

SEA SCREENING REPORT

Proposed Variation (No. 29) of Dublin City Development Plan 2016-2022 Site at 5-6 Malahide Road, Dublin 17

1. Preliminary:

The SEA Directive was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number (SI No. 435 of 2004) and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (SI No. 436 of 2004). Both sets of Regulations became operational on 21st July 2004. The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (SI No. 200 of 2011) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011).

2. Purpose of Report:

The purpose of the report is to consider whether the proposed draft variation of the Dublin City Development Plan 2016-2022 requires a SEA. The assessment is based on the criteria set down in Schedule 2A of the Planning and Development Regulations 2001, as amended, the DoEH&LG SEA Guidelines and Annex II of Directive 2001/42/EC.

3. Proposal:

It is proposed to vary the Dublin City Development Plan 2016-2022 by changing the zoning of the site at 5-6 Malahide Road, Dublin 17

From: Zoning Objective Z6 – To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.

To: Zoning Objective Z1 – To protect, provide and improve residential amenities.

4. Further Detail on the Proposal:

This site has an area of approximately 0.19 hectares and is located on the northern side of Malahide Road, between the Crown Paints Facility at nos. 1-3 Malahide Road and no. 1 Newtown Cottages. The site is occupied by two detached single storey dwellings and has two vehicular entrances and a pedestrian entrance onto Malahide Road.

