



Parks & Landscape Services Section, Municipal Services Department

**Proposed Development of Fernhill Park &
Gardens, Stepside, Co. Dublin with Works
within the Curtilage of the Protected
Structure (Fernhill House)
PC/PKS/01/17**

**Appendix 2 – Environmental Impact Assessment
Screening**

Environmental Impact Assessment Screening Report

for proposed

Fernhill Park & Gardens

by

CAAS Ltd

for

Dun Laoghaire Rathdown County Council



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1. Introduction

This is an EIA screening report for the proposed Fernhill Park & Gardens, Stepside, County Dublin. Its purpose is 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.

2. Terms of Reference

CAAS have been engaged by Dún Laoghaire Rathdown County Council to review the proposal to reach a conclusion on whether the proposal should be subject to EIA or not.

The review includes an assessment of the details of the proposal with reference to the relevant EIA legislation including the Planning & Development Regulations, the EIA Directive 2011/92/EU (as amended by Directive 2014/52/EU) and relevant EU Guidance including *Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015*, EU and *Guidance on EIA Screening, 2001*, EC.

This includes the following considerations:

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

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

3. The Proposed Development

The site is located to the south of the Enniskerry Road in Stepside, County Dublin. The site shown in Figure 1 comprises of the estate known as Fernhill which is approximately 34 hectares in size and includes existing gardens, woodlands agricultural lands, public right-of-way, Fernhill House and ancillary buildings. The proposed development comprises of the development Fernhill as a Regional Public Park.

Full details of the proposed development can be found in Section 4 of the Part 8 Report and are summarised below.

The proposed development is provided for by a number of specific objectives and policies and assessed as elsewhere, particularly through SEAs of higher level plans such as Dún Laoghaire Rathdown County Development Plan 2010-2016. Including, specific local zoning Objective 36, which seeks: *“To prepare and adopt a Masterplan to develop Fernhill Gardens into a ‘Gateway’ Park/Regional Park with all the recreational amenities associated with a major park, such as pitches, playground, ponds, paths and a car park. The Masterplan should also ensure the continued conservation of Fernhill House and the preservation of trees, woodlands and amenity gardens at Fernhill”.*

