



EIA SCREENING REPORT

Proposed Canopy and boardwalk extension at
Custom House Quays

Prepared for Dublin City Council

MEC Ltd.

This report has been prepared by Minogue Environmental Consulting Ltd with all reasonable skill, care and diligence. Information reported herein is based on the interpretation of data collected and has been accepted in good faith as being accurate and valid.

This report is prepared for Dublin City Council and we accept no responsibility to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.



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1 Introduction

1.1 Project Background

Minogue Environmental Consulting Ltd was engaged by the Urban Agency on behalf of Dublin City Council (DCC) to undertake a Environmental Impact Assessment Screening Report for a proposed Glulam Canopy at Custom House Quay, Docklands, Dublin 1, Dublin 1, D01 KF84.

1.2 Legislative Background

Environmental Impact Assessment (EIA) is a procedure undertaken by a competent authority pursuant to its obligations under the EIA Directive the terms of European Directives on the assessment of the impacts of certain public and private projects on the environment. In accordance with the provisions of Part X of the Planning and Development Act 2000 (as amended), an EIA shall be carried out in respect of an application for development which is specified in Schedule 5 of the Planning and Development Regulations 2001, (as amended) ([“the 2001 Regulations”]). A mandatory EIA is required for developments which fall within the classes of development prescribed in remit of Schedule 5.

In addition, an EIA of “sub-threshold” development EIA may be required, if the competent Planning Authority determines that the proposed development would be likely to have significant impacts on the environment. Schedule 7 of the Regulations details the criteria for determining whether a development would or would not be likely to have significant impacts on the environment considering the characteristics of the proposed development, its location and characteristics of potential impacts.

Thus, Article 93 of, and Schedule 5 to, Planning and Development Regulations 2001, as amended (“the 2000 Regulations”) sets out the classes of development for which a planning application must be accompanied by an environmental impact assessment report (EIAR). Part 1 and Part 2 Schedule 5 of the Planning and Development Regulations, 2001 prescribes the categories of, and thresholds for, prescribed development requiring EIA. The proposed development does not fall within any of the classes of prescribed development contained in Part 1 of Schedule 5.

Paragraph 10(b) of Part 2 of Schedule 5 contains the following prescribed development:

- “b) (i) Construction of more than 500 dwellings
- (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.
- (iii) Construction of a shopping centre with a gross floor space exceeding 10,000 square metres.
- (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.)”.

In this regard, the relevant category for the project would be “urban development” listed in Schedule 5 Part 2, 10b, iv. European Commission (2015) guidance provides information on the interpretation of definitions of project categories and details potential project types that would meet the definition of ‘urban development’. These are as follows:

- Projects with similar characteristics to shopping centres and car parks, such as bus garages, train depots;
- Construction projects such as housing development; concert halls; cultural venues;
- Projects to which the term ‘urban’ and ‘infrastructure’ may relate such as construction of sewerage and water supply networks.

The proposed canopy works do not correspond or have similar characteristics to any of the suggested project definitions and would therefore not be considered under the ‘urban development’ criteria of Schedule 5 Part 2.

Furthermore, the thresholds for EIA for this project category are listed as development in a business district with a site area over 2 hectares, in a built-up area with a site area of over 10 hectares and elsewhere with a site area over 20 hectares.

For the purposes of EIA, the 2001 Regulations define ‘business district’ as a district within a city or town in which the predominant land use is retail or commercial use. A review of current landuse based on the landuse zoning of the plan area, a review of google aerial imagery and site visit in 2022 show that whilst the project area and its immediate area supports commercial and amenity use. It does not correspond to a ‘business district; for the purposes of EIA, and more accurately corresponds to a Built Up area.

In summary, the project does not correspond to ‘urban development’ project definition following European Commission guidance, nor does it meet the threshold for EIA in this project category, being an area of 0.114 ha with a mandatory EIA threshold of 10ha in this category.

In relation to criteria applied for mandatory EIA development as listed in Section 50 of the Roads Act 1993, the project does not meet the criteria for EIA given the scale, and nature of the proposed works, relating to reconfiguring of an existing gangway and extension of boardwalk and canopy. In light of this, the project does not meet the criteria for such works under the Roads Act 1993, as amended.

However, notwithstanding that the proposed development is “sub threshold”, as set out in the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* (August 2018), screening is the initial stage in the EIA process and determines whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made.

However, notwithstanding that the proposed development is “sub threshold”, as set out in the *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment* (August 2018), screening is the initial stage in the EIA process and determines whether or not specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made.

One of key amendments introduced by the 2014 EIA Directive includes strengthening of the procedures for screening, particularly through the introduction of new information requirements to be provided by the developer (Annex IIA, and transposed into Irish law by Schedule 7A to the Planning and Development Regulations, 2001, as amended) and revised selection criteria to be used by the

competent authority in making a determination (Annex III of Directive, Schedule 7 to the 2001 Regulations).

According to European Commission Guidance (2017¹)

“Screening has to implement the Directive’s overall aim, i.e. to determine if a Project listed in Annex II is likely to have significant effects on the environment and, therefore, be made subject to a requirement for Development Consent and an assessment, with regards to its effects on the environment. At the same time, Screening should ensure that an EIA is carried out only for those Projects for which it is thought that a significant impact on the environment is possible, thereby ensuring a more efficient use of both public and private resources. Hence, Screening has to strike the right balance between the above two objectives.”

According to the Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018):

“For all sub-threshold developments listed in Schedule 5 Part 2, where no EIAR is submitted or EIA determination requested, a screening determination is required to be undertaken by the competent authority unless, on preliminary examination it can be concluded that there is no real likelihood of significant effects on the environment. This is initiated by the competent authority following the receipt of a planning application or appeal

A preliminary examination is undertaken, based on professional expertise and experience, and having regard to the ‘Source – Pathway – Target’ model, where appropriate. The examination should have regard to the criteria set out in Schedule 7 to the 2001 Regulations.

Where, based on a preliminary examination of the information submitted with the application and any other supplementary information received, the competent authority concludes that, having considered the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment, this should be recorded with reasons for this conclusion stated, and no EIA required or formal determination made. The recording of the competent authority’s view should be brief and concise, but adequate to inform the public. In many cases this considered view will be included in the planner’s/inspector’s report on the planning application and this may be cross-referenced in the competent authority’s decision. Normally, this will be published at the time of the decision of the competent authority.”

1.3 Screening

1.3.1 Changes to the EIA Screening Process

The EIA Directive (2014/52/EU) has brought a number of changes to the EIA process with a strengthening of the Screening process as follows:

Article 4 (4) of this Directive introduces a new Annex IIA to be used in the case of a request for a screening determination for Annex II projects. This is information to be provided by the developer on the projects listed in Annex II (see below):

Annex II: Information to be provided by the developer on the projects listed in Annex II:

¹ Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU). European Commission 2017. Page 23.

