

Kilcarbery - Grange Preliminary Masterplan

APPENDIX 1. Determinations

Strategic Environmental Assessment Determination

Appropriate Assessment Determination

Decision of the Planning Authority regarding the need for Strategic Environmental Assessment of the draft Kilcarbery Grange Preliminary Masterplan.

South Dublin County Council has prepared a preliminary Masterplan for Kilcarbery Grange lands in South Dublin.

Having assessed the potential environmental effects of implementing the proposed preliminary masterplan, and having consulted with prescribed environmental authorities, the Planning Authority has determined that the Kilcarbery Grange Preliminary Masterplan is not likely to have significant effects on the environment. Therefore, full Strategic Environmental Assessment (SEA) is not required.

The SEA screening process and the reasons for this decision are summarised in the following section: SDCC is preparing a preliminary masterplan for the lands at Grange, South Dublin County. The plan will be non-statutory preliminary master plan and will be situated under the existing landuse plan for the area, the South Dublin County Development Plan 2016-2022. The purpose of this preliminary masterplan is to provide the framework and guidelines for a future detailed Masterplan, to be developed subsequent to the selected developer coming on board with SDCC.

The proposed plan was screened for potential environmental effects in accordance with the criteria set out in Schedule 2A of the SEA Regulations. The conclusion of the SEA Screening report was It has been established that the Kilcarbery Grange Preliminary Masterplan itself will not set the framework for future development consent of projects and is required to be consistent with the Development Plans or any higher level plans. Projects that may arise in the future associated with the preliminary masterplan will be subject to the requirements of the relevant national planning procedures and be consistent with existing frameworks and South Dublin Development Plan 2016-2022 as appropriate all of which have been subject to SEA and developed in accordance with the principles of sustainability.

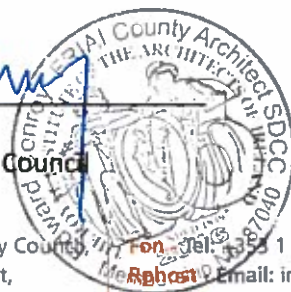
A screening under Article 6 (3) of the Habitats Directive and Section 177 U of the Planning and Development Act 2000 (as amended) has been undertaken and has determined that the above plan will not have a likely significant effect on any European Sites.

In accordance with the requirements of the SEA Regulations, the Planning Authority notified the prescribed environmental authorities. Feedback was received from the EPA and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Recommendations have been incorporated into the Preliminary Masterplan.

Therefore, on the basis of the above assessment and consideration of the criteria as set out in Schedule 1 of the SI 435/2004 as well as responses of the prescribed environmental authorities, it is considered the Kilcarbery Grange Preliminary Masterplan is unlikely to give rise to significant environmental effects and does not require full SEA.

18th January 2017

Signatory (Approved Officer): 
Eddie Conroy
County Architect South Dublin County Council



Kilcarbery Grange Preliminary Masterplan

Appropriate Assessment (AA) Screening Determination in accordance with the EC Habitats Directive Article 6(3) and the Section 177U of the Planning and Development Act 2000 (as amended)

An Appropriate Assessment (AA) Screening determination has been made by South Dublin County Council regarding the Kilcarbery Grange Preliminary Masterplan.

The Kilcarbery Grange Preliminary Masterplan, through a series of Objectives and Policies, will set out the vision and direction for the future development of the Kilcarbery Grange Area. Proposed land use plans and proposed variations must undergo a formal “test” or “screening” to ascertain whether they are likely to result in any significant adverse effects on specific sites designated for their nature conservation importance. These sites are those designated under the European Commission’s Natura 2000 network of sites (hereafter “European sites”¹). These sites are designated on the basis of the presence of certain habitats and species that are deemed to be of international importance. The Irish Government and local planning authorities have a legal obligation to protect these sites.

The EC Habitats and Birds Directives are the framework for the designation of these sites. The EC Habitats Directive requires the “screening” of plans and projects under Article 6(3). If the screening process results in a judgement that likely significant effects may occur or cannot be ruled out, then a more detailed ‘appropriate assessment’ (AA) is required.

Determination

This decision has been informed by information prepared by Scott Cawley Ltd. on behalf of the Council - Appropriate Assessment Screening Report dated 8th December 2016. This AA Screening report describes the nature of the Preliminary Masterplan, the nature of the European sites within its zone of influence and the relationship between the two such that any impact pathways could be identified. It sets out the nature of the proposed works and assesses any potential for direct, indirect or cumulative impacts of the proposed works on all relevant European Sites.

The Council has examined likely significant effects of the proposed works on European Sites within the zone of influence of the proposed works, in light of the specific Qualifying Interests and conservation objectives of all relevant European Sites.

Having reviewed and considered this Appropriate Assessment Screening Report and general information on the nature of the project, the Council has been able to conclude that there was no likelihood of any significant effects on any European Sites arising from the proposed works, either alone or in combination with other plans or projects. The main reasons for this are as follows:

- There is a significant distance between the Plan Area and downstream European Sites in Dublin Bay (>20km by watercourse), which is considered to reduce the risk of any

¹ Natura 2000 sites are defined under the Habitats Directive (Article 3) as a European ecological network of special areas of conservation composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II. The aim of the network is to aid the long-term survival of Europe’s most valuable and threatened species and habitats. In Ireland these sites are designed as *European sites* - defined under the Planning Acts and/or Birds and Habitats Regulations as (a) a candidate site of Community importance, (b) a site of Community importance, (c) a candidate special area of conservation, (d) a special area of conservation, (e) a candidate special protection area, or (f) a special protection area. They are commonly referred to in Ireland as candidate Special Areas of Conservation (cSACs) and Special Protection Areas (SPAs).

potential contaminants from the construction phase of any developments reaching European Sites to unlikely;

- Works within the Plan Area will be undertaken on a phased basis;
- Construction works will follow best practice with regards to working in or near watercourses as per *Guidelines on protection of fisheries during construction works in and adjacent to waters* produced by Inland Fisheries Ireland;
- There was no proven link between WWTP discharges and nutrient enrichment of sediments in Dublin Bay based on analyses of dissolved and particulate Nitrogen signatures
- Enriched water entering Dublin Bay has been shown to rapidly mix and become diluted such that the plume is often indistinguishable from the rest of bay water;
- Marine modelling for Ringsend Waste Water Treatment Plant indicates that discharged effluent is rapidly mixed and dispersed to low levels via tidal mixing within a short distance of the outfall pipe.
- There is a commitment by Irish Water to upgrade the Ringsend Waste Water Treatment Plant from its current capacity of 1.64 million P.E. to meet EU standards and expand the facility to deal with the equivalent expansion as previously planned by Dublin City Council.

In conclusion, in accordance with Article 6(3) of the Habitats Directive and Section 177U of the planning and Development Act 200 (as amended), taking into account all matters relevant it has been determined that it can be excluded, on the basis of objective information available at this stage, that the Preliminary Masterplan, individually or in combination with other plans or projects, will not have a likely significant effect on any European sites. Therefore, the Kilcarbery Grange Preliminary Masterplan will not be subject to a full Appropriate Assessment.

9th December 2016

Signatory (Approved Officer):

Eddie Conroy

County Architect South Dublin County Council



Eddie Conroy, Architect, S.D.C.C., F.R.I.A.I.