The Rockabill to Dalkey Island SAC is c. 1.5 km away from the end of the Shanganagh River.

Under the Water Framework Directive status assessment 2016-2021, the three streams have received the "Not at risk" status.

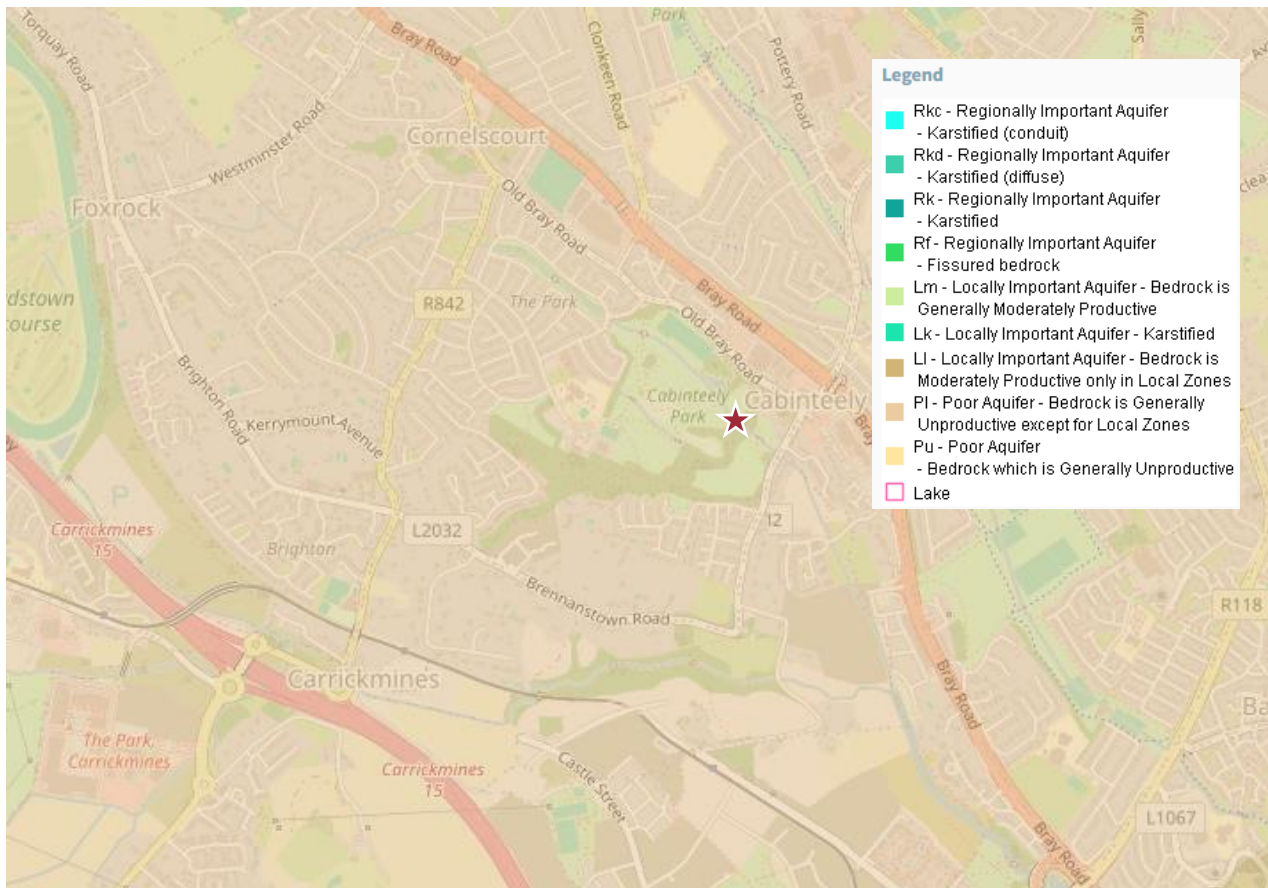
Given the limited construction footprint of the development and limited disturbance of soils and drainage proposals there is not considered to be a potential pathway to any SPA or SAC sites.



**Figure 6: River Waterbodies in the context of the subject site (Source: EPA Maps)**

### 2.2.4 Aquifer and Groundwater

The subject site is underlain by an aquifer which is identified as a “Poor Aquifer”. The bedrock which is Generally Unproductive except for Local Zones.

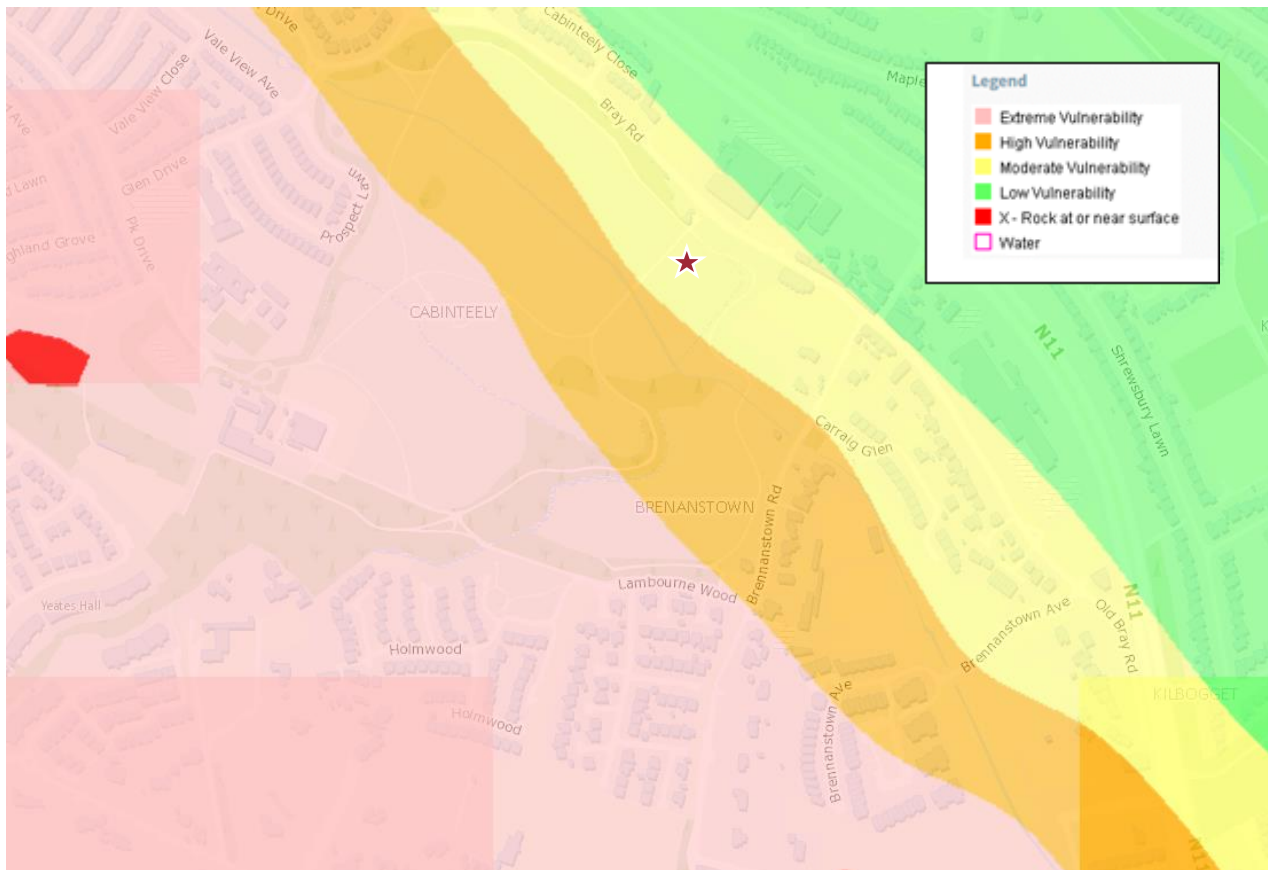


**Figure 7: Aquifers in the vicinity of the Site (Source: EPA Mapping Tool: Subject site in the context of the underlying "Locally Important Aquifer")**

### 2.2.5 Ground Water Vulnerability and Flood Risk

The EPA Mapping Tool shows that the groundwater vulnerability at the site is moderate vulnerability. The site is situated in the Wicklow Water Framework Directive Catchment.