1. A description of the project, including in particular:

- (a) a description of the physical characteristics of the whole project and, where relevant, of demolition works (*Section 2 of this report*);
- (b) a description of the location of the project, with particular regard to the environmental sensitivity of geographical areas likely to be affected (*Section 3 of this report*)

2. A description of the aspects of the environment likely to be significantly affected by the project (*Section 3 of this report*)

3. A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from:

- (a) the expected residues and emissions and the production of waste, where relevant (*Section 4 of this report*) ;
- (b) the use of natural resources, in particular soil, land, water and biodiversity (*Section 4 of this report*).

4. The criteria of Annex III shall be taken into account, where relevant, when compiling the information in accordance with points 1 to 3 (*Section 4 of this report*).

Article 4(4) specifies that the developer may provide a description of any features of the project and/or mitigation measures to avoid or prevent what might otherwise have been significant effects on the environment. It should be noted that this does NOT include compensation measures.

Article 4(5) Determination of Screening

The competent authority shall make its determination, on the basis of information provided by the developer in accordance with paragraph 4 taking into account, where relevant, the results of preliminary verifications or assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive.

The determination shall be made available to the public and:

- (a) where it is decided that an environmental impact assessment is required, state the main reasons for requiring such assessment with reference to the relevant criteria listed in Annex III; or
- (b) where it is decided that an environmental impact assessment is not required, state the main reasons for not requiring such assessment with reference to the relevant criteria listed in Annex III, and, where proposed by the developer, state any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

The EIA Screening prepared here will inform the competent authority, in this instance Dublin City Council, the EIA Screening Determination please see Section 5 of this Report for the EIA Screening Determination as proposed.

1.4 Approach to this EIS Screening

This EIS Screening report has been prepared and informed by the following guidance and guidelines:

- Practice Note on EIA – Office of Planning Regulator, 2021
- Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment, Department of Housing, Planning and Local Government, 2018;

- Environmental Impact Assessment of Projects Guidance on Screening (Directive 2011/92/EU as amended by 2014/52/EU), European Commission, 2017.
- Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development, Department of Environment, Heritage and Local Government, 2003;
- Guidance on the Information to be contained in Environmental Impact Statements Environmental Protection Agency 2002.

1.5 Statement of Authority

This report has been prepared by Ruth Minogue, MCIEEM. Ruth has been a practicing environmental consultant for 24 years and has specialised in the preparation of Environmental Impact Assessment and Strategic Environmental Assessment. Additional inputs were provided by Dr Ronan Hennesy, who provided the Geographical Information Systems analysis and mapping outputs.

2 Description of the Proposed Development

2.1 Site Description

The project site is located at Custom House Quays, on the River Liffey in Dublin city. The existing pontoon extends over the River Liffey and the river itself is enclosed by the quay walls of cut stone masonry. Access across the River Liffey is facilitated by the Sean O'Casey bridge approximately 130m west of the project.

Habitats identified within the site footprint are:

Buildings and artificial surfaces (BL3);

- Sea walls, piers and jetties (CC1);
- Tidal rivers (CW2)

A review of recent aerial photography between 1995 and 2019 indicates that the project site has remained built land and artificial surfaces. The change being the construction of the pontoon since 2005 as well as the construction of the pedestrian bridge. The site is subject to a high level of disturbance including human activities associated with the traffic, walking and cycling as well as the busy city center location. Figure 2.1 presents the site location.

2.2 Project Description

The application site is located within the Docklands area of Dublin City Centre. It is on the River Liffey on an existing pontoon structure adjacent to the Custom House Quay and current Dublin Docklands office building. The proposed project consists of the below elements.

- Element A: Extended Boardwalk and glass balustrading 4.2 m in width joining to the granted 1.8m wide boardwalk. **Proposed area of 495 m²**. This will be supported by four piles.
- Element B: Is the relocation of existing gangway (N.01) further in the East direction as per drawings. Existing Gangway = 22 metres in length, with a width of 2 m approximately.
- Element C: Is the relocation and removal of existing pontoons and proposed seven number pontoons to replace existing pontoons and canopy with glazed roof. Existing pontoon (C) relocation area of 80 m². Existing pontoon (A, B & D) removal area of 239 m².
- **Proposed pontoon area of 486 m². Glazed canopy area of 121 m².**
- Element D: Proposed Gangway (N.02) & platform connected to the extended boardwalk and replacement of existing pontoon with two new pontoons and canopy with glazed roof. Gangway= 24 metres in length, with a width of 1.8 m approximately
- Platform area= 6 m².
- Existing pontoon (E) area of 80 m².
- **Proposed two number pontoons area= 159 m².Glazed canopy area= 37 m².**
- **In total the footprint of the project is 495m²+486m²+159m². This amount to 0.114 ha.**

2.2.1 Approach to the works

There are four main elements to the works.

Element A: Extended Boardwalk and glass balustrading 4.2 m in width joining to the granted 1.8m wide boardwalk and four number river piles.

Element B: Is the relocation of existing gangway (N.01) further in the East direction.

Element C: Is the relocation and removal of existing pontoons and proposed seven number pontoons to replace existing pontoons and canopy with glazed roof.

Element D: Proposed Gangway (N.02) & platform connected to the extended boardwalk and replacement of existing pontoon with two new pontoons and canopy with glazed roof.

The proposed boardwalk will be a galvanised steel frame. This will be fabricated off site and then craned into position on the Quay wall side and bolted together element by element.

Sections of the boardwalk will rest on river piles, these will be installed by a specialist piling subcontractor and will be in line with standard construction methodologies. Vacuum dredging and silt screens will be employed locally to the pile locations. Once the boardwalk frame is completed an aluminium deck will be laid onto the steel frame followed by a glazed balustrade system fixing detail by a specialist supplier.

The relocation of the existing gangway will be craned into the new position once the new pontoons have been installed on the river and bolted into the steel frame of the boardwalk to specialist design.

