

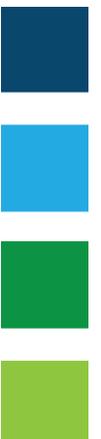
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BUILT ON KNOWLEDGE



South Dublin County Council
Tymon Park Inter-Generational Centre
Environmental Impact Assessment Screening Report



PROJECT NAME: Tymon Park Inter-Generational Centre

REPORT NAME: Environmental Impact Assessment Screening Report

Document Control Sheet	
Document Reference	11089_EIA Screening
Report Status	For Client Review
Report Date	February 2021
Current Revision	A01
Client:	South Dublin County Council
Client Address:	County Hall, Tallaght, Dublin 24, D24 YNN5
Project Number	11089

Galway Office Fairgreen House, Fairgreen Road, Galway, H91 AXK8, Ireland. Tel: +353 (0)91 565 211	Dublin Office Block 10-4, Blanchardstown Corporate Park, Dublin 15, D15 X98N, Ireland. Tel: +353 (0)1 803 0406	Castlebar Office Market Square, Castlebar, Mayo, F23 Y427, Ireland. Tel: +353 (0)94 902 1401
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Revision	Description	Author:	Date	Reviewed By:	Date	Authorised by:	Date
A01	For Client Review	LB	19/02/2021	MMC	19/02/2021	MMC	19/02/21

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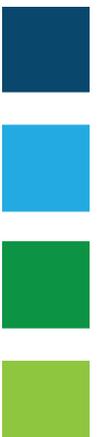


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1.0 INTRODUCTION

This report presents an Environmental Impact Assessment (EIA) Screening for the proposed Tymon Park Inter-Generational Centre situated within South Dublin County Council against the criteria set out in Annex III of the EU Directive 2011/92/EU, as amended by Directive 2014/52/EU (EIA Directive) and as transposed into Irish law. EIA Screening is the stage which ascertains whether the effects of a development on the environment are expected to be significant and determines whether an EIA is required as per the EIA Directive. It should be noted that the screening procedure should ensure that an environmental impact assessment is only required for projects likely to have significant effects on the environment and the whole development must be considered.

The purpose of this review is to determine the applicability of the EIA Directive to the proposed development and whether the proposed development is likely to result in significant effects, thereby requiring that an EIA is carried out.

This EIA Screening has been completed by TOBIN Consulting Engineers and takes due notice of the following regulations and guidance documents:

- Planning and Development Acts and Regulations 2000 – 2021;
- EU Directive 2011/92/EU, as amended by Directive 2014/52/EU (the EIA Directive);
- Department of Housing, Planning and Local Government (August 2018) Guidelines for Planning Authorities and An Bord Pleanála on Carrying out EIA (the 2018 Guidelines);
- Environmental Protection Agency (Draft - August 2017) Revised Guidelines on the Information to be contained in Environmental Impact Assessment Reports (the Draft EPA Guidelines); and
- European Commission (2017) Environmental Impact assessment of Projects, Guidance on Screening (the EC 2017 Guidance).

2.0 REGULATORY CONTEXT

The EIA Directive in Annex I lists developments for which EIA is mandatory and in Annex II, lists projects which require a determination of their likely significant effects. These annexes are broadly transposed into Irish legislation by way of the 2001 Planning and Development Regulations, as amended by Schedule 5 Part 1 and Part 2, with the addition of national thresholds to several Part 2 classes of development. EIA is mandatory for Part 1 developments where thresholds are met or exceeded, but also for Part 2 developments where the national thresholds are met or exceeded. Screening determination is required for sub-threshold developments for both Part 1, where not covered by Part 2, and for Part 2 developments.

The criteria to determine whether a sub-threshold development should be subject to an EIA are set out in Annex III of the EIA Directive and transposed into Irish law through Schedule 7 of the 2001 Planning and Development Regulations, as amended. Schedule 7A of the Planning and Development Regulations, as amended lists information to be provided for the purpose of an EIA Screening. Under Article 103 of the 2001 Planning and Development Regulations, as amended the planning authority can request the submission of an EIA Report, if it is of the view that sub-threshold development would likely result in significant effects on the environment.