Floodmaps for area have been consulted from Floodinfo.ie. The site is not located within or close to a Flood Risk area for fluvial flooding.



**Figure 8: Ground Water Vulnerability (Source: EPA Maps)**

### 2.2.6 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 Zone 1 Dublin City (EPA Mapping: Air Zone Designation, 2022).

### 2.2.7 Habitats

The AA Screening Report by Altemar includes an Ecological Note in Appendix. The note discusses the following in relation to habitats:

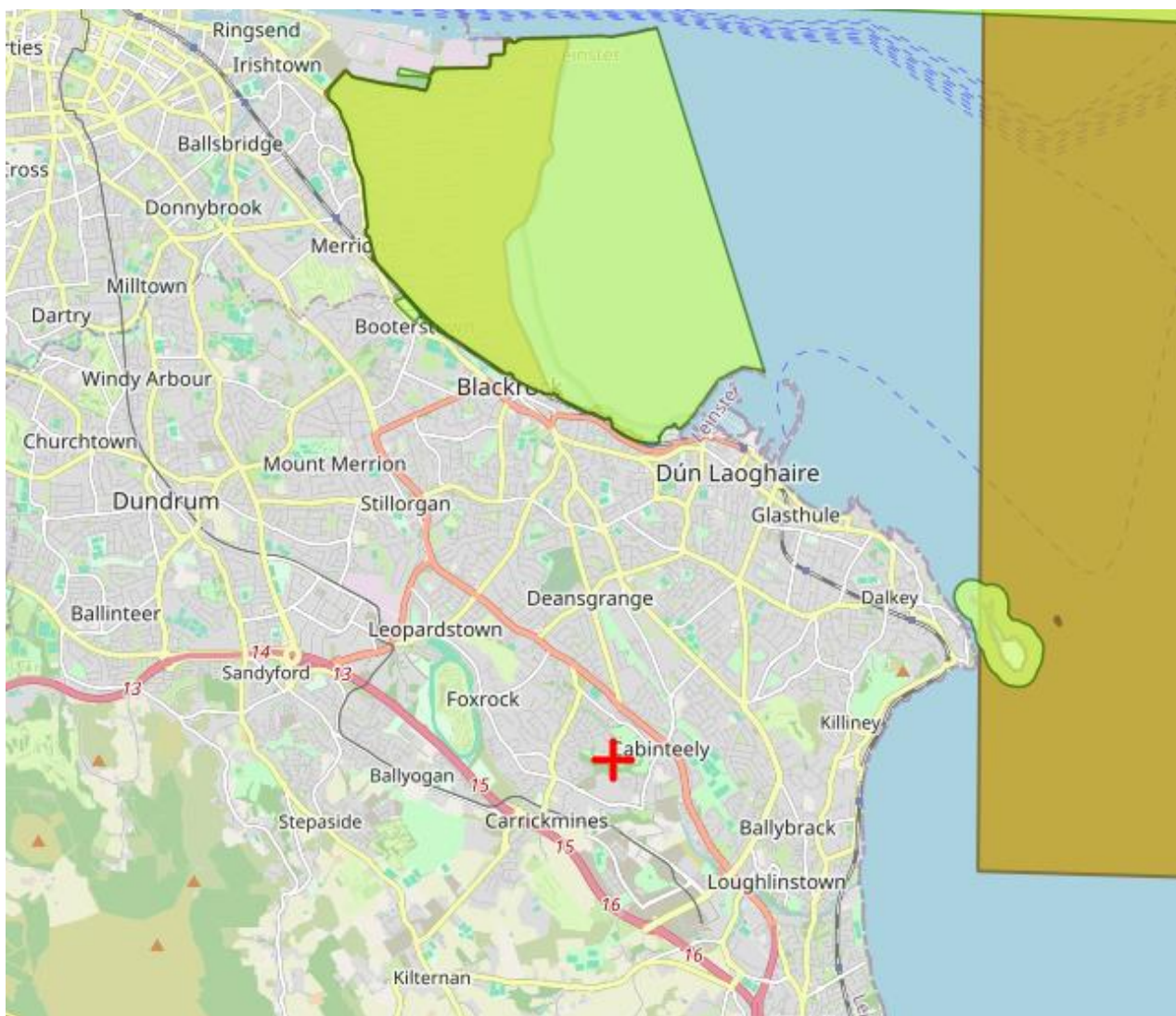
*"The subject site was very small with the habitat of most ecological value being the woodland. The trees here have good ivy cover and with the shelter of the scrubby understory, it would be expected to be useful to local bat and bird populations. The brick old ruin onsite, to the rear of the bungalow, was inspected for bird nests and bat roosts, and it proved unsuitable for both as the roof had collapsed providing little shelter from wind and rain. The small bungalow onsite was boarded up and two potential entrance points for bats were noted in the slate roof. The woodlands connectivity to the wider area off the park is important for mammal species such as hedgehogs (*Erinaceus europaeus*), badgers (*Meles meles*) and fox's (*Vulpes vulpes*) for shelter and foraging grounds in the wider urban area. No burrows were noted on site or proximate to the works location."*

### 2.2.8 Designated sites

There are no European (Natura 2000) sites within close proximity of the subject site. The proposed project is not within a European conservation site. Special Areas of Conservation and Special Protected Areas within 15km of the proposed development are seen in the figure below. The nearest European sites (SAC and SPA) to the subject site is the Dalkey island SPA c. 4.1km .

**Table 1. Proximity to designated Natura 2000 sites (source: EPA Maps)**

European Site	Code	Distance	Direct Hydrological / Biodiversity Connection
<i>Special Protection Areas</i>			
Dalkey Island SPA	004172	4.1 km	No
Rockabill to Dalkey Island SAC	003000	4.2 km	No



**Figure 9 Natura 2000 sites (SPA, SAC) in the vicinity of the project (Source: EPA Maps)**

The Appropriate Assessment Screening Report by Atlemar notes the following:

*“The proposed development project is located in a suburban environment 3.7km from the nearest Natura 2000 sites (South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA). The nearest watercourse is the Carrickmines Stream, which flows in a southeasterly direction, 90m south of the site. Watercourses and surface runoff are seen as the main potential pathway for impacts on Natura 2000 sites. There is no direct hydrological pathway from the proposed development site to a Natura 2000 site. There is a weak indirect pathway from the site to Rockabill to Dalkey Island SAC, Bray Head SAC and Dalkey Islands SPA via the foul water networks from treated effluent from Shanganagh WwTP, which is operating within capacity. Foul water from the development will be processed in the Shanganagh WwTP via a public sewer. Works primarily involve the construction of a changing pavilion (approx. 50 sq. m), the restoration of the existing Gate-Lodge, and the enhancement of the existing entrance with natural stone paving.”*

The AA Screening Report concludes:

*“No Natura 2000 sites are within the zone of influence of this development. Having taking into consideration the works, the effluent from the proposed development works, the distance between the proposed development site to designated conservation sites, lack of direct hydrological pathway or biodiversity corridor link to conservation sites and the dilution effect with other foul effluent, it is concluded that this development would not give rise to any significant effects to designated sites. The construction and operation of the proposed development will not impact on the conservation objectives of features of interest of Natura 2000 sites. There is no possibility of significant impacts on Natura 2000 sites, features of interest or site specific conservation objectives.*

*This report presents a Stage 1 Appropriate Assessment Screening for the proposed development, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the proposed development, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 site.*

*On the basis of the content of this report, the competent authority is enabled to conduct a Stage 1 Screening for Appropriate Assessment and consider whether, in view of best scientific knowledge and in view of the conservation objectives of the relevant European sites, the Proposed Development, individually or in combination with other plans or projects is likely to have a significant effect on any European site.”*

### 2.2.9 Proposed Natural Heritage Areas

There are no proposed Natural Heritage Areas on or adjoining the subject site. The nearest pNHAs are Loughlinstown Woods located approximately 2.2 km from the site and Dalkey Coastal Zone and Killiney Hill (approx. 2km).

PNHA	Site Code	Distance
Loughlinstown Woods	001211	2.2km
Dalkey Coastal Zone And Killiney Hill	001206	2km

### 2.2.10 Built Heritage and Protected Structures

Both Cabinteely House Gate and Cabinteely House Gate Lodge are included on the National Inventory of Architectural Heritage (NIAH):



Cabinteely House Gate Lodge (Ref.No.60260238) has the following description from the National Inventory of Architectural Heritage (NIAH):

*Detached three-bay single-storey gate lodge, extant 1909, on an L-shaped plan centred on single-bay single-storey flat-roofed advanced porch abutting single-bay single-storey projecting end bay; two-bay (south) or single-bay (north) single-storey side elevations. Now disused. Hipped slate roof on an L-shaped plan centred on flat roof behind parapet (porch), clay ridge tiles, rendered, ruled and lined chimney stack on rendered base having corbelled stepped stringcourse below capping supporting terracotta pots, and cast-iron rainwater goods on timber eaves boards on slightly overhanging timber boarded eaves on thumbnail beaded cornice. Rendered, ruled and lined walls on rendered chamfered plinth with rendered monolithic pilasters to corners. Square-headed central door opening with cut-granite step threshold, and concealed dressings having chamfered reveals framing timber panelled door. Square-headed window openings with cut-granite sills, and moulded rendered surrounds with fittings now boarded-up. Set back from line of road at entrance to grounds of Cabinteely House.'*

Cabinteely House Gate (Ref. No. 60260239) has the following description from the NIAH:

*'Gateway, extant 1837, on a symmetrical plan comprising pair of granite ashlar piers on cut-granite chamfered plinths having cut-granite stepped capping supporting spear head-detailed cast-iron double gates with granite ashlar outer piers on cut-granite chamfered plinths having cut-granite stepped capping. Road fronted at entrance to grounds of Cabinteely House.'*

#### **Protected Structures:**

The gateway, pair of granite ashlar piers on cut-granite, cast-iron double gates as well as the gate lodge are also defined at Protected Structures (ref: 2101 & 1980)

#### **Conservation Report**

A detailed Conservation Report has been prepared by Dun Laoghaire Rathdown County Council, Architects Department to accompany the Part 8 Application. It notes the current condition of the Gate Lodge and Gate Piers.

#### **Current Situation Gate Lodge (RPS no. 1980)**

*The detached three-bay single-storey gate lodge was built on an L-shaped plan with a single-storey flat-roofed entrance porch on the south-eastern principal elevation facing towards the entrance route. The square-headed central entrance door opening has a cut-granite step threshold and concealed dressings with chamfered reveals framing the timber panelled door. This south-eastern front elevation has a projecting bay window with a hipped natural slate roof to the left of the entrance and a square-headed window to the right of the entrance. There is a modern flat roof extension to the north-eastern elevation between the gate lodge and the boundary wall which is poorly constructed and is of no architectural merit. The side south-western elevation of the gate lodge faces towards the pedestrian path and parkland and has two attractive symmetrical square-headed window openings with cut-granite sills, and moulded rendered surrounds. All the windows of the gate lodge are currently boarded up. The side elevation is currently partially obscured by vegetation. The front south-eastern elevation and side south-western elevation of the gate lodge are the significant elevations that were designed to be viewed from the entrance and within the parkland. In contrast, the rear north-western elevation of the gate lodge faces towards boundary planting and was not designed to be viewed within the parkland. The rear elevation is predominantly blank with a small window in the rear north-western elevation of the gate lodge and an additional window to the flat-roofed modern extension.*

*The gate lodge has a hipped natural slate roof with clay ridge tiles. The chimney stack is rendered, ruled and lined and has a corbelled stepped stringcourse below the capping supporting the terracotta chimney pots. The gate lodge has cast-iron rainwater goods on slightly overhanging timber boarded eaves on thumbnail beaded cornice. The walls of the gate lodge are rendered, ruled and lined on a rendered chamfered plinth with rendered monolithic pilasters to the corners.*

#### **Current Situation Gateway, Entrance Piers and Gates (RPS no. 2101)**

*The early 19th century entrance was built on a symmetrical semi-circular plan. It comprises a pair of granite ashlar piers on cut-granite chamfered plinths with cut-granite stepped cappings to either side of the cast-iron double gates with spear head-detailing. There are two symmetrical cast-iron pedestrian entrance gates in the curved walls of the entrance. The outer granite ashlar piers match the inner piers with cut-granite chamfered plinths and cut-granite stepped capping. This historic entrance to the grounds of Cabinteely House pre-dates the Taylor map of 1816 and remains intact. The entrance gate way and the gate lodge positively contribute to the character of the streetscape connecting the demesne landscape of Cabinteely House to the Bray Road.*

#### **Architectural Heritage Impact Assessment**

The conservation report concludes:

*The gate lodge will be sensitively restored for community use in accordance with best conservation practice and in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011).*

*The proposed community use of meeting rooms, a small kitchenette and a toilet is compatible with the character and special interest of the Protected Structure. The demolition of the poorly constructed modern extension will return the gate lodge to its original form and layout as an L-shaped building allowing the original form to be legible. Overall, the sensitive restoration and appropriate reuse of the gate lodge will ensure its protection and maintenance into the future.*

*The proposed natural stone paving, appropriate planting, seating and other street furniture to the historic entrance will be sensitively designed to be appropriate and to enhance the setting of the gateway, entrance piers and gates and the setting of the adjacent gate lodge. These important features of the entrance to the demesne will be carefully protected and retained. Details of the proposed works to the gate lodge and the gateway entrance are to be developed in consultation with the Senior Architectural Conservation Officer.*

A detailed conservation works strategy is set out in the report.