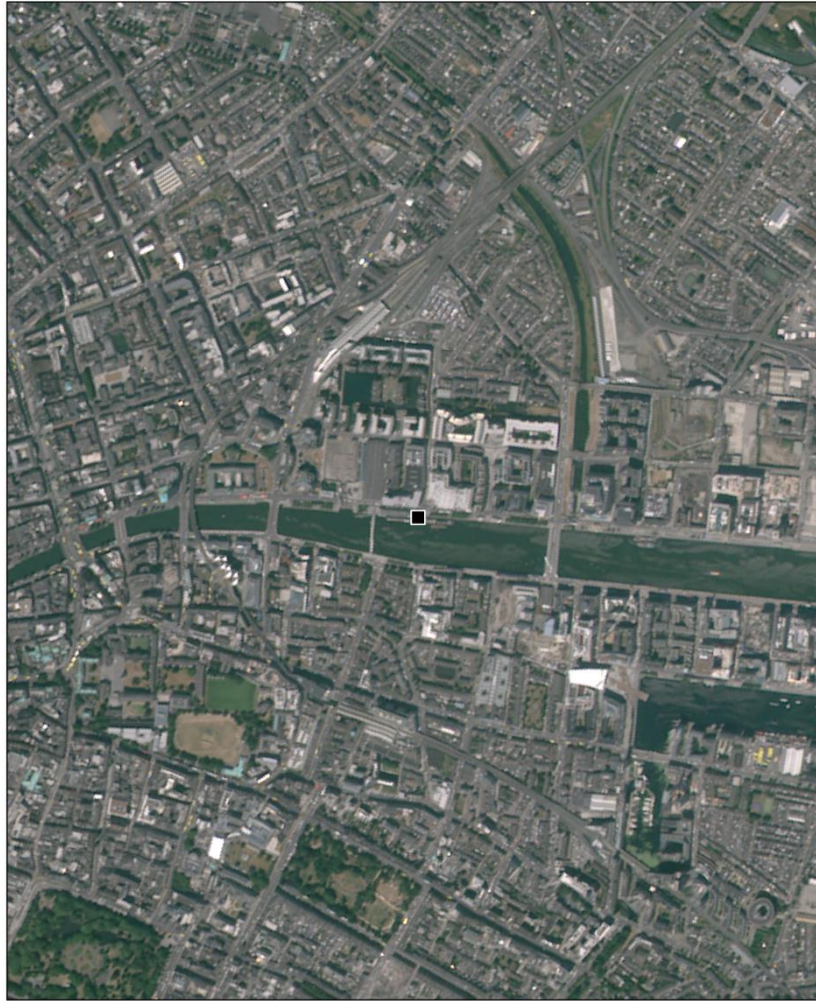
The seven number proposed pontoon panels will be prefabricated off site and then either craned into position or brought up the Liffey on a barge and lifted by crane into position. These will be bolted together with a special connection and then bolted back to the existing pontoon to specialist details. The pontoon will be connected to sea flex anchors as this is the current detail for the existing pontoons. Once these are in place the glulam V-shaped columns will be prefabricated off site and then erected onto a steel plate connection that has been cast into the pontoon. This will be bolted together and continues with the rest of the columns. Once this is complete the glulam roof frame will be bolted together on the base of the pontoon and then lifted by crane onto the columns and bolted into position.

The final phase is to install the glass roof. The glass will be pre cut off site and craned onto the roof structure and bolted into the glulam frame section by section until the roof is complete. The joints between the glazing will be sealed with a high grade silicon.

For element C & D these works will be based on the same approach as per above paragraphs. Piling works will be undertaken between the months of July to September in line with Inland Fisheries Ireland Guidance.

Estimated duration of works is 18 months which includes the building and 6 months for works in the Liffey.

FIGURE 2-1. SITE LOCATION



■ Site

Aerial Imagery - Copernicus VHR 2018

0 0.5 1 km

Data: South Dublin County Council, Fingal County Council, Dun Laoghaire-Rathdown County Council, Wicklow County Council
* Dublin City Council RPS not available



2.3 Receiving Environment

2.3.1 Introduction

Schedule 6 of the Planning and Development Regulations, 2001, as amended, outline the aspects of the environment likely to be significantly affected by a proposed development. These are:

- Human beings
- Fauna and flora
- Soil
- Water
- Air/climatic factors
- Landscape
- Cultural heritage, including the architectural and archaeological heritage and cultural heritage
- Material assets

Table 2.1 presents the baseline information pertaining to the project site.

Figures 2.2 to 2.4 present baseline maps for the project site and surrounding area.

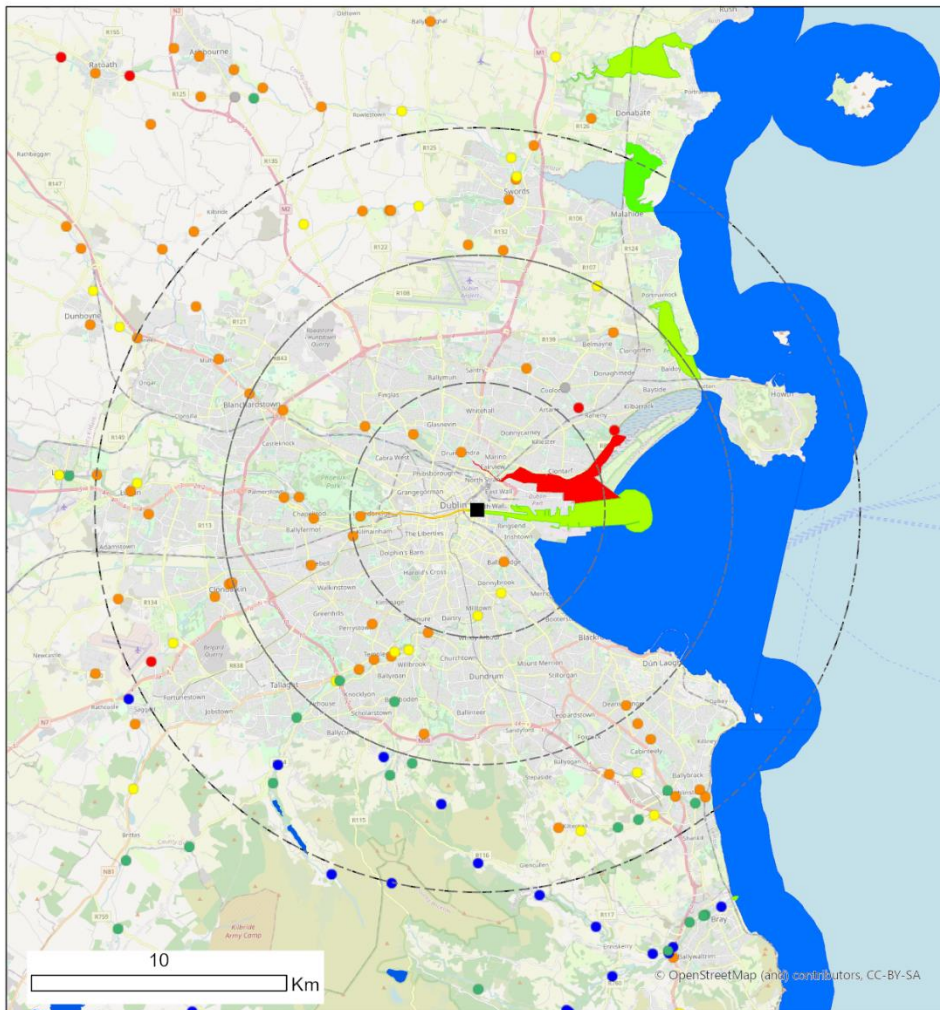
TABLE 2.1 BASELINE INFORMATION FOR THE PROJECT SITE

