

**CUNNANE STRATTON REYNOLDS**

**Environmental Impact Assessment Screening Report**

**Prepared by**


**Cunnane Stratton Reynolds**

**For**

**White Water Rafting Centre, George's Dock and Custom House Quay, Dublin**

**Document Control Sheet**

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*Disclaimer: The advice in this report has been informed by a search of the available online planning history and development plan zoning objectives for the site in question, and excludes consideration of other existing or potential, perceived or actual issues including but not exclusively relating to wayleaves, other rights of way, ownership, availability or otherwise of access, flood risk, infrastructural constraints, and of other advices produced in relation to the site by other parties. Our advice has been prepared without consultation with any other party including the local authority in whose jurisdiction the site is located. We reserve the right to amend the advice contained in the report based upon the availability of further information as and when it may become available. The site boundary indicated in Figures 1 is indicative only.*

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## STATEMENT OF COMPETENCY

The companies and personnel who contributed to this report and their qualifications and experience are outlined below.

Topic	Contributor	Company	Qualifications
Introduction	Elaine Edmonds	CSR	As Below
Purpose			
The Proposed Development			
Planning Policy			
Relevant Legislation			
Population and Human Health			
Land Soils and Geology	Simon Jones	Patrick Parsons	
Water and Services Including Hydrology and Hydrogeology	Darren Holmes, Neville Meredith, Jonathan Robinson-Hoare		
Air Quality and Climate	Darren Holmes		
Noise and Vibration	Darren Holmes		
Biodiversity (Flora and Fauna)	Bryan Deegan	Altamar	
Traffic, Transportation and Parking	Chris Vaughn, David Brooke	Patrick Parsons	
Cultural Heritage	Lucy O Connor, James Howley	Howley Hayes	
Archaeology	Eamonn Prenter	CSR	
Waste Management	Darren Holmes	Patrick Parsons	
Material Assets	Eamonn Prenter	CSR	
Visual Impact Assessment	Declan O Leary	CSR	
Interactions of the Foregoing	Elaine Edmonds	CSR	

The EIAR Screening Report has been compiled and coordinated by Eamonn Prenter and assisted by Elaine Edmonds of Cunnane Stratton Reynolds town planning consultants who are experienced in the coordination of such documents. The report has been prepared to support a Part 8 application under the Planning and Development Act 2000 (As Amended).

This EIAR screening assessment has been prepared by personnel with competency and experience in both the EIAR and screening processes and by those qualified in the relevant fields of technical expertise. The report / assessment has also had due regard to and is consistent with the Appropriate Assessment Screening Report prepared by Altamar. A statement of competency / experience for each person involved in this EIAR screening Report, as identified in the table above, is presented below.

**Eamonn Prenter, BA (Hons) Geography, MSc Planning; MRTPI MIPI, Director, Cunnane Stratton Reynolds**

Eamonn is a chartered town planner with both public and private experience and over 30 years post qualification experience having undertaken a number of EISs, EIARs and screening reports. He has also carried out a number of SEAs (Strategic Environmental Assessments) for various planning policy documents including statutory local area and development plans.

**Elaine Edmonds, BA (Hons) Environmental Science, MSc Spatial Planning, MSc Regeneration and Urban Development, PG Dip Urban Design; ARTPI, MIPI, Executive Planner, Cunnane Stratton Reynolds**

Elaine is a qualified environmental planner with a BA (Hons) Degree in Environmental Science and is an environmental planner with 5 years post qualification experience. She has experience of providing inputs to both EIARs and EIAR screening from her roles as both environmental scientist and planner.

**Bryan Deegan, (MCIEEM) MSc Environmental Science, BSc Applied Marine Biology, NCEA Diploma in Applied Aquatic Science, Certificate in Science.**

Mr. Bryan Deegan (MCIEEM) is a marine biologist and environmental scientist, with over 20 years of practical ecology fieldwork, project management and impact assessment experience in Ireland. In relation to terrestrial ecology, Mr. Deegan has extensive experience in practical fieldwork and in managing ecological aspects of large scale projects.

**Simon Jones, BSc (Hons) Engineering Geology, FSG, Senior Geoenvironmental Engineer, Patrick Parsons Ltd**

Simon is a qualified engineering geologist with nearly twenty years post qualification experience. He is experienced in the preparation of desk based Phase 1 geoenvironmental appraisals, scoping of technically complex ground investigations and project management of Phase 2 ground investigations and reporting.