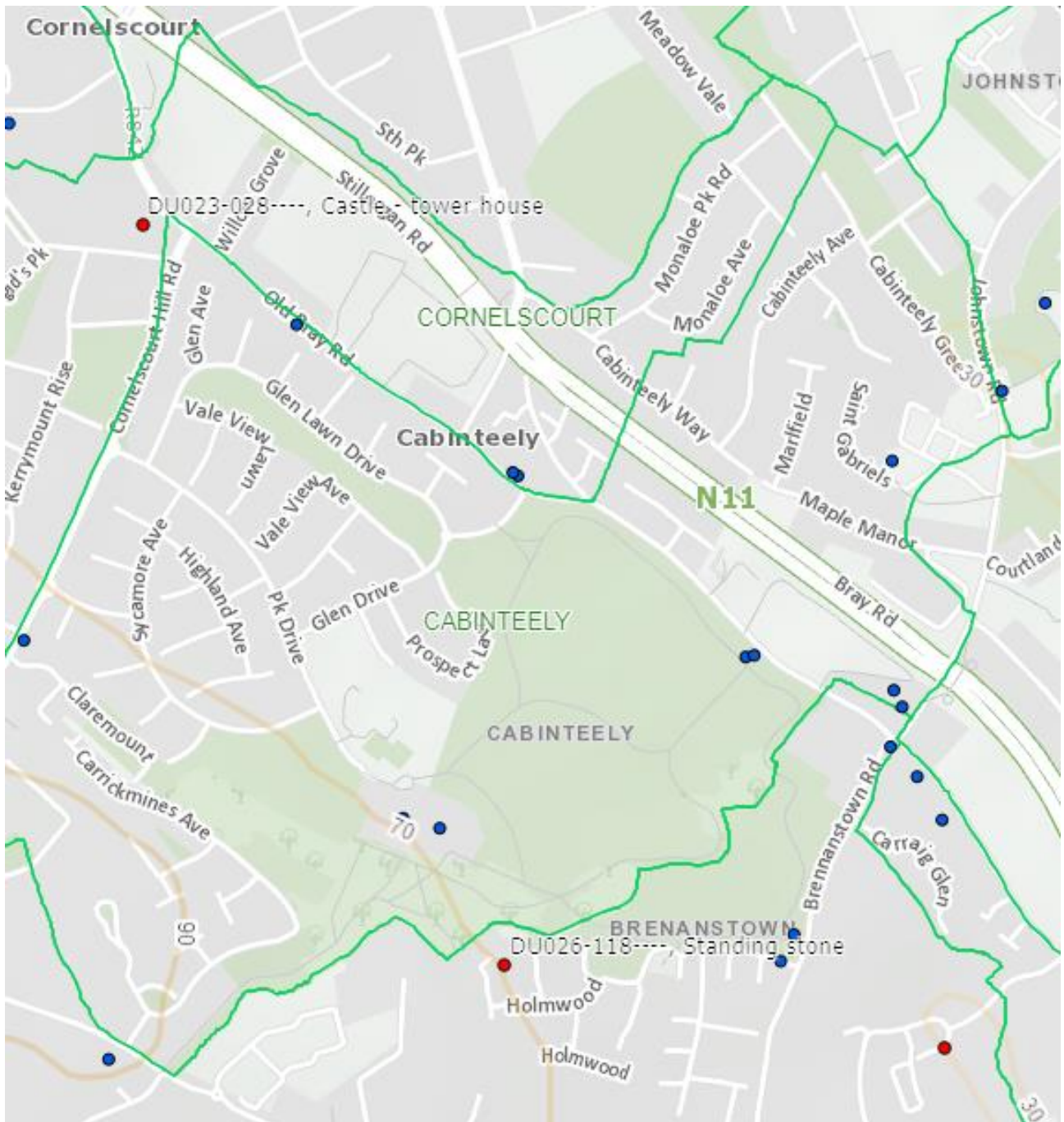
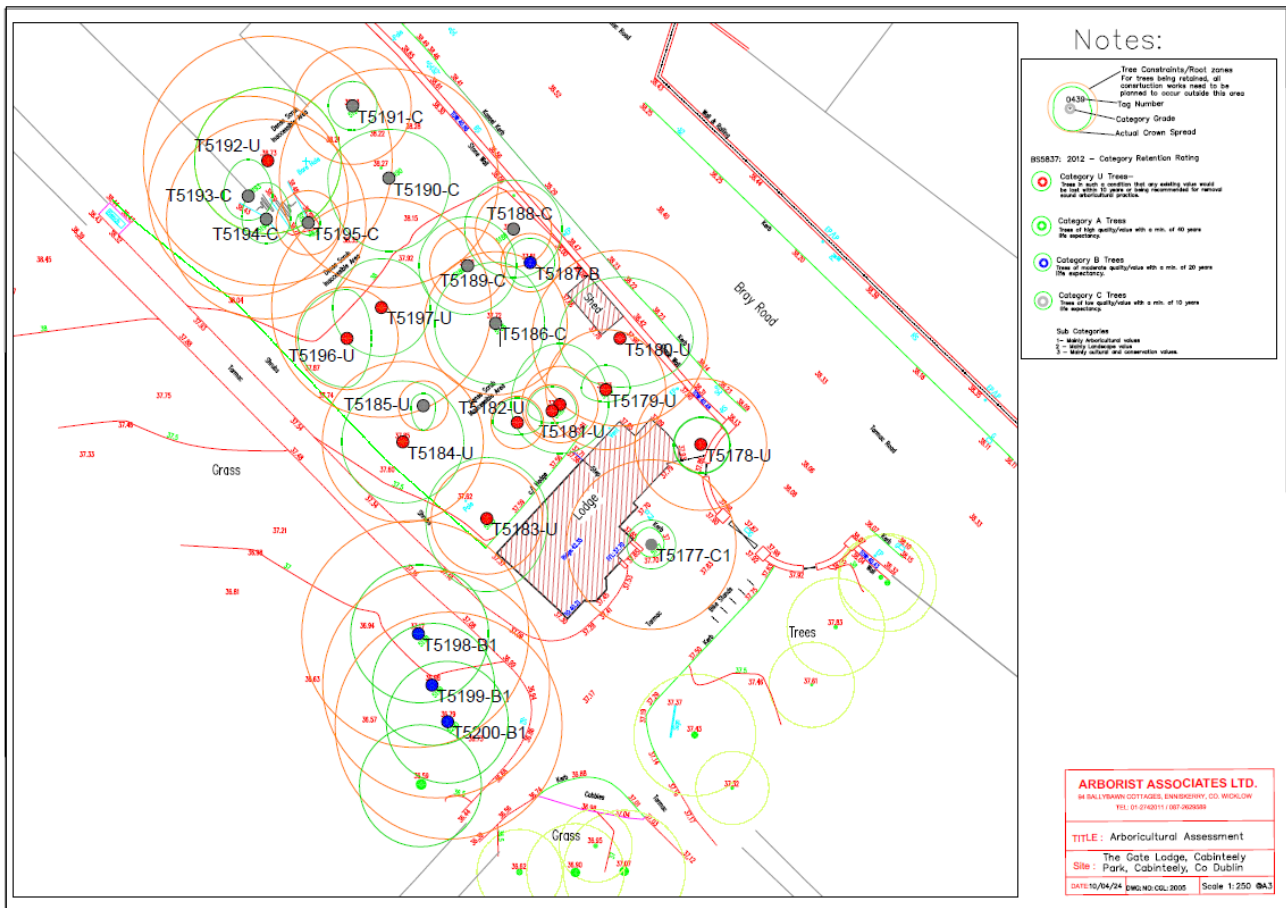


Figure 10: Built Heritage along the subject route (Source: Historic Map Viewer, NIAH)

### 2.3 Landscape and Visual Context

The landscape character of the subject site is defined by the parkland setting of Cabinteely Park and tree stands adjoining the Gate Lodge and boundary wall. The strong boundary wall entails that the subject site is not visible from outside the park. The site of the proposed new structure is located behind the existing gate lodge structure.

A Tree Survey and Arboricultural Assessment has been prepared by Arborist Associates.