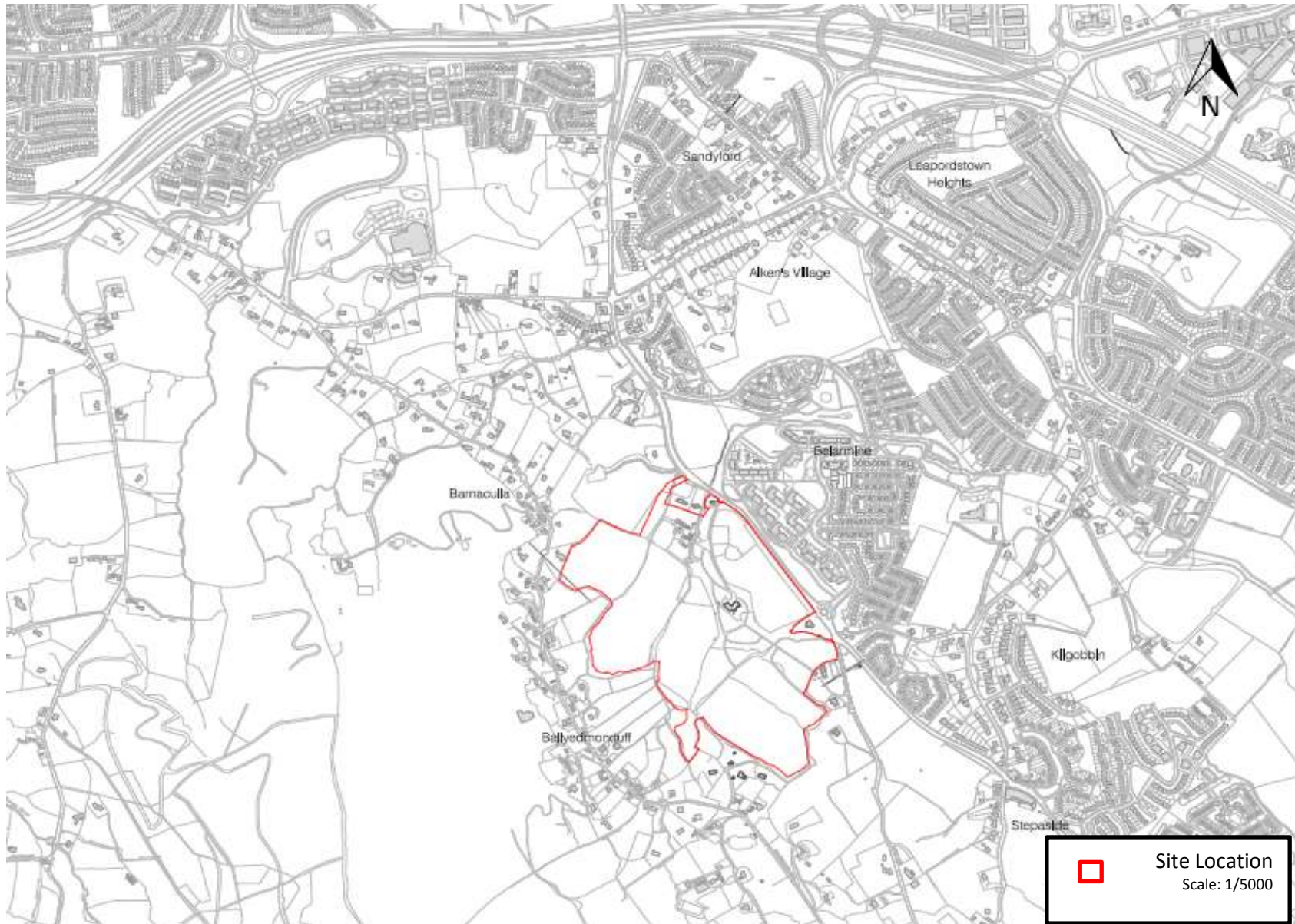


Figure 1 Site Location

The site is to be developed as a Regional Public Park to include new entrances, roads, car parking, active recreation, play, paths, woodland walks, gardens, ponds and wetlands, meadows, tearooms, public toilets and staff facilities, community garden and all ancillary civil, building and landscaping works. The nature and extent of the main features of the proposed 34 hectare development are outlined below.

Entrances

- New vehicular and pedestrian entrances.
- Upgrade Existing entrance.

Boundaries

- New timber and steel fencing with gates.
- Boundaries to be planted with a suitable screening mix where appropriate.

Shared Surface Avenue

- Shared surface avenues.
- 170 Car-park spaces at below locations
 - Boundary of Rosemont School.
 - Road Field
 - 9 Arce Field
- Coach parking.

Surfaces/Finishes/ Infrastructure in Various Areas

- Shared surface roads
- Extensive cut and fill of the existing ground to create the formal active recreation area.
- Steps to provide access with a long children's slide on the slope.
- Woodland screen planting to boundaries.
- Network of open grassland, grass meadow, screen planting, old woodland tracks, native woodland, ornamental gardens and dogs-off-leash areas for large and small dogs.
- Installation of bridges.
- Weir constructed to form a linear pond with spill over wetland to attenuate in flash flooding events.
- Historic stone lined water channel to be exposed in the field.
- Long linear flying fox/zip wire following the slope to the south of the field.
- Firebreak to be put in place along the southern boundary under the 220 kva power lines.
- Extensive seating, resting and viewing areas..
- Community gardens where local people learn to grow fruit and vegetables while also maintaining some of the more ornamental aspects of the gardens.

Right of Way

- The Right of Way will be upgraded in line with the upgrade of the paths in the Three Rock Mountains using locally sourced and naturally occurring materials.

Drainage

- The drainage has been designed in accordance with the GSDSDS with attenuation in soft areas where possible.
- The Surface water drainage design primarily relates to the new shared surface avenue, the Road Field and the 9 Acre Field.
- The remaining parts of the site will naturally infiltrate into the ground as they do so at present.
- Rain water harvesting will take place around all buildings for watering trees and shrubs.

Play/Recreation

- Main natural adventure play space to be developed in the old orchard area of the park. existing resources on site.
- Small fenced off toddler play area to be developed in close proximity..
- Outdoor exercise equipment
- Formal grass active recreation space (approx. 11,750 sq. m).
- Two lane running track around the active recreation area (400m long).