**Darren Holmes, BEng (Hons) Civil Engineering, MICE, CEng, Principal Civil Engineer, Patrick Parsons Ltd**

Darren is a chartered Civil Engineer with nearly twenty years post qualification experience. He is experienced in the production of flood risk assessments, drainage strategies and the provision of detailed drainage design including SuDS (Sustainable Drainage Systems). He has also produced a number of planning engineering documents to assist major planning applications.

**Jonathan Robinson-Hoare, B Eng (Hons) Electrical & Electronic Engineering, MIET, Principal Electrical Engineer, Patrick Parsons Ltd**

Jonathan is a qualified Electrical Engineer with over 16 years' experience in the Building Services industry. He is experienced in providing building services design solutions including lighting design and external lighting assessments.

**Neville Meredith, BSc (Hons) Energy Technology Management, MEI, IEng, Principal Mechanical Engineer, Patrick Parsons Ltd**

Neville is a qualified Mechanical Engineer with over 19 years post degree experience in Building Services. He is experienced in providing Building Services design solutions in heating, ventilation, air conditioning and cooling, with particular attention to practical energy efficient measures to meet Building Regulations and low carbon solutions.

**Chris Vaughan, MIHE, MTPS, Associate, Patrick Parsons Ltd**

Chris is a Traffic and Transportation Engineer with over 17 years' experience. He is experienced in the production of Mobility Management Plans; Transport Assessments; and other transport related documents for major planning applications. He has also produced a number of planning engineering documents to assist major planning applications.

**David Brooke, FIHE, MCIHT, Director, Patrick Parsons Ltd**

David is a Highways and Transportation Engineer with in excess of 30 years' experience. He is experienced in the production of traffic and transportation designs and reports for major planning applications. He has worked for both the public and private sector and has acted as Expert Witness at Public Inquiries and Hearings.

**James Howley BA(Hons) DipArch (Cantab) MA (constudies) FRIAI SCA**

James Howley, Architect and Conservation Architect, has over 20 years post qualification experience. He has been responsible for projects of both national and international cultural significance. To date he has completed more than 250 conservation reports and feasibility studies for the care, repair, adaptation and reuse of historic buildings and places, many of which have led to commissions for the implementation of construction works. He has given strategic advice on high profile conservation projects for the Department of Arts Heritage and the Gaeltacht, the Heritage Council, the Office of Public Works, numerous city and county councils, and many private clients and institutions. In 2000 he was elected a fellow of the Royal Institute of Architects of Ireland the citation for which noted design, conservation, education and architectural scholarship.

**Lucy O'Connor BArch, BSc Arch, MSc Arch Conservation, MRIAI**

Lucy, an architect and conservation architect, has over ten years post qualification experience and has worked on projects involving protected structures and national monuments across a variety of educational, public and heritage reports. She is a Grade I conservation accredited architect in the UK (equivalent to RIAI Grade I).

**Declan O Leary, B. Agr. Sc. Landscape Horticulture, PG Diploma Landscape Architecture, MILI, and former Vice President of the Irish Landscape Institute.**

Declan is a qualified and experienced landscape architect with over 25 years post qualification experience. He is also Managing Director of CSR and its principal landscape architect. He has been involved in assessing the landscape and visual impact of a great many projects in urban locations including recreational and sports projects. He has contributed to many environmental assessments.

## **1.0 INTRODUCTION**

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### **1.1 Project Brief**

Cunnane Stratton Reynolds has prepared a EIAR Screening Assessment on behalf of Dublin City Council in relation to Part 8 planning application comprising principally a White Water Rafting Course, Swift Water Rescue Training Facility and Kayaking/Water Polo Pool at George's Dock and Custom House Quay, Dublin with a view to determining the requirement for an Environmental Impact Assessment Report (EIAR). The proposed project consists of a new city centre recreation activity centre located in Dublin's Docklands and set within the historic environs of George's Dock.