Parameter	Sub-parameter	Information
Human beings	Population	The project is located within the Electoral District of North Dock C. This district had a population of 4,214 based on the 2016 census data and a deprivation index of 3.49. Landuse comprises office, commercial, hotel and residential space.
	Human Health and Noise	The EPA noise mapping tool (Report period 2017) indicates that Custom House Quay is subject to a maximum value of Lden levels of 65-69dB, with areas beside the quay itself up to 60-64dB. Lnight levels have been recorded as 50-54dB.
Flora and Fauna	Screening for Appropriate Assessment	A screening for Appropriate Assessment under Article 6 of the EU Habitats Directive has also been prepared for this project proposal and should be read in conjunction with this EIA Screening report.
	Summary of Habitats present	The habitat present on the project site is predominately BL3- Built Land and Artificial Surfaces, reflecting the urban landuse in the city centre.
	European Sites	There are nine Special Areas of Conservation and eight Special Protection Area within a 15km radius of the project site.
	Protected species	A search of the 1km grid Ref 01634 on the Biodiversity Ireland website provided the following records of protected species: <ul style="list-style-type: none"> • Black Guillemot (<i>Cepphus grylle</i>) • Black-headed Gull (<i>Larus ridibundus</i>) • Brent Goose (<i>Branta bernicla</i>) • Common Linnet (<i>Carduelis cannabina</i>) • Common Starling (<i>Sturnus vulgaris</i>) • Common Wood Pigeon (<i>Columba palumbus</i>) • Great Cormorant (<i>Phalacrocorax carbo</i>) • Herring Gull (<i>Larus argentatus</i>) • House Sparrow (<i>Passer domesticus</i>) • Mute Swan (<i>Cygnus olor</i>) • Rock Pigeon (<i>Columba livia</i>) • Common Dolphin (<i>Delphinus delphis</i>) • European Otter (<i>Lutra lutra</i>) • Lesser Noctule (<i>Nyctalus leisleri</i>) • Nathusius's Pipistrelle (<i>Pipistrellus nathusii</i>) • Pipistrelle (<i>Pipistrellus pipistrellus sensu lato</i>) • West European Hedgehog (<i>Erinaceus europaeus</i>)
	Invasive Species	The following invasive species were recorded in the 1km Grid 01634

Parameter	Sub-parameter	Information
		<ul style="list-style-type: none"> • Butterfly-bush (<i>Buddleja davidii</i>) • Cherry Laurel (<i>Prunus laurocerasus</i>) • Japanese Knotweed (<i>Fallopia japonica</i>) • Narrow-leaved Ragwort (<i>Senecio inaequidens</i>) • Sycamore (<i>Acer pseudoplatanus</i>) • Three-cornered Garlic (<i>Allium triquetrum</i>) • Traveller's-joy (<i>Clematis vitalba</i>) • Harlequin Ladybird (<i>Harmonia axyridis</i>) • Eastern Grey Squirrel (<i>Sciurus carolinensis</i>) • House Mouse (<i>Mus musculus</i>)
Geology and Soil	Geology	<p>The GSI bedrock under the project site is classified as <i>dark limestone & calcareous shale</i>.</p> <p>The aquifer is designated as <i>Locally Important Aquifer</i> due to a moderately productive bedrock, GSI Vulnerability recorded as <i>Low Vulnerability</i>.</p>
	Soil	As recognized by the SIS National Soils system, the soils underlying the proposed route are largely <i>urban</i> throughout the entirety of the City Centre, including the proposed project site. The subsoils in the project site are designated <i>made</i> .
Water	Surface Water	The project site is situated within the WFD Catchment Liffey and Dublin Bay (09) and the Subcatchment Tolka SC 20 (land) . The river itself is classified as Liffey Estuary Lower transitional water body and is at risk of not meeting the Water Framework Directive objectives for 2027.
	Groundwater	The project site lies on top of the groundwater body Dublin (IE_EA_G_008, described as poorly productive bedrock. The groundwater body is considered <i>Not at risk</i> under the Water Framework Directive, and the Overall Groundwater Status as of 2018 was <i>Good</i> .
	Flooding	The OPW Flood Maps indicate that the project site is at <i>low risk</i> for fluvial flooding with no possibilities of coastal flooding.
Air and Climatic Factors		<p>The proposed site is in Zone A “Dublin Conurbation” under the Air Quality Zones of the EPA. The nearest operational air quality monitoring station to the site is Amiens Street. The monitoring station at Custom House has not provided data since 11/9.2022.</p> <p>Amiens Street data as of 11th October 2022 is air quality index of 1 (good air quality). The latest Particulate Matter readings are as follows (24 hour/mean)</p>

Parameter	Sub-parameter	Information
		<p>PM₁₀</p> <p>13.51µg/m³</p> <p>PM_{2.5}</p> <p>8.98µg/m³</p>
Landscape		<p>The CORINE 2018 Landcover classification applicable for the proposed site are <i>Continuous urban fabric</i>.</p> <p>The quaysides and important landmarks that contribute to the townscape include the pedestrian foot bridge, Customs House and the quays themselves.</p> <p>The landuse zoning in the Dublin City Development Plan 2022 -2028 is Z9, <i>to preserve, provide and improve recreational amenity and open space and green infrastructure</i>.</p>
Cultural heritage		<p>A number of structures identified on the National Inventory of Architectural heritage are present close to the project site as follows:</p> <p>George's Dock Bridge – Reg. No. 50010001</p> <p>Famine' - Reg. N 50010131</p> <p>Georges Dock Reg No: 50010002</p> <p>Custom House Quay, Reg No 50011219</p> <p>City Quay (south side), Reg No 50020258</p> <p>B.J.Marine, Sir John Rogerson's Quay, (south side) Reg 50020466</p>
Material Assets		<p>Wastewater from Dublin city is treated at the Ringsend Wastewater Treatment Plant. The Luas runs parallel to the Custom quays. Bike rental schemes are also available at the Custom House Quays.</p>
Interrelationships between the above parameters		<p>The primary interrelationships identified for this project relate to water resources and biodiversity.</p>

