

Environmental Impact Assessment Screening Report for proposed Pontoon at Islandbridge, Dublin 8

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1 Introduction

CAAS Ltd. has been appointed by Sean Harrington Architects on behalf of Dublin City Council (DCC) to prepare this Environmental Impact Assessment Screening Report for the proposed Installation of a pontoon at Islandbridge, Dublin 8 (the proposed development). This report has been prepared 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.

The screening assesses the proposed development with reference to the EIA legislation including the EIA Directive, and Planning and Development legislation¹ and key case law. It also has regard to relevant parts of:

- *EIA Guidance for Consent Authorities regarding sub-threshold development*, 2003, Department of the Environment, Heritage and Local Government
- *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*, 2018, Department of Housing, Planning and Local Government
- *OPR Practice Note PN02 Environmental Impact Assessment Screening*, 2021, Office of the Planning Regulator
- relevant EU Guidance including *Interpretation of definitions of project categories of annex I and II of the EIA Directive*, 2015, EU and *Environmental Impact Assessment of Projects - Guidance on Screening*, 2017, EU.

The first step involves a review of the development characteristics to find out if the development corresponds to any type which is subject to the EIA requirements as set out in the legislation. If it does correspond to any such type then the second step is to carry out a 'preliminary examination' to establish the likelihood of significant effects on the environment arising from the proposed development. The outcome of the preliminary examination determines the subsequent steps of the screening process which may involve sub-threshold considerations and review against prescribed criteria for determining whether the development should be subject to EIA.

The information on the proposed development that is used for purposes of this report has been obtained from Sean Harrington Architects, including a written description and drawings.

The following sections of this report cover:

- The proposed development (s2)
- The legislative basis for EIA (s3)
- Project type (s4)
- Sub-threshold development (s5)
- Preliminary examination (s6)
- Conclusion (s7)

An overview of the author's competency is provided in Appendix I.

¹ see section 3 for details

2 The proposed development

2.1 Location

The proposed project is located on an island on the River Liffey, to the west of Islandbridge. The surrounding area is urban with Phoenix Park located to the north and the Memorial Gardens to the southwest. There are a number of residential apartment developments and rowing clubs in the immediate vicinity.

2.2 Overview of the proposed development

The proposed development is to provide a pontoon on the island with associated walkways to facilitate access to the River for rowing boats and kayaks. The proposed pontoon is comprised of a number of smaller pontoon elements outlined below. The site is currently used for such leisure and recreational activities but is not optimised as such. The pontoon will also to prevent damage to the banks of the island.

2.3 Development details

The works proposed plan to combine the following elements:

1. Construction of a pontoon for use in recreational activities in the River Liffey;
2. Improving existing walkways that already exist on the proposed site.
3. Installation of a 4x4 m wide landing pontoons
4. Installation of a 18x4 m wide rowing pontoons
5. Installation of a 16x3 m gangway