The EIA Directive states that in order to ensure a high level of protection of the environment and human health, screening procedures should take account of the impact of the whole project in question, including where relevant, its subsurface and underground, during the construction, operational and where relevant demolition phase. When determining whether significant effects on the environment are likely to be caused by a project, the competent authority should identify the most relevant criteria to be considered and should take into account information that could be available following other assessments required by EU legislation in order to apply the screening procedure effectively and transparently.

3.0 PROPOSED DEVELOPMENT AND EXISTING SITE

The location and layout of the proposed Tymon Park Inter-Generational Centre project can be viewed in Figures 3-1 and 3-2 below. The proposed development involves the:

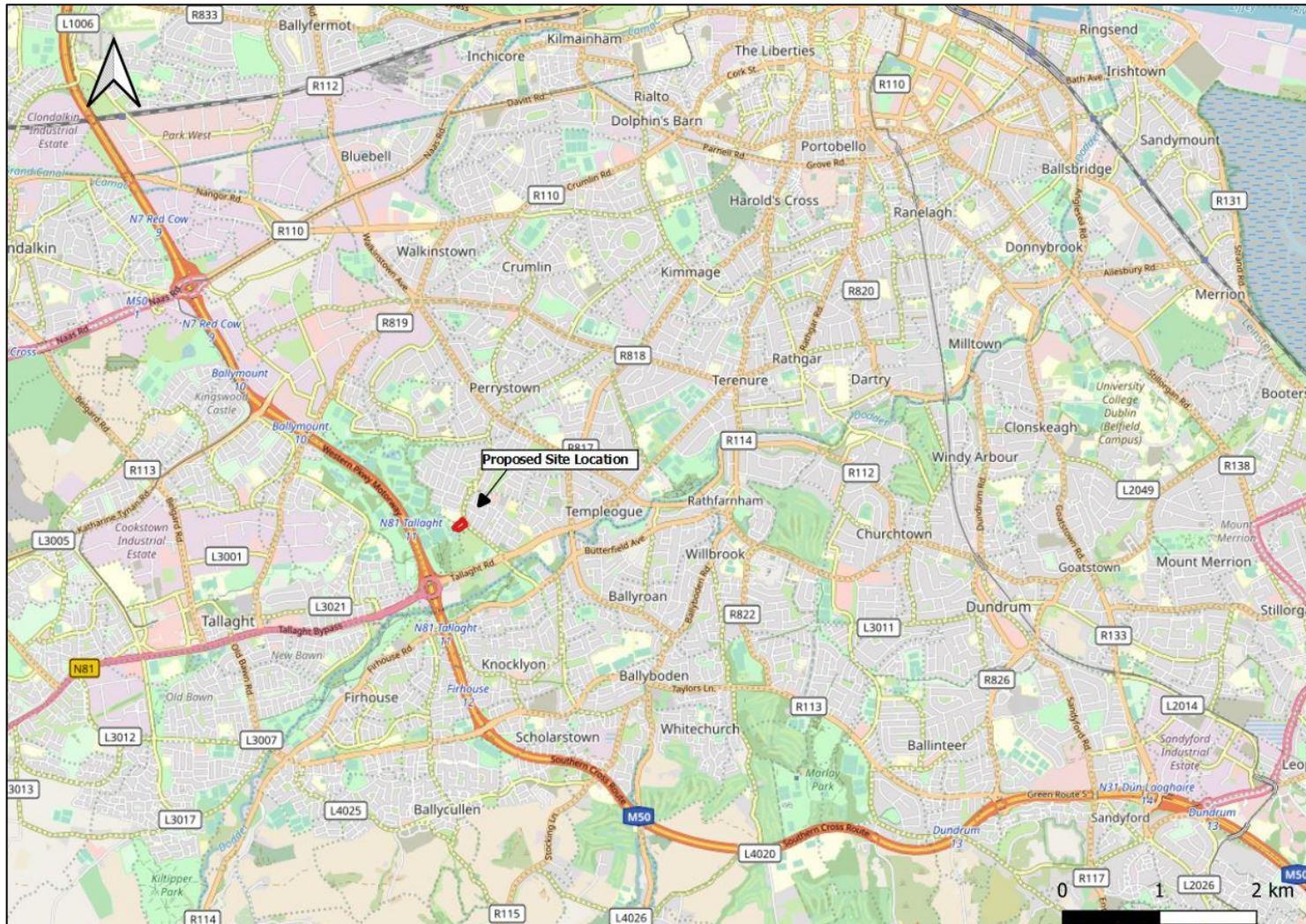
- construction of a new single storey building for use as a multi-functional community space with café.
- ancillary landscaping works; and
- ancillary works for the purpose of foul and surface drainage connection.