FIGURE 2-2 SURFACE WATER QUALITY

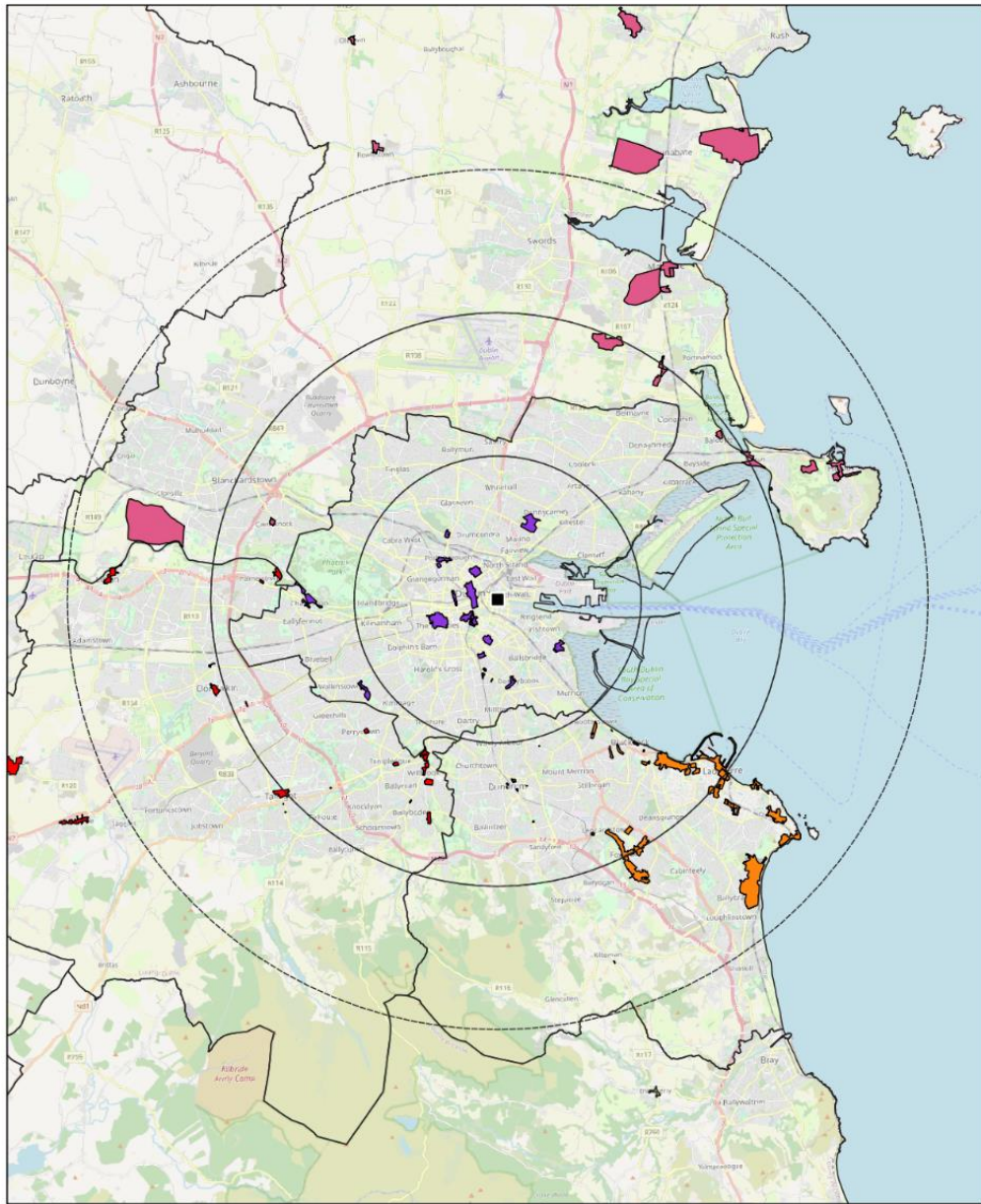


- Site
 - Site: 5km, 10km, 15km Distance
- | | | |
|-------------------------------|-----------------------------------|----------------------------|
| Lake Water Quality | Transitional Water Quality | River Water Quality |
| ■ Oligotrophic / Mesotrophic | ■ Unpolluted | ● High |
| ■ Moderately Eutrophic | ■ Intermediate | ● Good |
| ■ Highly / Strongly Eutrophic | ■ Potentially Eutrophic | ● Moderate |
| ■ Hypertrophic | ■ Eutrophic | ● Poor |
| | ■ Not Assessed | ● Bad |
| | | ● No Q Values |

Surface Water Quality



FIGURE 2-3 ARCHITECTURAL CONSERVATION AREAS



- Site
- Site Buffer 5km, 10km, 15km
- ACA - Wicklow CC
- ACA - South Dublin
- ACA - Fingal
- ACA - Dublin City
- ACA - DLR

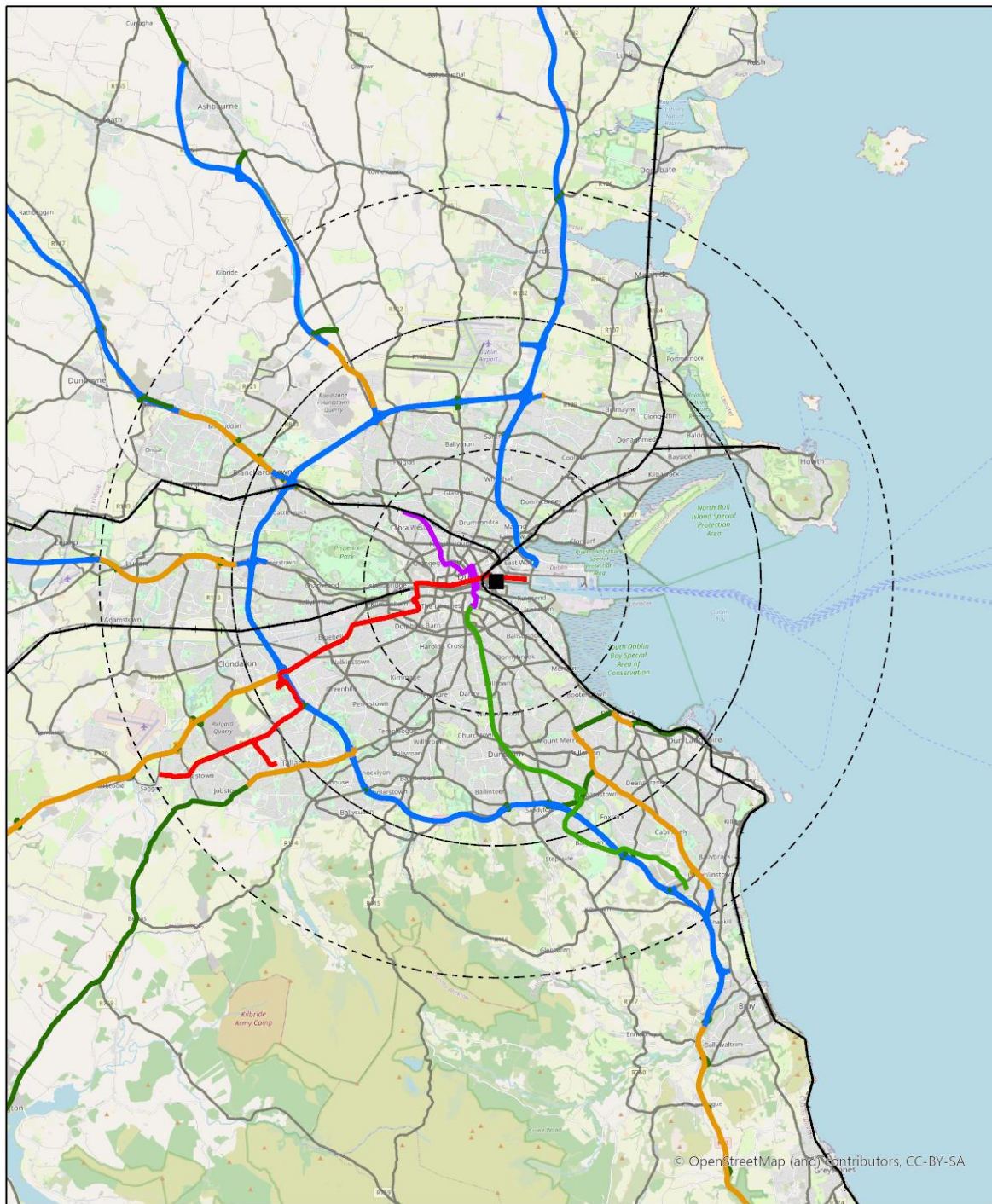
Architectural Conservation Areas

Data: South Dublin County Council, Fingal County Council, Dun Laoghaire-Rathdown County Council, Wicklow County Council, Dublin City Council



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FIGURE 2-4 TRANSPORT



- Site
- +— Railway
- - - Site_5_10_15km_buffer
- Motorway
- Dual Carriageway
- Single Carriageway
- Road

LUAS Lines

- Red Line
- Green Line
- Cross City

Road and Rail Network

Data: OSI Open Data
Date: 2022



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3 EIA Screening

3.1 Environmental Factors to be considered in the EIA Screening

This Environmental Impact Assessment Screening Report assesses whether this proposed development requires “full” Environmental Impact Assessment. The legislation requires screening to be undertaken to determine whether specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made.