Figure 1 Site location map

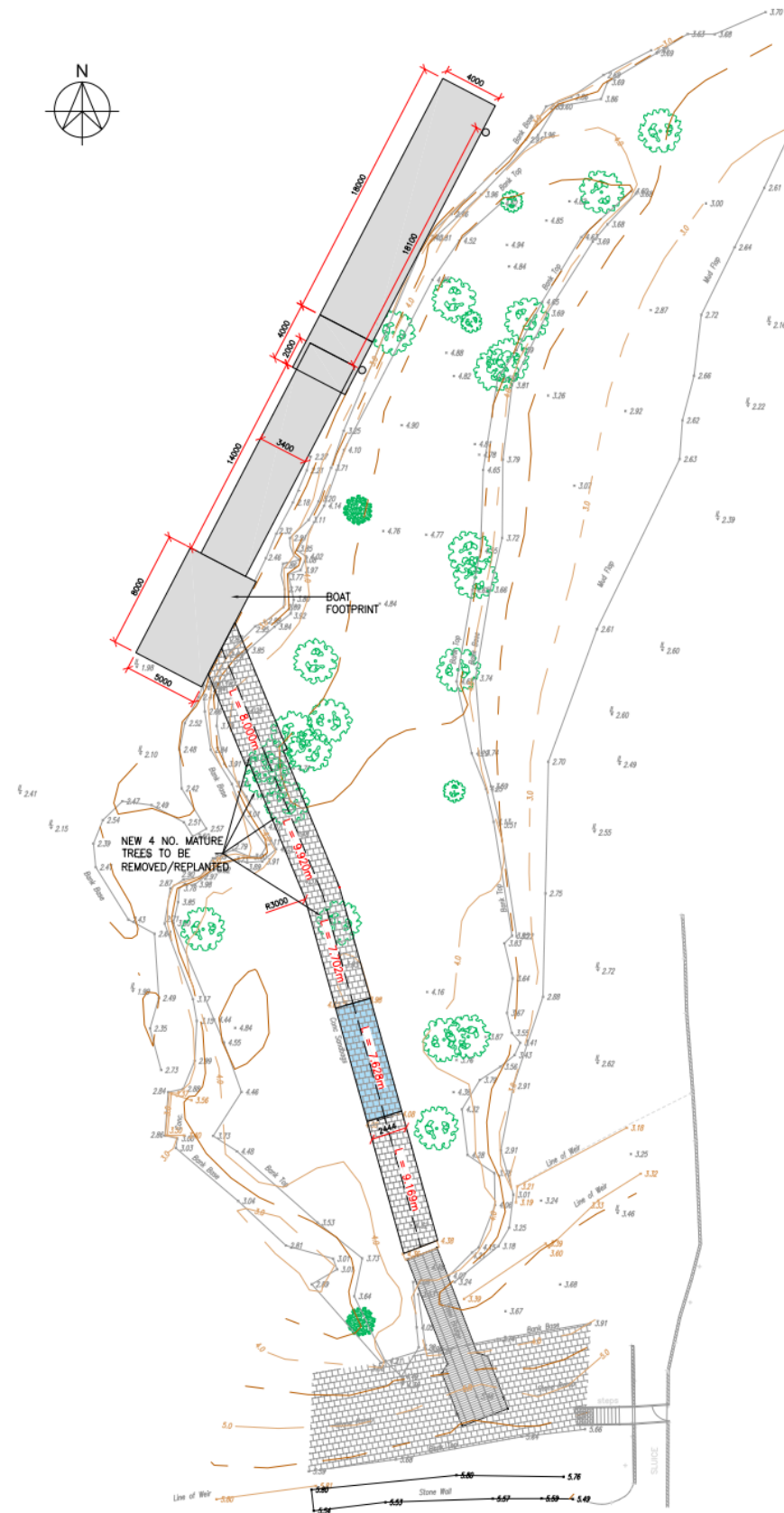


Figure 2 Overview Plan ²

² Source: Malone O'Regan Consulting Engineers. Full scaled version of the drawing is available separately

3 Legislative basis for EIA

EIA requirements derive from EU Directive 2011/92/EU (as amended by Directive 2014/52/EU) on the assessment of the effects of certain public and private projects on the environment. The Directive has been transposed into various Irish legislation of which the following are the most relevant to this development.

- The Planning and Development Acts 2000-2020 (Part X), as amended by, *inter alia*, the:
 - Planning and Development Regulations 2001 (S.I. 600/2001)
 - European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018) (S.I. 296/2018)

Part 1 of Schedule 5 of these regulations lists projects included in Annex I of the Directive which automatically require EIA.

For projects included in Annex II of the Directive, Part 2 of Schedule 5 provides thresholds above which EIA is required.

4 Project type

In the first instance it is necessary to determine whether the development is of a type that requires EIA.

Potentially relevant project types prescribed for EIA purposes in the Roads and Planning and Development legislation are listed in the table below, with commentaries of their applicability to the proposed development.