The proposed development site is located immediately adjacent to the existing Tymon Park car park to the east and St. Judes GAA Club to the west. The surrounding lands comprise a mixture of amenity grassland and commercial developments. A number of small artificial lakes occur in proximity to the proposed development site. The site will be accessed via Wellington Lane located approximately 70m east of the proposed development site.

The proposed development will include a building (the proposed centre) with a footprint area of 190m² and associated terraced and paved areas around the building approximately 450m² in size. The proposed centre will include multi-functional community space which can be divided by a partition into smaller self-contained rooms if required.

It is anticipated that the proposed construction works will commence in Q2 of 2022 for an approximate duration of 12 months.

Figure 3-1: Site Location Map Tymon Park Inter-Generational Centre



4.0 SCHEDULE 5 DETERMINATION

This section considers the full proposed construction of the Tymon Park Inter-Generational Centre with respect to Schedule 5 of the Planning and Development Regulations 2001, as amended.

The proposed development is located in an urban environment and involves the construction of a new single storey multi-functional community facility. The proposed development does not meet or exceed Schedule 5 Part 1 or Part 2 thresholds or criteria, and as such, EIA is not mandatory.

A consideration of sub-threshold has been carried out and as per the ruling of the European Court¹, it is recognised that the EIA Directive has a *'wide scope and a broad purpose'* when determining if EIA is required. A review of Part 1 confirms that there are no applicable Classes, hence the proposed development is not considered a Part 1 sub-threshold development. Part 2 Class 10 (b) Infrastructure Projects and in particular, (iv) Urban development is of relevance. This Class is applicable to 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."*

The proposed development is not located with a business district, *"a district within a city or town in which the predominant land use is retail or commercial use"*, but it could be classed under *"other parts of a built-up area"*. The size of the proposed site however is approximately 0.045 hectares and therefore is substantially less than the applicable threshold of 10 hectares.

Class 15 should also be noted as this is applicable to "any project listed in this Part which does not exceed a quantity, area or other limit specified in this Part in respect of the relevant class of development, but which would be likely to have significant effects on the environment, having regard to the criteria set out in Schedule 7.

On review, the proposed development is for the construction of a new building and a ancillary landscaping and drainage works within the urban environment and recognising the requirement to apply a 'wide scope' it is considered that the proposed development should be subject to a sub-threshold development as it is considered to fall within the project meaning of Part 2 Class 10 (b) (iv). An EIA Screening determination is required for sub-threshold developments as per the 2001 Regulations, as amended and a screening assessment is provided in Section 5 of this report.

¹ Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment August 2018, August 2018

5.0 EIA SCREENING

This section provides an EIA Screening against the appropriate criteria as established by the EIA Directive Annex III and as transposed into Irish law, Schedule 7 2001 Regulations, as amended.

It should be noted that under the EIA Directive, the EIA Screening process balances two objectives, in determining if a project listed in Annex II is likely to have significant effects on the environment and, therefore be made subject to an assessment of its effects on the environment; and it should ensure that EIA is only carried out for those projects which is thought that a significant impact on the environments is possible².

Table 5.1 below screens the proposed development against the Schedule 7 criteria. Information pertaining to Schedule 7A of the 2001 Regulations, as amended is provided herein and is further supplemented with an AA Screening Report (February 2021).

² Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Union 2017

Table 5-1: Tymon Park Inter-Generational Centre Screening against Schedule 7 Criteria