The proposed variation area is delineated on the following map

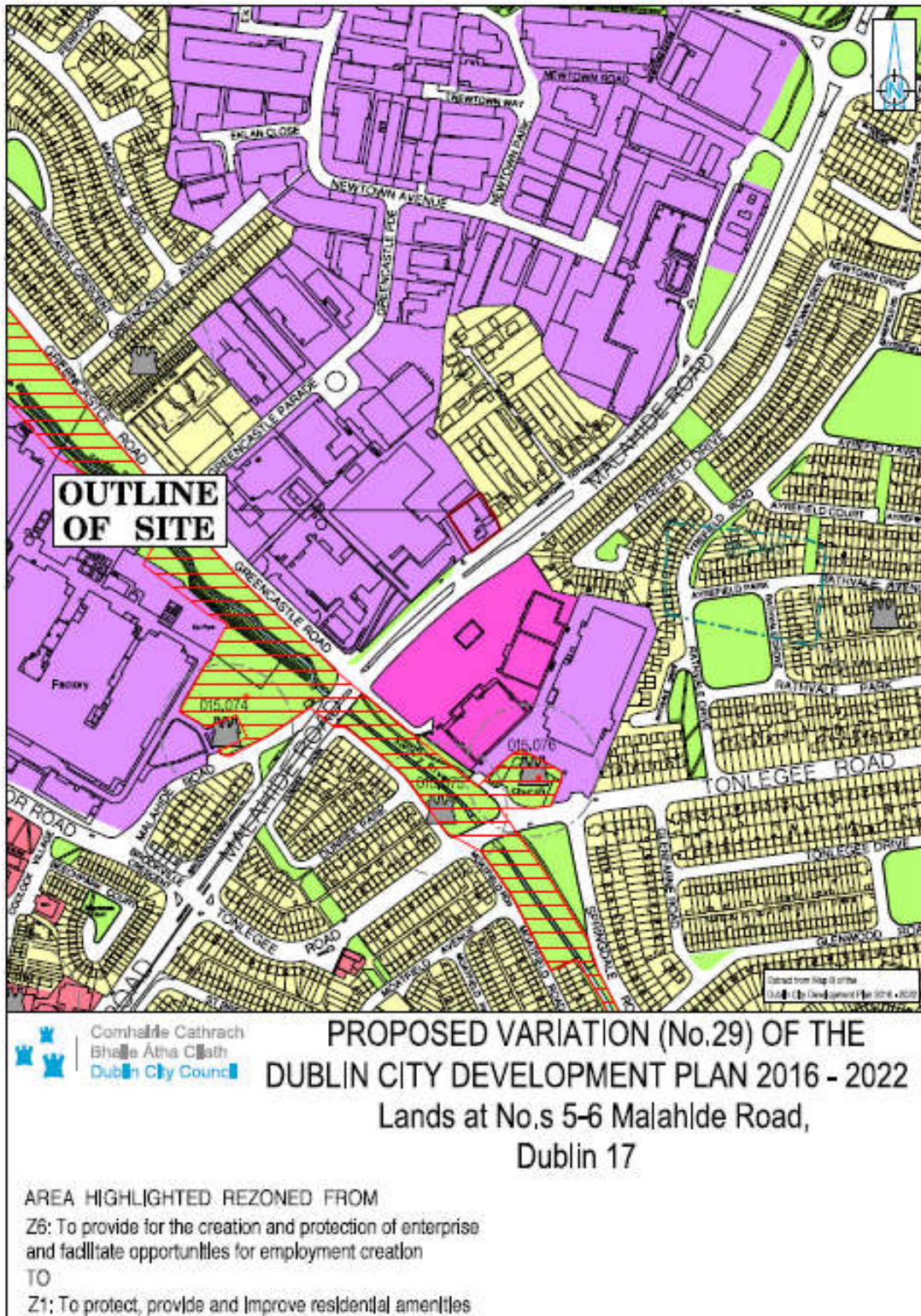


Fig. 1: Location of Proposed Variation to Dublin City Development Plan 2016-2022, site at 5-6 Malahide Road, Dublin 17.

5. Explanation

The Planning Authority considers that it is appropriate to change the zoning of the subject lands from Z6 to Z1.

This site has an area of approximately 0.19 hectares and is located on the northern side of Malahide Road, between the Crown Paints Facility at nos. 1-3 Malahide Road and no. 1 Newtown Cottages. The site is occupied by two detached single storey dwellings and has two vehicular entrances and a pedestrian entrance onto Malahide Road.

The Planning Authority considers that it is appropriate to change the zoning of the subject lands from Z6 (Employment/Enterprise) to Z1 (Sustainable Residential Neighbourhoods).

This Variation is required as a correction to the Z6 (Employment/Enterprise) zoning of these two houses which appear to have been zoned Z6 in error for the last three Development Plans and would be more appropriate to be zoned Z1 (Sustainable Residential Neighbourhoods), as the adjoining houses at Newtown Cottages are zoned.

The proposed rezoning of the site from Z6 to Z1 would both be more in keeping with the Z1 zoning of the adjoining dwellings at Newtown Cottages and would also allow for housing in this established residential suburb.

6. Requirements

In terms of the Regulations it is mandatory to undertake the screening process to determine whether or not to carry out a strategic environmental assessment as set out in Article 13K of the Regulations. An assessment of the proposed variation in terms of the criteria set out in Schedule 2A of the Regulations is set out below.

7. Assessment in terms of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011

THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:
<p>The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;</p> <p>This is a variation to Dublin City Development Plan 2016-2022. The variation is change the land use zoning from Z6 (Enterprise and Employment) to Z1 (Sustainable Residential Neighbourhoods). The variation to the development plan will allow for the provision of residential use.</p> <p>The variation will not set a framework for projects and other activities.</p>
<p>The degree to which the plan influences other plans, including those in a hierarchy.</p> <p>As a variation to the City Development Plan, the variation is compatible and complementary with the strategies, policies and objectives of the development plan relating to the delivery of housing and sustainable residential development.</p>
<p>The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.</p> <p>As a variation to the City Development Plan, the variation is being prepared under the Planning and Development Act 2000 (as amended) and therefore must adhere to the principles of proper planning and sustainable development.</p> <p>The central ethos of the Plan is to provide for sustainable development including sustainable residential development in well connected locations.</p>

Environmental problems relevant to the plan.

The main objective of the variation is to reflect the residential use of the site. It is not considered that there will be any significant environmental problems generated by the plan.

The relevance of the plan for the implementation of European Union legislation on the environment (e.g. plans linked to waste management or water protection).

These plans and programmes are considered under the City Development Plan 2016-2022. The proposed variation would only have relevance at local scale (if any) to the implementation of European Union legislation on the environment.

CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED, HAVING REGARD, IN PARTICULAR, TO:

The probability, duration, frequency and reversibility of the effects.
None

The cumulative nature of the effects.
None

The transboundary nature of the effects.
The proposed variation to the Development Plan will have no national, regional or inter-county transboundary effects.