Project type / criteria	Comment	Is EIA required on this basis?
S.I. 600/2001, Schedule 5		
Pt. 1, Project type 8.		
<p>(a) <i>Inland waterways and ports for inland waterway traffic which permit the passage of vessels of over 1,350 tonnes.</i></p> <p>(b) <i>Trading ports, piers for loading and unloading connected to land and outside ports (excluding ferry piers) which can take vessels of over 1,350 tonnes.</i></p>	<p>The proposed development does not correspond to type 8 (a) as it not for construction of a new waterway or port.</p> <p>The proposed development does not correspond to type 8 (b) as it is not a port or pier for loading and unloading.</p>	

Project type / criteria	Comment	Is EIA required on this basis?
Pt 2, Project type 10. <i>Infrastructure projects (b) (iv)</i>		
<p><i>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.</i></p> <p><i>(In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use.)</i></p>	<p>Commission guidance³ lists a range of projects, stating that these or other projects with similar characteristics can be considered to be ‘urban development’. These include:</p> <ul style="list-style-type: none"> • Shopping centres • Bus garages • Train depots • Hospitals • Universities • Sports stadiums • Cinemas • Theatres • Concert halls • Other cultural centres • Sewerage or water supply networks <p>The proposed project does not correspond to or have similar characteristics to any of the above listed project types.</p>	No
Pt 2, Project type 10. <i>Infrastructure projects (e)</i>		
<p><i>‘New or extended harbours and port installations, including fishing harbours, not included in Part 1 of this Schedule, where the area, or additional area, of water enclosed would be 20 hectares or more, or which would involve the reclamation of 5 hectares or more of land, or which would involve the construction of additional quays exceeding 500 metres in length.’</i></p>	<p>The proposed development does not correspond to section (e) as it is not a new harbour or an extension of a harbour.</p>	No

³ Interpretation of definitions of project categories of annex I and II of the EIA Directive, 2015, EU

5 Sub-threshold development

Article 92 of the Regulations of 2001, as amended define 'sub-threshold development' as:

development of a type set out in Part 2 of Schedule 5 which does not equal or exceed, as the case may be, a quantity, area or other limit specified in that Schedule in respect of the relevant class of development.

Because, as stated in s4, the proposed development does not correspond to any project type or class of development given in Schedule 5, it does not comprise 'sub-threshold development'.

6 Preliminary Examination

Article 120(a)(1)(a) of the Planning and Development Regulations 2001, as amended, requires that prior to screening a project for EIA: -

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

As the proposal is not a sub-threshold development, there is no requirement to carry out any preliminary examination.

7 Conclusion

It is considered that the proposed Installation of a pontoon at Islandbridge, Dublin 8 does not need to be subject to Environmental Impact Assessment and no Environmental Impact Assessment Report is required for it.

This conclusion is based on an objective review of the characteristics of the proposed development against the project types which are prescribed for EIA purposes. The screening has followed the relevant legislation and has had regard to the relevant guidance

Appendix I - Competency of Authors

Paul Fingleton, the lead author, has an MSc in Rural and Regional Resources Planning (with specialisation in EIA) from the University of Aberdeen. Paul is a member of the International Association for Impact Assessment as well as the Institute of Environmental Management and Assessment. He has over twenty-five years' experience working in the area of Environmental Assessment. Over this period, he has been involved in a diverse range of projects including contributions to, and co-ordination of, numerous complex EIARs and EIA screening reports. He has also contributed to and supervised the preparation of numerous AAs and AA screenings.

Paul is the lead author of the current EPA Guidelines⁴ and accompanying Advice Notes⁵ on EIARs. He has been involved in all previous editions of these statutory guidelines. He also provides a range of other EIA related consultancy services to the EPA. Paul is regularly engaged by various planning authorities and other consent authorities to provide specialised EIA advice.

Clodagh Ryan, Environmental Assistant has a BSc in Environmental Management, Dublin Institute of Technology, 2021. Clodagh liaises with various government agencies and local authorities in order to assimilate the environmental baseline information that is used in EIAs and AAs and assists in the preparation of the various EIA and AA related documentation

⁴ *Guidelines on the information to be contained in Environmental Impact Assessment Reports*, EPA, 2022

⁵ *Advice notes on current practice in the preparation of Environmental Impact Assessment Reports*, EPA, 2003