Screening against Schedule 7 Criteria	
1. Characteristics of project	Consideration of the proposed development
<p>The characteristics of projects be considered, with particular, regard to: -</p> <p>a) the size and design of the whole project;</p> <p>b) cumulation with other existing and/or approved projects</p> <p>c) the nature of any associated demolition works</p> <p>d) the use of natural resources, in particular land, soil, water and biodiversity ;</p> <p>e) the production of waste;</p> <p>f) pollution and nuisances;</p> <p>g) the risk of major accidents having regard in particular to substances or technologies used and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;</p> <p>h) the risks to human health (for example due to water contamination or air pollution).</p>	<p>There is no likelihood of significant environmental effects arising from the proposal having regard to the characteristics of the project, as set out below:</p> <p>The site area is approximately 0.045 hectares with a proposed building footprint of 190m². The proposal involves the construction of a new single storey building for use as a multi-functional community space with café, landscaping works to existing terraces and paved areas and all other associated works for the purpose of foul and surface drainage connection. No demolition works are proposed. On completion the proposal will provide a flexible multi-functional community space and café for indoor and outdoor activities.</p> <p>A review of planning applications within 500 metres of the site for the years 2018 – 2021 indicates that there are no significant development proposals within the vicinity of the site that could act in cumulation with the project. In addition, the small-scale nature and operation of the proposal is unlikely give rise to any significant cumulative environmental effects.</p> <p>No demolition works are proposed other than site clearance to remove existing hard and soft landscaping.</p> <p>There are no elements of the proposal that will make use of natural resources other than the excavation of the site and associated removal of soil.</p> <p>The proposal will involve normal site clearance works and excavation including the removal of existing hard and soft landscaping. All waste produced including soil removal will be managed in accordance with approved removal practices.</p> <p>The proposed works will generate noise during construction from general building works. The permissible hours of operation of a building site within South Dublin County Council are Monday to Friday 07.00 – 18.00, and Saturday 08.00 – 14.00, with no noisy work permissible on Sundays or bank holidays. The construction works will be subject to applicable standards including BS 5228:2009 and A1:2014 “Code of Practice for Noise</p>

	<p>and Vibration Control on Construction and Open Sites” and South Dublin County Council’s Air Quality Monitoring and Noise Control Unit.</p> <p>The proposed development is not a COMAH site (Control of Major Accident Hazards Involving Dangerous Substances) nor is the site location near a nuclear installation.</p> <p>The construction process could result in surface water runoff and dust from earth works, however these are matters that would be managed through the adoption of best practice construction standards. In addition, following on from construction the proposed development will connect to existing potable water, surface water and wastewater infrastructure networks.</p>
<p>2. The Location of Project</p>	<p>Consideration of the proposed development</p>
<p>The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard to: -</p> <p>a) the existing and approved land use;</p> <p>b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground</p> <p>c) the absorption capacity of the natural environment, paying particular attention to the following areas: -</p> <p>i. wetlands, riparian areas, river mouths;</p> <p>ii. coastal zones and the marine environment;</p> <p>iii. mountain and forest areas;</p>	<p>In consideration of the location of the project, there are no anticipated significant environmental effects arising with regards to:</p> <p>The proposed development is located within the boundaries of Tymon Park and currently exists as an area of hard and soft landscaping. The area zoning objective is “To preserve and provide for open space and recreational amenities.” Other communities uses directly adjacent to the site include education, parks and sports facilities.</p> <p>Given the small-scale nature of works involved in the proposal, there are no anticipated likely significant effects arising with regard to the relative abundance, availability, quality or regenerative capacity of the natural resources of the site or wider area.</p> <p>The proposed development site is located within the Liffey river catchment code (09_01) of the Liffey and Dublin Bay catchment (ID_09). Surface water from the site percolates into groundwater and discharges into the existing combined sewer which is treated at Ringsend Wastewater Treatment Plant.</p> <p>A review of Catchment Flood Risk Assessment and Management Study maps (CFRAMS) confirms that the site is not in a location identified as being at risk of flooding.</p> <p>The nearest European site is located 5km south west of the proposed development and is identified as the Glenasmole Valley SAC (001209). Other European sites within a 15 km radius of the site include Wicklow</p>