**Figure 11 Tree Survey of site (Source: Arboricultural Assessment by Arborist Associates Ltd.)**

The Arboricultural Report notes that 11 No. individually tagged trees are proposed for removal to facilitate the proposed development of this area for a new sports changing rooms facility (10 No. Category ‘U’ – trees and 1 No. Category ‘C’ –tree<sup>1</sup>)

.It notes:

*The loss of the above listed tree vegetation is to be mitigated against with the planting of trees and shrubs as part of the landscaping of the completed development which will complement the development and its incorporation into the surrounding area. It will also help to provide good quality and sustainable long-term tree cover, and as this establishes and grows in size, it will be continuously mitigating any negative impacts created with the loss of the existing tree vegetation to facilitate the proposed development*

The report sets out a detailed Arboricultural Method Statement/Tree Protection Strategy.

## 2.4 Human Beings

The total population of Dún Laoghaire-Rathdown recorded in the Census 2022 was 233,860 (Census 2016 was 218,018). The site is located within the Stillorgan Local Electoral Area which grew 9% from 2016 to 2022 (population 33,196).

<sup>1</sup> Category U – Those trees in such a condition that any existing value would be lost within 10 Years. Most of these will be recommended for removal for reasons of sound Arboricultural practice.

Category C – Trees of low quality/value with a minimum of 10 years life expectancy

At a more local level the site is located within the Foxrock-Carrickmines Electoral Division. The population rose 6% from 5,951 in 2016 to 6,324 in 2022.

The park is bounded by/adjoins residential areas, including Glen Lawn Drive, Cornelscourt Village, Cabinteely, Vale View, Carraig Glen and Brennanstown Square.

There are a number of commercial activities in close proximity to the site. Dunnes Stores Cornelscourt is a major retail destination for the area approx. 600m and Cornelscourt Village approx. 1.2km to the north west on Old Bray Road. Cabinteely Village is approx.. 230m to the south east. The Park Shopping Centre is located west of the park on Glen Drive/Park Drive.

Saint Brigid's Girls national School is located on the western boundary of the park (Park Drive) close to Cabinteely House.

### 3. PROPOSED DEVELOPMENT

#### 3.1 Introduction

The nature and extent of the proposed development is outlined below. This description of the proposed works should be read in conjunction with the supporting drawings and reports. The proposed development will provide community facilities for local clubs and groups and ensure a long-term and sustainable use for the gate-lodge, a Protected Structure. The entrance will be enhanced with natural stone paving, planting and street furniture.

#### Changing Pavilion:

A new changing pavilion building (approx. 50 sq.m.) is proposed to the north of the existing gate-lodge. This will include two changing rooms with team storage areas, an accessible toilet and small plant rooms. The structure will be a high-quality timber framed modular unit with robust aluminium doors, zinc seamed or fibreglass roof with skylights and external cedar cladding. It will include photo-voltaic panels on the roof and incorporate rainwater harvesting.

#### Gate-Lodge:

The gate-lodge will be faithfully restored for community usage in accordance with conservation principles under the direction of a grade 1 conservation Architect. It will include meeting rooms, a small kitchenette and a toilet. The poorly constructed modern extension will be demolished so that the building can standalone again in the parkland setting. The building will be approximately 75 sq. m when the extension is removed.

#### Entrance:

The existing entrance will be enhanced with natural stone paving, appropriate ornamental planting, seating and other street furniture. The use of sustainable urban drainage will be incorporated.

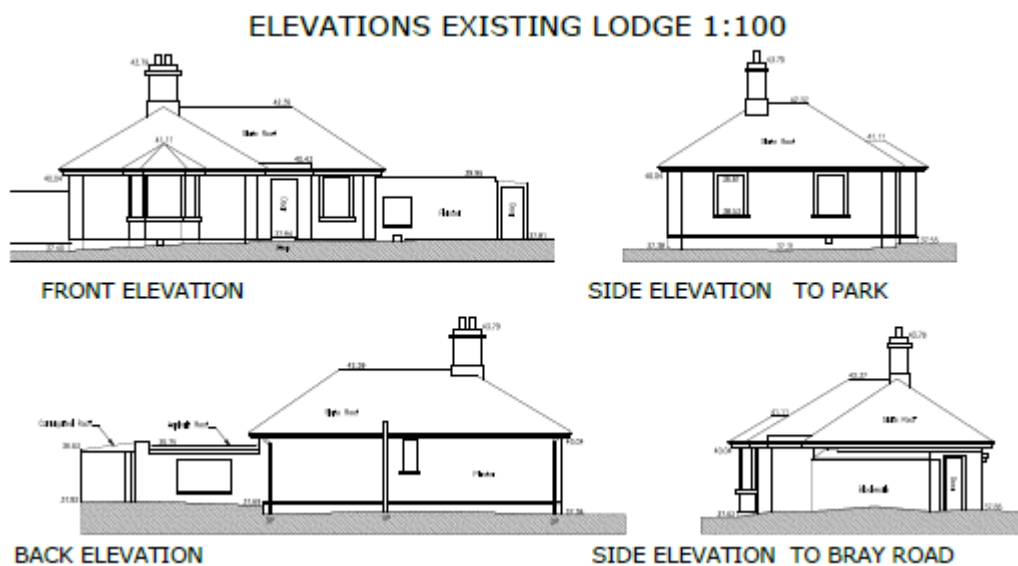
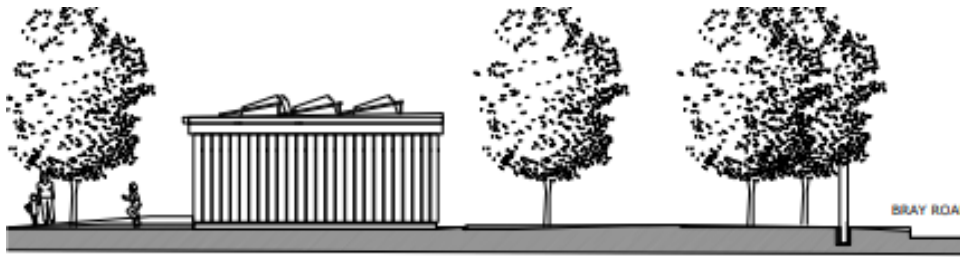


Figure 12 Elevations of existing Gate lodge site (Source: Cubetecture Design Ltd.)