The risks to human health or the environment (e.g. due to accidents).
The proposed variation will not result in any risks to human health.

The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).
The site is restricted to a limited area of 0.19ha. The proposed variation will reflect the residential uses on the site. The effects of the variation on the subject site and in the wider environs will be minimal.

The value, and vulnerability of the area likely to be affected due to:
(a) special natural characteristics or cultural heritage;
The proposed Variation will have no impact on any special natural characteristics or cultural heritage.

According to the EPA's Environmental Sensitivity Mapping Webtool, the site is located approximately 220m north-east of the Santry River which is an "At Risk" water body under the Water Framework Directive.

The site is located within Flood Zone C where there is a low probability of flooding and any development of the site would be required to comply with Objective SIO8 of the Dublin City Development Plan 2017-2022 which requires all development proposals to carry out, to an appropriate level of detail, a Site-Specific Flood Risk Assessment.

(b) exceeded environmental quality standards or limit values;
It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas limited as a result of the proposed variation.

(c) intensive land use
The proposed variation reflects the existing residential use of the site.

The effects on areas or landscapes which have a recognised national, European Union or international protection status.
The area has no national, European Union or international protection status and consequently there is no effect.

8. Consultation

The EPA and the Department of Communications, Climate Action and Environment responded to the SEA Screening Notice on 24th March 2020 and on 13th March 2020 respectively.

The EPA noted the Planning Authority's proposed determination that SEA will not be required for the proposed Variation and made the following specific comments:

- Recommend taking the EPA's guidance on the SEA process into account in finalising the SEA Screening Determination and incorporating the relevant recommendations as relevant and appropriate to the Variation.
- In proposing and in implementing the Variation, Dublin City Council should ensure that the Variation is consistent with the need for proper planning and sustainable development and adequate and appropriate critical service infrastructure should be in place, or required to be put in place, to service any development proposed and authorised during the lifetime of the Variation.
- In considering the Variation, Dublin City Council should take into account the need to align with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.
- Dublin City Council should also ensure that the Variation aligns with key relevant higher-level plans and programmes and is consistent with the relevant objectives and policy commitments of the National Planning Framework and the Eastern and Midlands Regional Spatial and Economic Strategy.
- In preparing the Variation and associated SEA screening, the recommendations, key issues and challenges described in the EPA's most recent State of the Environment Report Ireland's Environment – An Assessment 2016 (EPA, 2016) should be considered, as relevant and appropriate to the Variation.
- Available guidance and resources include the EPA's website, the Environmental Sensitivity Mapping Webtool, the EPA SEA WebGIS Tool, the EPA WFD Application and the EPA AA GeoTool.
- Ensure that the Variation complies with the requirements of the Habitats Directive where relevant. Where Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and the Variation.
- Under the SEA Regulations, prior to making the SEA determination a number of environmental authorities should also be consulted with including the Minister for Housing Planning and Local Government, the Minister for Agriculture, Food and the Marine and adjoining planning authorities.
- As soon as practicable after making a determination as to whether SEA is required or not, a copy of the decision, including, as appropriate, the reasons for not requiring an environmental assessment should be made available for public inspection in the Council's offices and on the Council 's website and a copy of the determination sent to the relevant environmental authorities consulted.

The Waste Policy and Resources Efficiency Division in the Department of Communications, Climate Action and Environment made the following comment:

- In respect of the issue of waste in the within documentation, the Division would be obliged if the Local Authority would consult directly with their respective Regional Waste Management Planning Office regarding the development of the final plans.

The EPA and the Department of Communications, Climate Action and Environment observations were taken on board by Dublin City Council in the finalisation of the SEA screening report.

9. Conclusion

This proposal has been examined in light of the criteria detailed in Schedule 2A and the City Council is of the view that the proposed variation does not require SEA. This decision is based on the consultation process conducted with the Environmental Authorities under the SEA Regulations and on the magnitude and spatial extent of the likely impact of the proposed variation, which are deemed not to be significant.

The Planning Authority has determined that an SEA is not required for the proposed variation to the Dublin City Development Plan 2016 – 2022.

Recommendation:

SEA procedure is not necessary for this proposed variation of the Dublin City Development Plan 2016 – 2022.