<p>iv. nature reserves and parks;</p> <p>(v) areas classified or protected under Member States' national legislation; special protection Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;</p> <p>(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation have already been exceeded and relevant to the project, or in which it is considered that there is such a failure;</p> <p>(vii) densely populated areas</p> <p>(viii) landscapes and sites of historical, cultural or archaeological significance.</p>	<p>Mountain SAC (002122), Wicklow Mountain SPA (004040), South Dublin Bay SAC (000210), South Dublin Bay and River Tolka Estuary SPA (004024), North Dublin Bay SAC (000206), Knocksink Wood SAC (000725), North Bull Island SPA (004006), Rye Water Valley/Carton SAC (001398), Ballyman Glen SAC (000713). The AA Screening (February 2021) concludes that there will be no likely significant effect on the integrity of any European sites or the Qualifying Interest habitats or species for which they were designated.</p> <p>The project when complete will result in a positive long-term effect on local population and communities by providing improved facilities for the surrounding community through improved access and facilities within the area.</p> <p>The project will not have any direct or indirect impact on any sites of historical, cultural or archaeological significance. A review of the National Monuments Service Archaeological Survey Database indicates the following recorded Monuments and Places (RMP) and Sites and Monuments (SMR) located over 500m from the site:</p> <p>Code: DU022-009002 Class: Grave yard Code: DU022-009006 Class: Grave slab</p> <p>Code: DU022-010 Class: Castle Tower House Code: DU022-003001 Class: Watercourse</p> <p>Code: DU022-007 Class: Castle Tower House</p>
<p>3. Types and characteristics of the potential impact</p>	<p>Consideration of the proposed development</p>
<p>The likely significant effects on the environment of proposed development in relation to criteria set out under paragraphs 1 and 2, with regard to the impact of the project on the factors specified in paragraph (b) (i) (I) to (V) of the definition of 'environmental impact assessment report' in section 171A of the Act, taking into account:</p> <p>a) the magnitude and special extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>There are no anticipated likely significant environmental effects arising from the proposed development, taking the following into account:</p> <p>On site construction work is anticipated to have a temporary effect on existing on-site uses and surrounding uses, however the project when complete will result in a positive long-term effect on existing on-site uses by providing improved facilities for the surrounding community through improved access and facilities within the area. The impact on the urban environment will be positive and long term due to the provision of multi-functional community space and café and associated improvement to the surrounding public realm.</p> <p>Waste generated during the construction process will be controlled through measures adopted in a waste management plan.</p>

b) the nature of the impact;	Nuisance impacts are anticipated to be limited and controlled by applicable standards where appropriate. With regards to construction noise, standard construction activities proposed will be governed by appropriate standards and permissible hours.
c) the trans frontier nature of the impact;	Noise generated from the use of the community building is not considered to be out of character with the surrounding area. External lighting proposals, if required, should be sensitively designed to reduce light pollution beyond the site boundaries.
d) the magnitude intensity and complexity of the impact;	Construction traffic levels are anticipated to be relatively low considering the small-scale nature of the works involved for the proposal.
e) the probability of the impact;	Traffic associated with the use of the premises is not anticipated to increase considering the current use of the site and surrounding area of Tymon Park. In addition, the proposal is located adjacent to an existing car park and the proposal includes cycle parking to encourage sustainable modes of transport to and from the site.
f) the expected onset, duration, frequency and reversibility of the impact;	Drainage arrangements during construction work will be subject to best practice standards in order to prevent water (both surface water and groundwater) pollution.
g) the cumulation of the impact with the impact of other existing and/or approved projects;	The proposed development site is not located within or adjacent to any designated European site (SAC or SPA). The AA Screening (February 2021) concluded no likely significant effects on the integrity of any European sites or the Qualifying Interest habitats or species for which they were designated.
h) the possibility of effectively reducing the impact	

6.0 CONCLUSION

The proposed development does not meet or exceed Schedule 5 Part 1 or Part 2 thresholds and criteria, and as such, EIA is not mandatory. The proposed development can be considered a sub-threshold project under Part 2 Class 10 (b) (iv) Urban Development, as the development is for the redevelopment of a sub-ten-hectare site within the built-up area. A screening determination is required for a sub-threshold development.

An EIA screening has been carried out considering the nature of the proposed development, its size and location having due regard to the criteria listed in Schedule 7 and the relevant information listed in Schedule 7A. It is concluded that the proposed development will not result in significant effects on the environment. Furthermore, the proposed development is anticipated to result in long term positive effects due to the proposed construction of a multi-use community facility.

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 TOBIN Consulting Engineers

 @tobinengineers

Galway
Fairgreen House,
Fairgreen Road,
Galway,
H91 AXK8,
Ireland.
Tel: +353 (0)91 565 211

Dublin
Block 10-4,
Blanchardstown Corporate Park,
Dublin 15,
D15 X98N,
Ireland.
Tel: +353 (0)1 803 0406

Castlebar
Market Square,
Castlebar,
Mayo,
F23 Y427,
Ireland.
Tel: +353 (0)94 902 1401