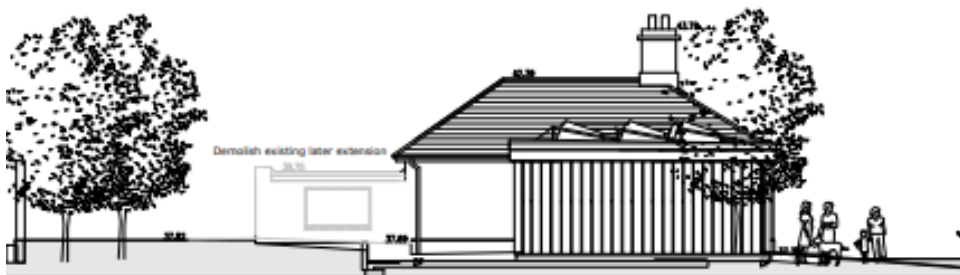
ELEVATION X-X VIEW FROM BACK OF LODGE



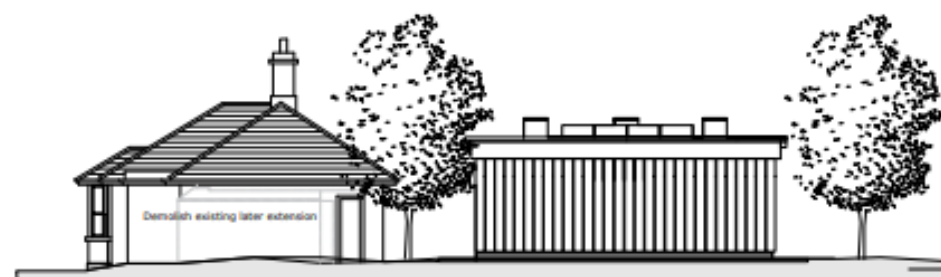
ELEVATION W-W FRONT ELEVATION TO LODGE



ELEVATION Y-Y WEST ENTRANCE VIEW



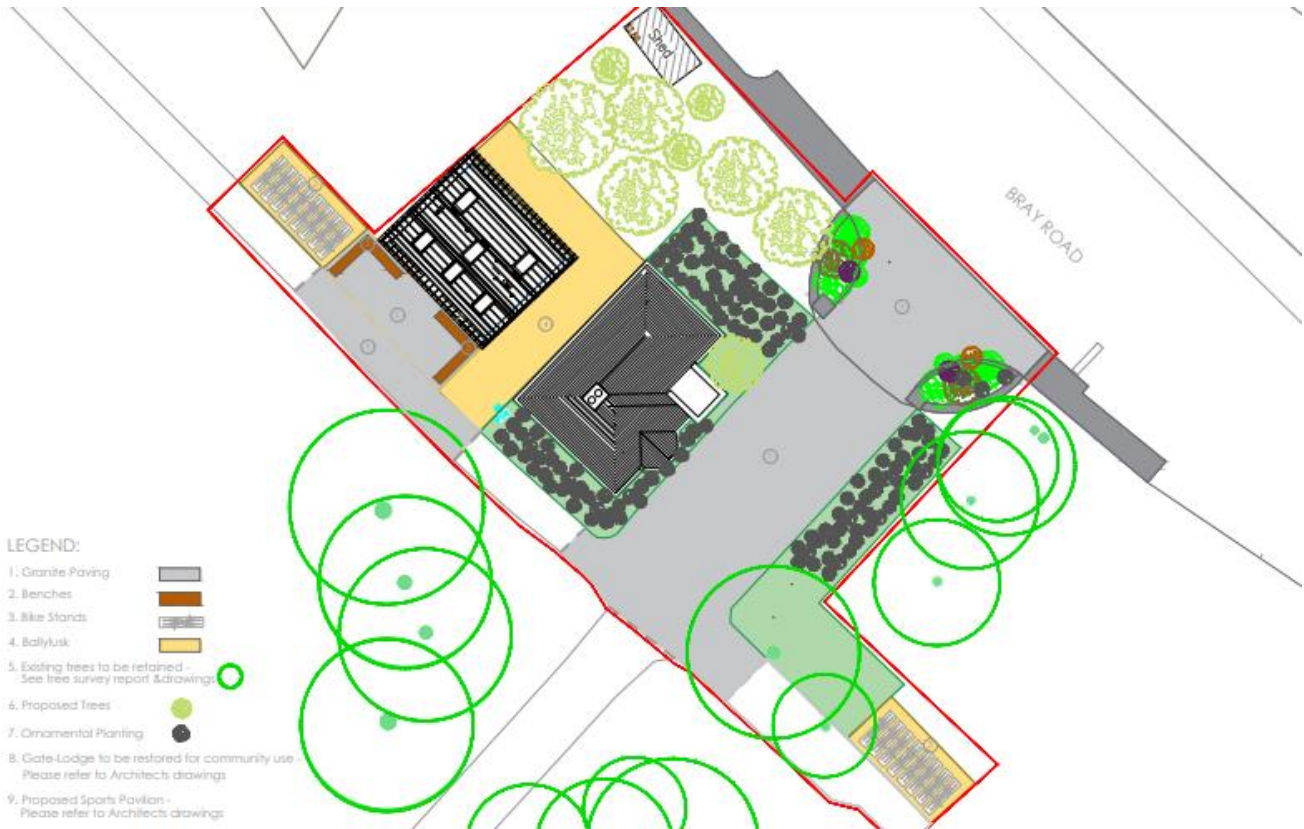
ELEVATION Z-Z VIEW TOWARDS BACK OF THE LODGE



ELEVATION V-V

Figure 14 Proposed elevations of proposed pavilion (Source: / Cubetecture Design Ltd.)





**Figure 15 Landscape site layout plan** (Source: DLR Parks & Landscape Services)

### 3.2 Scope of the Works

#### 3.2.1 Construction Scope of Work

The architectural drawings set out detailed design proposals for the development. The Architectural Conservation Report includes a detailed conservation works strategy. The Arboricultural Report sets out a detailed Arboricultural Method Statement/Tree Protection Strategy for the construction phase.

## 4. PLANNING POLICY

### 4.1 Dun Laoghaire Rathdown County Development Plan 2022 to 2028

The current Statutory Development Plan for the project area is the Dun Laoghaire Rathdown County Development Plan 2022-2028 (CDP) which came into effect from 21<sup>st</sup> April 2022. The following relevant policies and objectives are noted.

**Zoning:** The site zoning is *Objective F – to preserve and provide for open space with ancillary active recreational amenities*. The proposed works are entirely consistent with zoning objective F.

**Policy:**

The development will tie in with the relevant national and regional policy as well as the following specific policies outlined in the County Development Plan 2022-2028;

**Policy Objective OSR9 – Sports and Recreational Facilities**

It is a Policy Objective to promote the provision, and management of high quality sporting, and recreational infrastructure throughout the County, in accordance with the National Sports Policy 2018-2027, and dlr Space to Play: a new approach to Sports Facilities Strategy', 2017-2022, to ensure that the particular needs of different groups are incorporated into the planning and design of new facilities.

**Policy Objective PHP13: Equality, Social Inclusion and Participation**

It is a Policy Objective to promote equality and progressively reduce all forms of social exclusion that can be experienced because of gender, gender identity, marital status, family status, age, race, religion, disability, sexual orientation, nationality, homelessness and membership of the Traveller Community and promote active participation consistent with RPO 9.1 and RPO 9.2 of the RSES.

**Policy Objective PHP14: Age Friendly Strategy**

It is a Policy Objective to support and facilitate the implementation of the Dún Laoghaire Rathdown Age Friendly Strategy 2016-2020. The dlr Age-Friendly Strategy 2022-2026 was noted by the Council in November 2022.

**Policy Objective HER8: Work to Protected Structures**

It is a Policy Objective to:

- i Protect structures included on the RPS from any works that would negatively impact their special character and appearance.
- ii Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the 'Architectural Heritage Protection Guidelines for Planning Authorities' published by the Department of the Arts, Heritage and the Gaeltacht.
- iii Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.
- iv Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.
- v Ensure that the form and structural integrity of the Protected Structure is retained in any redevelopment and that the relationship between the Protected Structure and any complex of adjoining buildings, designed landscape features, or views and vistas from within the grounds of the structure are respected.
- vi Respect the special interest of the interior, including its plan form, hierarchy of spaces, architectural detail, fixtures and fittings and materials.