The project comprises four principal parts:

1. provision of a white water rafting course utilising the existing George's Dock basin, which is a protected structure, including;
  - a. a central flat water training facility including water polo amenity,
  - b. white water slalom course,
  - c. kayak/raft conveyor,
  - d. pumping station and water treatment plant,
  - e. a mechanical control centre and electrical substations,
  - f. enhancement of existing public lighting and provision of low illumination level floodlighting for water based activities; and
  - g. swift water rescue centre with floodable urban street with mock enclosures forming a 'rescue village'.
2. The demolition of former Dublin Docklands Development Authority office building and removal of 6 no. existing trees at Custom House Quay. Construction of two new quayside buildings with a combined total floor area of 763.98 m<sup>2</sup> and maximum height of 5.5m. The east building incorporating land based activities including changing rooms, reception, staff amenity area, equipment storage. The west building comprising replacement offices and conference room for the use of Dublin City Council Docklands office. Ancillary landscaped public open space between these proposed quayside buildings including surface water attenuation area and quayside walkway;
3. Reconfigured and resurfaced public open space where necessary to the existing plaza at George's Dock, including the removal of 4 no. existing trees, making good any damage caused by construction work, and the provision of temporary construction compound. Connection to public surface water drainage system; and
4. Conservation and protection works to the lock gate and quay walls together with retention and protection of the triumphal arch on site and the partial removal of the timber boardwalk and insertion of access structures to the canal channel at the sea wall.

Details of the course technical design and water management system proposed are provided in the reports listed in Section 1.2 below. Details of the associated proposed quayside buildings to replace the existing Dublin City Council offices are contained within the accompanying Architectural Design Statement and Planning Report. A more detailed development description is contained within Section 3.1.

It is noted that regulations dealing with environmental screening obligations under Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 ("the 2014 Directive") have not yet been implemented in Ireland. This screening report has had regard to Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment as amended by the 2014 Directive. The provisions of the Planning and Development Regulations 2001, as



amended, including the European Union (Planning and Development) (Environmental Impact Assessment) Regulations which came into effect on 1<sup>st</sup> September 2018, are also considered in this report with respect to EIA and EIA Thresholds.

This report outlines the methodology used to screen the proposed development in respect of environmental assessment and assesses the requirement to undertake an EIAR. It sets out the proposal, the assessment of potential environmental effects, and the outcome and conclusions of the screening process.

This EIAR Screening Statement has been prepared having regard to Directive 2011/92/EU, as amended by Directive EU 2014/52 which came into effect in May of 2017. The EIAR Screening Statement has been written to address the guidance provided by “*Advice on Administrative Provisions in Advance of Transposition and Implementation of Directive 2014/52/EU on the effects of certain public and private projects on the environment (EIA Directive)*” and the ‘Key Issues Consultation Paper’ prepared by the Department of Housing, Planning Community and Local Government, May 2017. The EIAR has consequently been informed by the advice contained in the DHPCLG guidance to date.

## **1.2 What is an Environmental Impact Assessment Report?**

The amended directive uses the term Environmental Impact Assessment Report (EIAR) for what was formerly referred to in Irish legislation as an Environmental Impact Statement.

An EIAR is:

*‘A statement of the effects, if any, which proposed development, if carried out, would have on the environment.’*

The EIAR is prepared by the proposer of a development and is submitted to a Competent Authority (CA) as part of a consent process. The CA uses the information provided to assess the environmental effects of the project and, in the context of other considerations, to help determine if consent should be granted. The information in the EIAR is also used by other parties to evaluate the acceptability of the project and its effects on the environment and to inform their submissions to the CA. The EIAR consists of a systematic analysis and assessment of the potential effects of a proposed project on the receiving environment. The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and these factors must be addressed in the EIAR.

The key changes introduced by the amended Directive and which are relevant to the information to be contained in an EIAR relate to a range of environmental factors which are used to organise descriptions of the environment and these factors must be addressed in the EIAR. These are listed below:

- 1) Population and Human Health
- 2) Land Soils and Geology
- 3) Water and Services including Hydrology and Hydrogeology
- 4) Air Quality and Climate
- 5) Noise and Vibration
- 6) Biodiversity (Flora and Fauna)
- 7) Traffic, Transportation and Parking
- 8) Cultural Heritage
- 9) Archaeology

- 10) Waste Management
- 11) Material Assets
- 12) Visual Impact Assessment
- 13) Interactions

The topics as listed above have been assessed in this EIAR Screening Report.