As further referenced above, the 2014 EIA Directive introduces a new Annex IIA (which is transposed into Irish planning law as Schedule 7A to the 2001 Regulations) to be used by competent authorities carrying out EIA screening determinations. Schedule 7A requires that the following information be provided by a developer in respect of projects listed in Annex II:

1. A description of the proposed development , including in particular:

a) a description of the physical characteristics of the whole proposed development and, where relevant, of demolition works.

b) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.

2. A description of the aspects of the environment likely to be significantly affected by the proposed development.

3. A description of any likely significant effects, to the extent of the information available on such effects, of the project on the environment resulting from:

a) the expected residues and emissions and the production of waste, where relevant.

b) the use of natural resources, in particular soil, land, water and biodiversity.

4. The compilation of the information at paragraphs 1 to 3 shall take into account, where relevant, the criteria set out in Schedule 7.

3.2 Impact Assessment

Having considered the above environmental factors, the aim of the next section is to address likely impacts on the environment by the implementation of the proposed development. Whether an EIA would be deemed relevant to the scale of the project and the environment will then be determined. The following sections presents the EIA Screening Report based on the criteria contained in Schedule 7a and are grouped under the following headings.

1. Planning Applications within the past five years – Table 3.1

2. Characteristics of the Proposed Development - Table 3.2

3. Location of the Proposed Development - Table 3.3 and

4. Characteristics of Potential Impact Tables 3.4 and 3.5

The screening process assesses the most significant potential impacts in relation to the themes outlined below in Table 4.3. These are considered as follows:

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, with regard to the impact of the project on the factors specified in Article 3(1), taking into account:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved projects;
- (h) the possibility of effectively reducing the impact.

3.3 Projects for the Cumulative Assessment

The proposed development was considered in combination with other projects in the area that could result in cumulative effects on the environment.

The online planning system myplan.ie was consulted on the 2nd June 2023 for the subject lands and immediate surrounds. Please see **Table 3.1** below.

TABLE 3-1 PLANNING APPLICATIONS WITHIN THE PAST FIVE YEARS

A small number of other projects within the area going through the planning process or are under construction currently. The details of these projects are as follows:

<p>Planning Ref:4579/22.</p>	<p>Permission for development on a site of c.28 ha at no. 1 Commons Street, Dublin 1, D01 Y048 (which is a 2 no. storey office at fourth and fifth floor levels, located above the 4 no. storey commercial car park IFSC Carpark, Commons Street, Dublin 1, D01 DA34). The site is bounded to the north by The Exchange, Georges Dock, an office block, to the east by Commons Street, to the south by the Hilton Garden Inn Hotel, Custom House Quay and to the west by Exchange Place. The development will consist of alterations to the front (east), rear (west) elevations at fourth floor level, fifth floor level and roof level (with no change to the floor area of the existing office floor plate or balconies on the east and west elevations at fourth and fifth floor levels), and all ancillary and associated site development works. Replacement of cladding is proposed at third floor level on east and west elevations. In the interest of clarity, there is no proposed increase in existing floor</p>	

	<p>areas and relates to elevation changes only. The development will include demolition of elements of the existing eastern and western fascia including the removal and replacement of windows and cladding, rearrangement of fenestration, new curtain walls, projecting metals fins, balustrades and all associated site development works.,</p>	
4674/22	<p>Ten year planning permission for proposed development comprising : Demolition of the existing buildings and structures;</p> <ul style="list-style-type: none"> • Construction of a building up to 24 storeys in height (108.4 metres above ground) over a double basement including arts centre, offices, gym and ancillary uses; • The arts centre is contained at basement -1, ground and first floor level • The gym is proposed at ground level onto Moss Street; The offices are proposed from ground to 23rd floor (24th storey) with terraces to all elevations; • The double basement provides for 11 car parking spaces and 424 bicycle spaces • The overall gross floor area of the development comprises 35,910 sq.m. including 1,404 sq.m. arts centre, 22,587 sq.m. offices and 244 sq.m. gym. All ancillary and associated works plant, and development including temporary construction works, public realm, landscaping, telecommunications infrastructure, utilities connections and infrastructure. An Environmental Impact Assessment Report and Natura Impact Statement have been prepared in respect of the proposed development and have been submitted with the planning application. 	

The project however will not have the potential to combine with other land use activities to result in likely significant effects to qualifying habitats or species of the European sites. the above environmental factors, the aim of the next section is to address likely impacts on the environment by the implementation of the proposed development.

A brief overview of the sensitivities and impacts will be highlighted. Whether an EIA would be deemed relevant to the scale of the project and the environment will then be determined. The following sections present the EIA Screening based on the criteria contained in Schedule 7a and are grouped under the following headings:

1. Characteristics of the Proposed Development - Table 4.2

2. Location of the Proposed Development - Table 4.3 and

3. Characteristics of Potential Impact - Tables 3.2 and 3.3

TABLE 3.2. CHARACTERISTICS OF THE PROPOSED DEVELOPMENT

Screening Question	Response
1. Characteristics of projects	The characteristics of projects must be considered, with particular regard to:
(a) the size and design of the whole project	<p>The project relates to the existing pontoon at Custom House Quay and involves works as described in Section 2.2 of this report.</p> <p>It is minor in scale and design, with a footprint of approximately 0.114 ha, within a well established urban environment with existing levels of human presence and associated noise and traffic.</p> <p>Of itself the project is not identified as giving rise to significant environmental effects due to scale, nature and size of the proposed development.</p>
(b) cumulation with other existing and/or approved projects;	The proposed development was considered in combination with other projects in the area that could result in cumulative effects on the environment. Please see Table 3.1 for information on these projects. No significant environmental effects are identified from interaction or in combination with other existing or approved projects.
(c) the use of natural resources, in particular land, soil, water and biodiversity;	<p>Due to the scale and nature of the project, negligible volumes of natural resources will be used during the construction process which will be off site using prefabricated units. The approach to piling is in line with standard construction practices and relevant good practice. Natural resources will not be used from the surrounding environment.</p> <p>Given the above approaches the project does not result in likely significant effects on the environment.</p>
(d) the production of waste;	<p>Yes, but not significant. Ancillary wastes will be managed to be separated to appropriate waste streams for local reuse or for disposal during to suitably licensed facilities in the region.</p> <p>Likely significant effects on the environment are not identified.</p>
(e) pollution and nuisances;	The construction phase and approach to works is described in Section 2.2.1 of this report. Implementation and adherence to standard construction practices and a focus on off site fabrication where possible reduces the risk of pollution and nuisance to negligible levels. The