Existing Buildings

- The existing Gate-Lodge just off the Enniskerry Road is currently in use as a residence for a member of staff. It is envisaged that this use as a residence will be maintained.
- The existing Coach House building in the middle of the site is being developed as a tearooms/café (to be completed).
- The existing Bungalow building opposite the Coach House is to be demolished and a new building put in place on its existing footprint.
- The development of Fernhill House is outside of the scope of this development .

Proposed Buildings

- Tower building
- Sports building
- Shomera

Services

- Existing low voltage overhead power lines as well as other overhead lines throughout the estate to be undergrounded.
- New watermain, sewage, and ducting for electricity, fibre and utilities to be laid on the existing avenue and new shared surface avenue.
- New low voltage LED lighting columns will be put in place along the new shared surface avenue and in the car park in the 9 Acre Field. Additional bollard lights will be put in place from the car park to Fernhill House along the accessible path.

Other

- Extensive bicycle parking (included some covered parking) to be put in place at the entrances and car parks and in close proximity to the proposed tearooms.
- Ducting for fibre will be put in place in order to develop the park as a Smart Park.
- Sensory spaces to be developed in appropriate locations.

4. Legislative Basis for EIA

EIA requirements derive from EIA Directive (Directive 2011/92/EU as amended by Directive 2014/52/EU). As the amended Directive came into force on 16 May 2017 but regulations transposing it into national legislation have not yet been enacted, the principle of direct effect applies. No changes to the prescribed project types or thresholds are required under the amended Directive so the types and thresholds in the 2001-2010 regulation remain in effect. EIA legislation as it relates to the planning process has been largely brought together in Part X of the Planning and Development Acts 2000-2010 and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations 2001-2010. Part 1 of Schedule 5 to the Planning and Development Regulations lists projects included in Annex I of the Directive which automatically require EIA. Part 2 of the same Schedule outlines thresholds for other projects which also require EIA, per Annex II of the Directive.

5. Screening Considerations

Class of Development

In the first instance it is necessary to determine whether the project is of a type (or 'class') that requires an EIAR. This project is not considered suitable for any of the prescribed type listed in annex I or II. However, the most suitable type has been assessed below.

Infrastructure Projects

Schedule 5, Part 2 of the Planning and Development Regulations, 2001 includes these project types:

10. Infrastructure projects

(b) (ii) Construction of a car-park providing more than 400 spaces, other than a car-park provided as part of, and incidental to the primary purpose of, a development.

(b) (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.

(In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)

The car-parking provision is incidental to the main purpose of the development so class 10(b)(ii) is not applicable.

The EU Guidance on 'Interpretation of definitions of project categories of annex I and II of the EIA Directive' (2015) interprets 'urban development' as taking 'account of, inter alia, the following:

(i) Projects with similar characteristics to car parks and shopping centres could be considered to fall under Annex II (10)(b). This could be the case, for example, of bus garages or train depots, which are not explicitly mentioned in the EIA Directive, but have similar characteristics to car parks.

(ii) Construction projects such as housing developments, hospitals, universities, sports stadiums, cinemas, theatres, concert halls and other cultural centres could also be assumed to fall within this category. The underlying principle is that all these project categories are of an urban nature and that they may cause similar types of environmental impact.⁷⁵

(iii) 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.

The characteristics of the proposal do not correspond with and are not comparable to any of these descriptions so class 10(b)(iv) is not applicable.

Sub-threshold Development

As the proposal does not fall into any of the prescribed project types it cannot be considered to be 'sub-threshold' development. Having regard to the 'wide scope and broad purpose' of the Directive it is nonetheless appropriate to consider if it is likely to cause significant environmental impacts by reference to the relevant criteria for determining same, as set out in Schedule 7 of the Planning and Development Regulations, 2001.

Schedule 7 specifies 'Criteria for determining whether a development would or would not be likely to have significant effects on the environment' under these three headings:

1. Characteristics of Proposed Development, in particular:

- the size of the proposed development, because the proposed development will directly and indirectly affect a significant portion of the local area.
- the cumulation with other proposed development, because the proposed project will interact with other project scheduled for development in the area.
- Pollution and nuisances, because of the increased number of visitors.