The documents considered in determining whether an EIAR is required as set out in this document include:

- Planning Statement by Cunnane Stratton Reynolds
- Architectural Design Statement by Urban Agency
- External Lighting Report by Patrick Parsons
- Mobility Management Plan by Patrick Parsons
- Flood Risk Assessment and Drainage Report by Patrick Parsons
- Noise Statement by Patrick Parsons
- Phase 1 Geoenvironmental Report by Patrick Parsons
- Preliminary Waste Management Plan
- Site Servicing Assessment by Patrick Parsons
- Preliminary Construction and Demolition Management Plan by Patrick Parsons
- Appropriate Assessment Screening Report by Altamar Ltd
- Conservation Report by Howley Hayes

These reports can be found under separate cover within the submitted Part 8 Application Pack and should be read in conjunction with this EIAR screening report.

## **2.0 PURPOSE OF THIS EIAR SCREENING REPORT**

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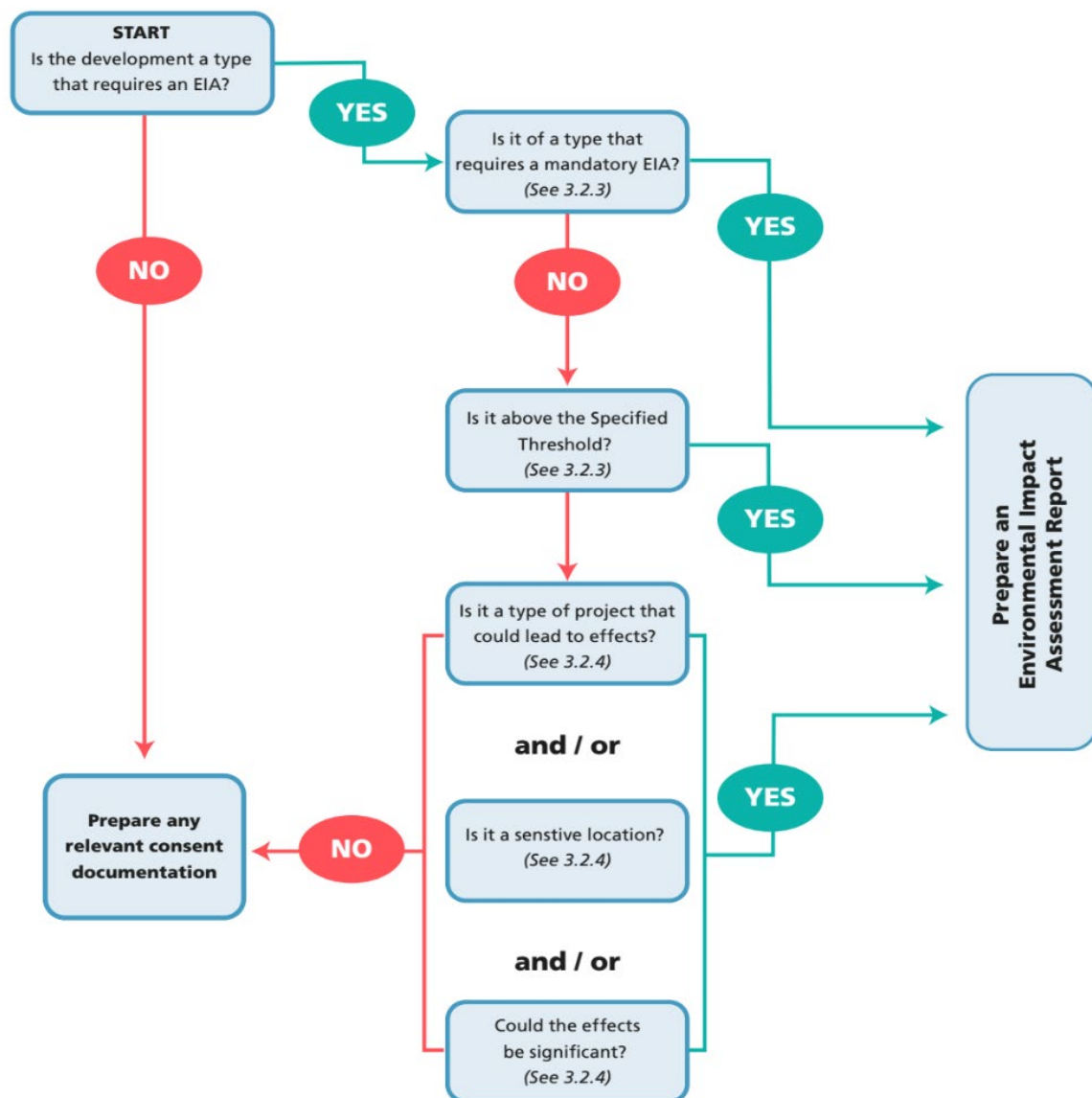
### **2.1 Overview**