Screening Question	Response
1. Characteristics of projects The characteristics of projects must be considered, with particular regard to:	
	project is not expected to result in any likely significant effects on the environment.
(f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;	The risks of major accidents are not considered to be significant subject to standard construction practices being followed through the construction phase and with most construction work offsite. The project will include proper site management, maintenance and operation of all machinery and works associated with the construction phase, on site safety and training. Given the above approaches, the project does not pose significant risk of major accidents and/or disaster.
(g) the risks to human health (for example due to water contamination or air pollution).	As above, significant risks to human health are not identified for this proposal. Positive effects are identified in relation to Population and Human Health and Material Assets due to the augmentation of street infrastructure for public use. Given the above approaches the project does not result in likely significant effects on the environment
Will the proposed development create a significant amount of nuisance during its construction or operation?	It is not anticipated that significant noise levels will arise during construction (they will be temporary and restricted to machinery) and operational noise is not identified as being significant. Given the above approaches the project does not result in likely significant effects on the environment

Conclusion: No significant effects likely to arise associated with the characteristics of the proposed development.

Rationale: The works associated with the project site are minor in scale and nature, construction activities are localised and minor; with the application of standard construction practice guidance no significant adverse effects are identified.

TABLE 3.3 . LOCATION OF THE PROPOSED DEVELOPMENT

Screening Question	Response
The environmental sensitivity of geographical areas likely to be affected by projects must be considered, with particular regard to:	For the purposes of this Part 8 consent process, the proposed project relates to the extension of existing pontoon, boardwalk extension and canopy. Given the overall approach and measures as presented in Section 2 of this report, the project does not result in

Screening Question	Response
(a) the existing and approved land use;	likely significant effects on the environment. The existing landuse is urban and the proposed development enhances rather than detracts from the urban landuse and public realm.
(b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground	The works will not impact the natural resources in the area. The works do not result in likely significant effects on the environment.
<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>(iv) nature reserves and parks;</p> <p>(v) areas classified or protected under national legislation; Natura 2000 areas designated by Member States pursuant to Directive 92/43/EEC and Directive 2009/147/EC;</p>	<p>The proposed development of itself is not predicted to result in changes to the patterns of surface water runoff that currently exist. A screening statement for Appropriate Assessment has been prepared by MEC and it was found that no likely significant effects on the conservation management objectives of European Sites.</p> <p>Given the above approaches the project does not result in likely significant effects on the environment.</p>
(vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;	<p>There are no direct or indirect effects identified for the project and potential risks to these surface waters of the River Liffey Estuary. The volumes of surface water represent a miniscule fraction of the volumes discharging to the River Liffey and Dublin Bay. There are no potential impacts identified for water quality or alterations to hydrological streams. The project does not result in likely significant effects on water resources in the environment.</p> <p>Measures included in the overall scheme and as outlined above are not identified as generating additional pressure on the groundwater quality which is good within this area.</p> <p>Given the above approaches the project does not result in likely significant effects on the environment.</p>

Screening Question	Response
(vii) densely populated areas;	The project site is adjacent to an established urban area and given its minor size and scale, no negative effects are identified in relation to this criterion.
(viii) landscapes and sites of historical, cultural or archaeological significance	Given the above approaches the project does not result in likely significant effects on the environment, no such effects are identified.

Conclusion: No significant effects likely to arise associated with the location of the proposed development.

Rationale: construction works are largely off site and will comprise pre fabricated elements. The provision of four piles to support the canopy will be undertaken in line with standard construction practices. . The project in and of itself is minor in scale and represents small and minor modifications to an existing established pontoon in a busy urban city centre locations. The works as proposed in this development are considered to result in negligible environmental effects given the above approach the potential construction related effects is reduced to minimal effects.

The screening process assesses the most significant potential impacts in relation to the themes outlined below in Table 3.4 below. These are considered as follows:

3.3.1 Type and Characteristics of the Potential Impacts

The likely significant effects of projects on the environment must be considered in relation to criteria set out in points 1 and 2 of this Annex, with regard to the impact of the project on the factors specified in Article 3(1), taking into account:

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved projects;
- (h) the possibility of effectively reducing the impact.

TABLE 3-4. LOCATION OF THE PROPOSED DEVELOPMENT

Environmental Topic	Potential Impact
Human Beings	The project does not result in likely significant negative effects on the environment in relation to Human beings due to the scale, location, type of project and approach to construction.
Flora and Fauna	The project does not result in likely significant effects on the environment in relation to Flora and Fauna. No instream works are

Environmental Topic	Potential Impact
	proposed and the project in and of itself is not identified as giving rise to effects on flora and fauna.
Soil and Geology	The project does not result in likely significant effects on soil and geology due to the scale, size, type and location of the project and the approach to construction.
Water	<p>The existing pontoon extends over the River Liffey and the project does not represent a significant increase in the footprint of the pontoon nor are any instream works proposed amounting to 0.114 ha. The provision of pilings to support the canopy is in line with the standard construction approach as outlined in Section 2.2.1</p> <p>The construction approach for pre fabricated units reduces the risk of any construction related activities on the water resources. The project does not result in likely significant effects on water resources in the environment.</p>
Air Quality and climate	Emissions during works phase will be minimized through best practice and will be temporary in duration and nature. The project does not result in likely significant effects on the air quality and climate .
Noise and Vibration	Noise during the construction phase may result in temporary and relate only to the installation element of the works. The project does not result in likely significant effects on the environment.
Cultural Heritage	The project is located adjacent to the city quay walls and other features of cultural importance. Given the scale, type and duration of the project no significant effects on this parameter are identified.
Landscape	No significant alteration of landscape character in and of itself, as the area will retain its urban design and character, no significant effects identified.
Interrelationship between above parameters	The key interrelationship arises between Water resources and biodiversity. Given the approach outlined in Section 2, the project does not result in significant negative effects on the environment and is expected to enhance the wellbeing of the community in the longer-term and enhance material assets.

Conclusion: No significant effects likely to arise associated with the potential impacts on environmental parameters.

Rationale: Localised and temporary negligible impacts are identified associated with installation and operation. The nature of the receiving environment and the proposed development, together with the effective implementation of the standard construction and installation measures means that there is no real likelihood of significant effects on the environment.