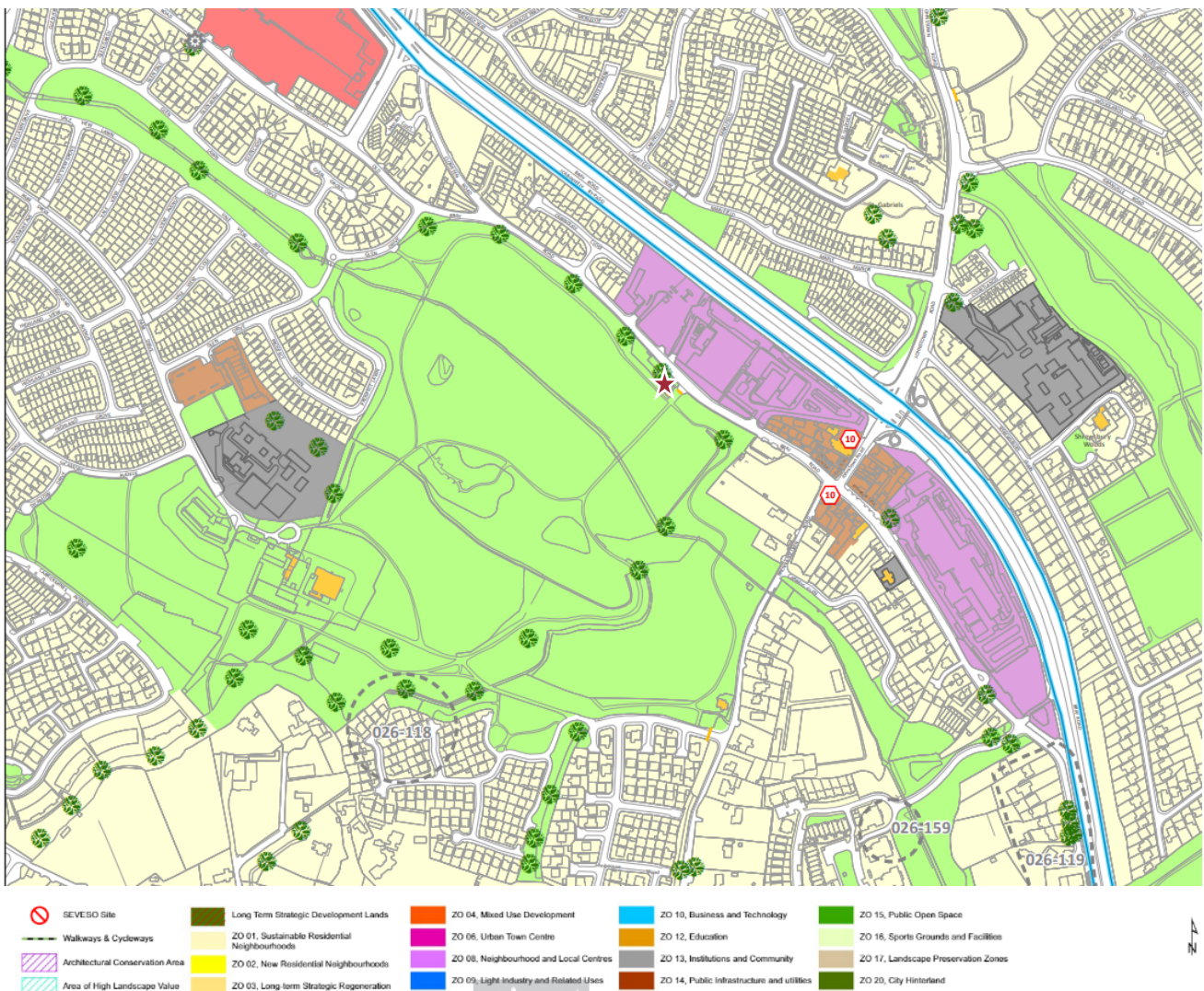
- vii Ensure that new and adapted uses are compatible with the character and special interest of the Protected Structure.
- viii Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.
- ix Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.
- x Ensure historic landscapes and gardens associated with Protected Structures are protected from inappropriate development (consistent with NPO 17 of the NPF and RPO 9.30 of the RSES).

**Policy Objective HER26: Historic Demesnes and Gardens**

It is a Policy Objective that historic demesnes and gardens should be identified and protected to reflect and acknowledge their significance as part of our National Heritage. The following houses and gardens are listed: Cabinteely House, Marlay House, Fernhill and Old Conna.

**Space to Play – Dún Laoghaire Rathdown County Council Sports Facilities Strategy 2017-2022:**

The strategy sets out a logical, deliverable pathway for the optimum use of existing, and the development of new public sporting and physical activity facilities within the County.



**Figure 16: Land Use Zoning of site under Dun Laoghaire Rathdown County Development Plan 2022-2028**

## 4.2 Planning Permissions

In order to consider the potential for Cumulative Development impacts, planning applications in the vicinity of the subject site have been reviewed. There are three applications that directly interact with the development here under review. The following cases are noted.

Planning Reference ABP -301044-18  
 Applicant Vimovo Doyles  
 Location Former Doyles Nurseries and Garden Centre and Benoni, Brennanstown Road, Cabinteely, Dublin 18  
 Description The development will consist of 115 no. residential units  
 Decision Date 29/05/2018  
 Decision Grant Permission with Conditions

Planning Reference ABP -305859-19  
 Applicant Atlas GP Limited  
 Location Former Doyles Nurseries and Garden Centre and Benoni, Brennanstown Road, Cabinteely, Dublin 18  
 Description The development will consist of 234 no. apartments, creche and associated site works.  
 Decision Date 25/06/2020  
 Decision Grant Permission with Conditions

Planning Reference ABP -303675-19  
 Applicant Castlethorn Management Services UC  
 Location Site (c.1.46ha) at Ards, Cartref and lands to the rear of Foxley, Old Bray Road, Dublin 18  
 Description The development will consist of 72 dwellings.  
 Decision Date 04/07/2019  
 Decision Grant Permission with Conditions

## 5. SCREENING

### 5.1 Methodology

This section sets out the legislative basis for 'Screening' so as to decide whether or not the greenway project requires the preparation of Environmental Impact Assessment Report (EIAR) as part of an application.

The basis for this assessment is whether the proposed project exceeds mandatory "thresholds" or is considered to have a potential impact on "sub-threshold" criteria set out under legislation.

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
- Interpretation of definitions of project categories of annex I and II of the EIA Directive, European Commission, 2015
- The European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018)
- European Union (Roads Act 1993) (Environmental Impact Assessment) (Amendment) Regulations, 2019 (S.I. 279/2019)
- National Roads Authority, Environmental Impact Assessment of National Road Schemes –
  - A Practical Guide (2008)
  - EPA Guidelines on information to be contained in Environmental Impact Statements (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 8/2017 (DHPLG), as revised by Circular Letter 05/2018 – Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (the EIA Directive) – Advice on Electronic Notification Requirements (Circular Letter PL 8/2017).
- 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.

### 5.2 Preliminary Examination in context of proposed development

The Office of the Planning Regulator has issued guidance 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. This report has had regard to the OPR guidance and methodology which sets out a 3 Step Process illustrated in Figure 29, 30 and 31.