The overall purpose of this Screening Report is to identify and detail the findings of the desktop study undertaken to analyse the impacts, if any, of the proposed development on the receiving environment and, based on the results, decide whether or not an EIAR is required.

The term 'screening' is used to describe the process of ascertaining whether or not a proposed development requires an Environmental Impact Assessment Report to be undertaken by reference to mandatory requirements where thresholds for specified EIA development are exceeded and sub-threshold criteria where the impact on the environment is considered to be significant. EIAR legislation sets out the types of projects that require an EIAR.

The mandatory requirement for an EIAR is based on the nature and/or scale of a development. This is addressed in EU Directive 85/337/EEC (as amended by Directive 97/11/EC and 2014/52/EU). Regard must also be had to the criteria set out under Annex III of the EIA Directive the majority of which are also referred to under Schedule 7 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018. In determining whether a development requires an EIAR to be undertaken, it is first necessary to determine whether the development falls into a category of development for which an EIAR is mandatory and thereafter consider whether the proposed development would require an EIAR if the relevant spatial or area threshold for that category is exceeded. Where the development falls within the relevant area or spatial category as sub-threshold, it is then necessary to consider whether the proposed development is likely to give rise to significant

effects on the environment. Such significant effects may arise by virtue of the type and scale of development proposed, and also the location of the development in relation to nearby sensitive environments as set out below.



**Figure 1: Screening Process**

Source, Table 3.2 Draft Guidelines on the Information to be contained in Environmental Impact Assessment Reports, August 2017.

## 2.2 Legislative Background

The Planning and Development Act, as amended and the 2001 Planning and Development Regulations, as amended, outline the requirements for the assessment of the effects of certain projects on the environment.

Section 176 of the Planning and Development Act provides the initial steps in relation to the criteria of determination on whether an EIA is required. It states that:

- (1) *“the Minister may, in connection with the Council Directive or otherwise, make regulations*
  - (a) *identifying development which may have significant effects on the environment, and,*
  - (b) *specifying the manner in which the likelihood that such development would have significant effects on the environment is to be determined.*
- (2) *Without prejudice to the generality of subsection (1), regulations under that subsection may provide for all or any one or more of the following matters:*
  - (a) *the establishment of thresholds or criteria for the purpose of determining which classes of development are likely to have significant effects on the environment;*
  - (b) *the establishment of different such thresholds or criteria in respect of different classes of areas;*
  - (c) *the determination on a case-by-case basis, in conjunction with the use of thresholds or criteria, of the developments which are likely to have significant effects on the environment;*
  - (d) *where thresholds or criteria are not established, the determination on a case-by-case basis of the developments which are likely to have significant effects on the environment;*
  - (e) *the identification of selection criteria in relation to—*
    - (i) *the establishment of thresholds or criteria for the purpose of determining which classes of development are likely to have significant effects on the environment, or*
    - (ii) *the determination on a case-by-case basis of the developments which are likely to have significant effects on the environment.*
- (3) *Any reference in an enactment to development of a class specified under Article 24 of the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989), shall be deemed to be a reference to a class of development prescribed under this section.”*

Part 10, s. 92 defines “sub-threshold development” as “development of a type set out in Part 2 of Schedule 54 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.”

### 2.2.1 Project Type

The screening process begins by establishing whether the proposal is a 'project' as understood by the Directive (as amended). Next, it must be ascertained whether the proposal is a type where EIAR is prescribed under Schedule 7 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 and whether it exceeds the applicable thresholds or not. The Guidelines on Environmental Impact Assessment Reports published by the EPA note that projects at first glance may not appear to come under the Schedule but on closer examination when the process is further examined, they may do so because of the sensitivity or significance of the receiving environment etc.