2. Location of Proposed Development

The environmental sensitivity of geographical areas likely to be affected by the proposed development, having regard in particular to:

- the existing land use, because the existing land-uses of the area – comprising of agriculture and woodlands are sensitive to changes to the layout, timing and regulation of access.
- The absorption capacity of the natural environment, because of increased number of visitors.

3. Characteristics of Potential Impacts

The potential significant effects of the proposed development in relation to criteria set out under paragraphs 1 and 2 above and having particular regard to;

- the extent of the impact (geographical area and size of the affected population), because the proposed development will directly and indirectly affect a portion of the local environment.
- the magnitude and complexity of the impact, because the project will involve the creation natural, semi-natural parkland habitats over a 34 hectare area.

The table below provides sets out these considerations in more detail against both the main and sub-criteria which are specified in Schedule 7.

Table 1 Screening Criteria for Sub-threshold EIA

CRITERIA		Relevance	Commentary
1. Characteristics of Proposed Development The characteristics of proposed development, in particular:	the size of the proposed development,	POTENTIAL	the number of car parking spaces is less than half of the threshold for car parks
	the cumulation with other proposed development,	POTENTIAL	Cumulative effects have been assessed by the SEA of the Dún Laoghaire Rathdown County Development Plan 2010-2016.
	the use of natural resources,	NO	
	the production of waste	NO	
	pollution and nuisances,	POTENTIAL	Effects are anticipated to be limited to increased visitor traffic to the area. Indirect and cumulative effects have been assessed by SEAs of higher level plans
the risk of accidents, having regard to substances or technologies used.	NO		
2. Location of Proposed Development The environmental sensitivity of geographical areas likely to be affected by the proposed development, having regard in particular to:	the existing land use	YES	Current land use will be changed to parkland including recreational areas.
	the relative abundance, quality and regenerative capacity of natural resources in the area	YES	Relative abundance, quality and regenerative capacity of natural resources in the area will continue to be sustained through the park land.
	the absorption capacity of the natural environment, paying particular attention to the following areas	-	-
	wetlands	NO	
	coastal zones	NO	
	mountain and forest areas	POTENTIAL	Indirect and cumulative effects have been assessed by SEAs of higher level plans

	nature reserves and parks	NO	
	areas classified or protected under legislation, including special protection areas designated pursuant to Directives 79/409/EEC and 92/43/EEC	NO	
	areas in which the environmental quality standards laid down in legislation of the EU have already been exceeded	NO	
	densely populated areas	NO	
	landscapes of historical, cultural archaeological significance	NO	No works to Fernhill house are proposed.
3. Characteristics of Potential Impacts The potential significant effects of proposed development in relation to criteria set out under paragraphs 1 and 2 above and having particular regard to:	the extent of the impact (geographical area and size of the affected population),	NO	The proposed development will directly affect a small portion of County Dublin. Indirect and cumulative effects on wider areas of the area have been or are subject to assessment by SEAs of higher level plans.
	the transfrontier nature of the impact,	NO	
	the magnitude and complexity of the impact,	POTENTIAL	The project involves the creation of a parkland habitat over a 34 hectares.
	the probability of the impact,	YES	The extent and magnitude of the effects are very likely to occur. However the adverse environmental effects are anticipated to be negligible.
	the duration, frequency and reversibility of the impact.	YES	The impacts are likely to be long-term. However the adverse environmental effects are anticipated to be negligible.

6. Conclusion

It is considered that the proposal does not come within the scope of any class of project prescribed in the Directive or Regulations.

Having considered the nature, scale and location of the proposal; having regard to the characteristics and location of the proposed development; and having regard to the characteristics of potential impacts it is considered that the project is unlikely to give rise to significant environmental impacts. This is supported by the Appropriate Assessment Screening Report that concluded that there will be no negative impacts on the qualifying interests or species of any Natura 2000 site within a 15km radius of the proposed development.

Having regard to extent to which potential cumulative environmental effects have been assessed as elsewhere, particularly through SEA of the higher level land-use plan.

It is concluded that there is no requirement for an Environmental Impact Assessment to be carried out for the proposed Fernhill Park and Gardens at Stepside, County Dublin and there is no requirement for an Environmental Impact Assessment Report to be prepared.