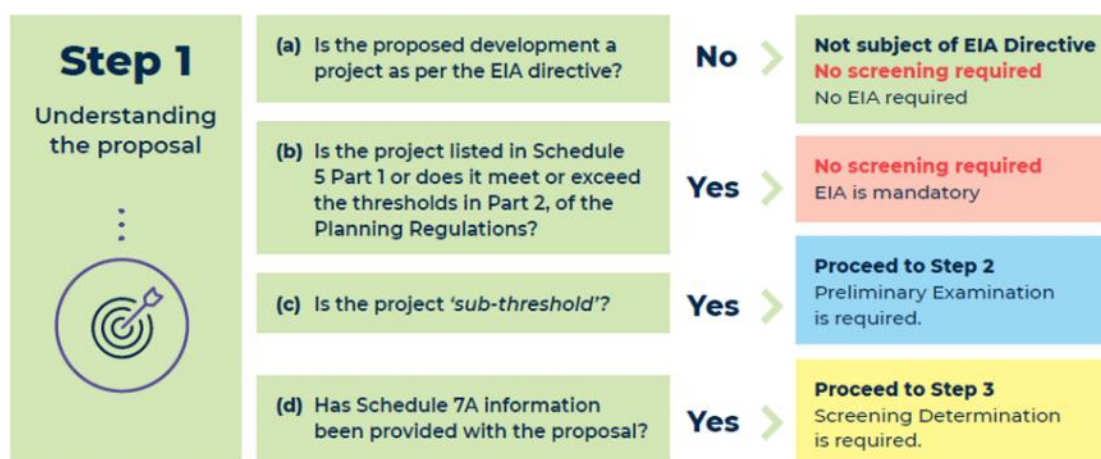


Figure 17 Extract from the OPR Guidance Note (Step 1)

### 5.2.1 Project

The proposed application is a 'project' for the purpose of Environmental Impact Assessment (EIA) under Stage 1 stage (a) of the OPR guidance.

### 5.3 Mandatory EIAR Threshold Review

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).

The specific nature of the proposed development is not stated in Part 1 of Schedule 5 of the Regulations. Sub-threshold projects in Schedule 5 Part 2 require screening for EIA, except in cases where the likelihood of significant effects can be readily excluded. Schedule 5 Part 2 provides the following relevant projects/thresholds (Table 3).

Table 2 Mandatory EIAR requirement as per Planning Regulations 2001-2021, Schedule 5 Part 2.

Mandatory	Regulatory Reference	Response
10. Infrastructure projects (b) i) Construction of more than 500 dwelling units. ii) Construction of a carpark 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.	Planning and Development Regulations 2001-2021, Schedule 5, Part 2	European Commission guidelines suggest that projects with similar characteristics are not explicitly mentioned in the EIA Directive could include: bus garages, train depots; Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact. Projects to which the terms 'urban' and 'infrastructure' can relate, such as the construction of sewerage and water supply networks, could also be included in this category. Projects for integrated urban transport schemes (e.g. parallel works at different locations to upgrade bus lanes, tramlines, bus, tram and/or metro stops), could also fall under this project category.

<p>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</p> <p>(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)</p>		<p>The area of the project is under 10 hectares in other parts of a built-up area.</p> <p><b>Mandatory Threshold Trigger not reached.</b></p>
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In relation to proposed development none of the thresholds above are exceeded.

Accordingly, the project is sub threshold development and under Step 1(b) of the OPR guidance a preliminary examination is required under Step 2<sup>2</sup>.

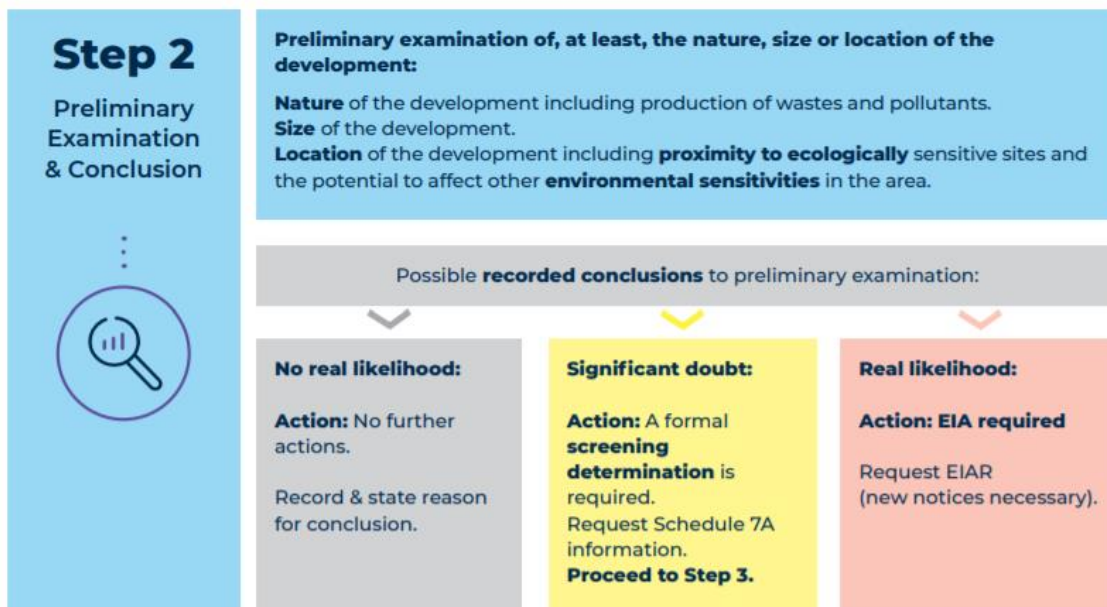


Figure 18 Extract from OPR Guidance Note (Step 2 of Screening Process)

## 5.4 Preliminary Examination considerations

Preliminary examinations must consider at least the following:

- The nature of the development including the production of wastes and pollutants;

<sup>2</sup> Art 120 (1) (a) of the Planning Regulations provides that; "where the authority proposes to carry out a subthreshold development, the authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development".

- 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.

## 5.5 Nature of the development:

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

The project provides for works to restore the park gate-lodge for community usage and provide a new changing pavilion building is proposed to the north of the existing gate-lodge.

The gate lodge is an established heritage structure within the park. The site is in an area that is used by the public and the community for sporting activities, recreation and amenity.

There is potential for localised production of wastes during the construction phase.

The proposed development is therefore not exceptional in the context of the existing environment.

## 5.6 Size of the development:

### *Is the size of the proposed development exceptional in the context of the existing environment?*

The size of the development is not exceptional in any way in the existing environment. While the proposed project will change the nature and appearance of gate house, it is proportionate and does not over-power or dominate the structure.

### *Are there cumulative considerations having regard to other existing and/or permitted projects?*

The project is situated within a suburban setting and is intensively used as an amenity and recreation space for the population. The function of the pavilion and refurbished gate house is to facilitate community and recreation uses in the park. There are therefore interactions with existing uses which would improve facilities for the parkland overall. There is therefore a cumulative impact with the broader parkland use, but not any negative environmental impact.

## 5.7 Location of the development

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

The subject site is situated beside parkland trees beside the gate lodge and boundary wall. There would be localised impacts where the project requires the removal of 11 trees. The arboricultural assessment considers that the loss of the trees is not significant.

### *Does the proposed development have the potential to affect other significant environmental sensitivities in the area?*



The Gate Lodge is a Protected Structure, the heritage status of which is connected to the Cabinteely House and the Park. The project introduces a new contemporary pavilion structure beside the gate lodge to improve facilities for the community, recreation and amenity etc.

The architectural conservation report finds that...

*The gate lodge will be sensitively restored for community use in accordance with best conservation practice and in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht, 2011).*

*The proposed community use of meeting rooms, a small kitchenette and a toilet is compatible with the character and special interest of the Protected Structure. The demolition of the poorly constructed modern extension will return the gate lodge to its original form and layout as an L-shaped building allowing the original form to be legible. Overall, the sensitive restoration and appropriate reuse of the gate lodge will ensure its protection and maintenance into the future.*

## 5.8 Stage 2 Screening- Preliminary Examination Conclusion

Following preliminary examination, the planning authority is recommended to conclude that there are no doubts regarding the likelihood of significant effects on the environment arising from the proposed development and it is not necessary proceed to a Stage 3 Screening Determination.

## 5.9 Conclusions

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 recommended that environmental impact assessment report is not required.**



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