TABLE 3.5 . LOCATION OF THE PROPOSED DEVELOPMENT

<p>Characteristics of potential impacts</p> <p>The potential significant effects of proposed development in relation to criteria set out under Tables 3.3. and 3.2 above, and having regard in particular to:</p>	
<p>(a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>Minor to negligible temporary impacts are identified primarily at installation stage only.</p> <p>The geographic area of the proposed works are confined to the immediate project site, accordingly, there is no significant impact associated with the operational phase of the development.</p>
<p>(b) the nature of the impact;</p>	<p>Impacts are identified as temporary as they relate to the installation stage and sufficient and detailed measures as shown in section 2.</p>
<p>(c) the transboundary nature of the impact;</p>	<p>There are no transboundary impacts identified for the proposed project.</p>
<p>(d) the intensity and complexity of the impact;</p>	<p>Given the scale, size and nature of the project no significant effects are identified.</p>
<p>(e) the probability of the impact;</p>	<p>There is low probability of impacts given the approach to off site construction where possible and minimal provision of piling (4 no in total) and installation approach.</p>
<p>(f) the expected onset, duration, frequency and reversibility of the impact;</p>	<p>Impacts identified for topics are not significant and will be temporary and reversible in nature, as they relate to installation phase only.</p>
<p>(g) the cumulation of the impact with the impact of other existing and/or approved projects;</p>	<p>The proposed development was considered in combination with other projects in the area that could result in cumulative effects on the environment. Please see Table 3.1 for information on these projects. No significant environmental effects are identified from interaction or in combination with other existing or approved projects. The proposed works have been assessed cumulatively within this Environmental Impact Assessment (EIA) Screening Report and concludes that potential cumulative effects are not identified.</p>

Conclusion: No significant effects likely to arise associated with the characteristics of the potential impacts.

Rationale: Minor, localised and temporary impacts are identified associated with this project. The scale, nature, design and location of the project is not identified as giving rise to significant negative effects across the EIA topics.

3.3.2 Identification of the Relevant Assessments Available

In consideration of a recent high court case (Waltham Abbey Residents Association v. An Bord Pleanala & ORS), the following statement was made:

“The kind of assessments that should be brought together in the statement under 299B(1)(b)(ii)(II)(C) include those under the following directives:

- (i) directive 92/43/EEC, the habitats directive: see EC EIA, Guidance on Screening, 2017, p. 44;
- (ii) directive 2000/60/EC, the water framework directive: see EC EIA, Guidance on Screening, 2017, p. 44;
- (iii) directive 2001/42/EC, the SEA directive: see EC EIA, Guidance on Screening, 2017, p. 44;
- (iv) directive 2002/49/EC, regarding environmental noise;
- (v) directive 2008/50/EC, the clean air for Europe directive;
- (vi) directive 2007/60/EC, regarding the assessment and management of flood risks; as well of course as
- (vii) any other relevant provision of EU law.”

For this EIA Screening Report, the following sources are pertinent:

- (i) Strategic Environmental Assessment for the Dublin City Development Plan 2022 -2028
- (ii) SEA ER and Natura Impact report of the Dublin City Development Plan 2022-2028
- (iv) Irish Water Annual Environmental Report 2021 for Ringsend WWTP
- (v) Relevant Planning applications

3.3.3 Results of Relevant Available Assessments

3.3.3.1 Dublin City Development Plan 2022 -2028, SEA ER and NIR

The landuse zoning in the Dublin City Development Plan 2022 is Z9,

Land-Use Zoning Objective Z9: To preserve, provide and improve recreational amenity, open space and ecosystem services.

No comment in NIR or SEA ER relating to specific Z9 landuse zoning relating to this project site..

3.3.3.2 Annual Environmental Report (AER) Ringsend Wastewater Treatment Plant, Irish Water, 2021.

The WWTP was non-compliant with the Emission Limit Values (ELV's) set in the wastewater discharge licence. There were 68 samples non-compliant with the ELV in relation to cBiological Oxygen Demand (BOD). The non-compliance is due to overloading. There were 71 samples non-compliant with the ELV in relation to Chemical Oxygen Demand (COD). The non-compliance is due to overloading. There were 169 samples non-compliant with the ELV in relation to TSS. The non-compliance is due to overloading. There were 100 samples non-compliant with the ELV for TP. The non-compliance was due to no P removal treatment on site. There were 91 samples non-compliant with the ELV for TN. The non

compliance was due to overloading. The WWTP effluent was compliant with the pH and Toxicity ELVs set in the wastewater discharge licence. The WWTP was non-compliant with the ELV set in the wastewater discharge licence for Faecal Coliforms (E. Coli) monitored during the specified period 01/05/20 to 31/08/20 (2 breaches). The two breaches of the Condition 2 ELV occurred on the 29/06/2021 (241,960 MPN/100ml) and the 20/07/2021 (198,630 MPN/100 ml).

As no permanent wastewater infrastructure or facilities are associated with project, the project is not identified as generating or contributing to capacity issues at the Ringsend Wastewater Treatment Plant.

3.3.3.3 Water Framework Directive

The project site is situated within the WFD Catchment Liffey and Dublin Bay (09) and the Subcatchment Tolka SC 20. The river itself is classified as Liffey Estuary Lower transitional water body and is at risk of not meeting the Water Framework Directive objectives for 2027. The project site lies on top of the groundwater body Dublin (IE_EA_G_008, described as poorly productive bedrock. The groundwater body is considered Not at risk under the Water Framework Directive, and the Overall Groundwater Status as of 2018 was Good. The groundwater body is considered Not at risk under the Water Framework Directive, and the Overall Groundwater Status as of 2018 was Good.

4 Conclusion

4.1 Screening Determination

Article 4(5) of the EIA Directive states:

The competent authority shall make its determination, on the basis of information provided by the developer in accordance with paragraph 4 taking into account, where relevant, the results of preliminary verifications or assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive.

The determination shall be made available to the public and:

(a) where it is decided that an environmental impact assessment is required, state the main reasons for requiring such assessment with reference to the relevant criteria listed in Annex III; or

(b) where it is decided that an environmental impact assessment is not required, state the main reasons for not requiring such assessment with reference to the relevant criteria listed in Annex III, and, where proposed by the developer, state any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.

This EIA Screening Report has concluded that the effects of the proposed development are not identified as giving rise to significant negative effects on the environment, due to the scale, nature, location and design of the proposed development.

The approach to construction which involves off site prefabrication and minimal approach to installation provide safeguards in relation to potential impacts identified in the preceding tables, which are identified as temporary and negligible in nature.

Given the scale and nature of the project and taking account of all available information, the overall probability of impacts on the receiving environment arising from the proposed development is considered to be negligible.

The information provided in this EIA Screening Report can be used by the competent authority Dublin City Council to conclude and determine that an EIA is not required for the proposed project as there will be no significant negative effects

The overall conclusion for this screening appraisal is that, having considered the appropriate criteria, Environmental Impact Assessment for the project is not required.

References

Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment (2018)

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

OPR Practice Note PN02 Environmental Impact Assessment Screening (2021)

Irish Water, Annual Environmental Report for Ringsend WWTP (2021)

Dublin City Development Plan 2022- 2028, SEA ER and NIR