The proposed activity or project does not fall under any project type in Schedule 5 of the Planning and Development Regulations 2001 as amended or Schedule 7 of the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 where EIAR is prescribed and does not require an Environmental Impact Assessment Report due to the activity type proposed.

### 2.2.2 Thresholds

The next step to screening is to determine whether the project exceeds a specific threshold. Thresholds are set out in Annex I and II of the EIA Directive, as amended.

#### *Mandatory EIAR*

Other categories of specified EIA development are listed in Schedule 5 (Part 1 and Part 2) of the Planning and Development Regulations (as amended). These and those in the amended EIA Directive 2014/52/EU (also ref Directive 2011/92/EU) Annex I and Annex II have also been reviewed and it is not considered that the proposal breaches any relevant threshold.

In the amended EIA Directive 2014/52/EU, Annex I contains projects referred to in Article 4(1) of the amended Directive. There are 24 no. separate forms of development covered by that Annex. The proposal does not represent a form of development considered under **Annex I** where an EIAR is considered mandatory.

In the amended EIA Directive 2014/52/EU, **Annex II** contains projects referred to in Article 4(2) of the amended Directive. There are 13 no. separate forms of development (including sub classes) that are referred to in that Annex. The proposal would fall within the category of "Urban Development" project under Class 10(b). However, the threshold for this form of project under the 2001 Regulations as amended is 2 Ha. The area of the site the subject of this Part 8 application at approximately 1.28 Ha is less than the current 2 Ha threshold.

It can be concluded that an EIAR is not a mandatory requirement for the proposed development of a white water rafting centre, swift water training centre, pumping station and mechanical control centre, new quayside buildings with replacement Dublin City Council offices, changing and conference space and public space enhancement. While the mandatory requirements for developments are relatively straightforward, being based on project type and scale, the discretionary (or sub-threshold) requirements are based on an assessment of the likely significant environmental effects of the proposed development at the subject site. This is assessed below.

#### *Sub-Threshold EIAR*

Where a project is of a specified type but does not meet, or exceed, the applicable threshold identified above then the likelihood of the project having significant effects on the environment

needs to be considered (both adverse and beneficial). This is done by reference to the criteria as specified in Annex III of the amended Directive.

Recital (27) of Directive 2014/52/EU states that:

*“The screening procedure should ensure that an environmental impact assessment is only required for projects likely to have significant effects on the environment”.*

The Guidelines go on to state that the project needs to be considered in its entirety for screening purposes. This means that all elements of an overall project must be considered for significance of impact. Other related projects need to be identified also and appraised at an appropriate level of detail. This will identify the likely significance of cumulative and indirect impacts thus providing the consent authority with a context for its determination.

This screening exercise has determined that it does not meet or exceed the applicable threshold of 2 hectares in the present case.

Directive 2014/52/EU introduced a new mandatory article, Article 4(4), which states:

*“Where Member States decide to require a determination for projects listed in Annex II, the developer shall provide information on the characteristics of the project and the likely significant effects on the environment. The detailed list of information to be provided is specified in Annex IIA. The developer shall take into account, where relevant, the available results of other assessments of the effects on the environment carried out pursuant to Union legislation other than this Directive. The developer may also provide a description of any features of the project and/or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment”.*

Article 4(4) introduces a new Annex IIA to be used in the case of a request for a Screening determination for Annex II projects. The information to be provided by the developer is set out below.

A description of the project including, in particular:

1. A description of the physical characteristics of the whole project, and where relevant, of demolition works,
2. A description of the location of the project, with particular regard to the environmental sensitivity of geographical areas likely to be affected,
3. A description of the aspects of the environment likely to be significantly affected by the project.
  - a. 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,
  - b. The expected residues and emissions and the production of waste where relevant; and
  - c. The use of natural resources, in particular soil, land, water and biodiversity.

The Guidelines state that the criteria of Annex II shall be taken into account, where relevant, when assessing predicted environmental impact.

The criteria for determining whether or not a Sub Threshold EIAR is required are set out in Schedule 7 of the Planning & Development Regulations 2001 (as amended) including the European Union (Planning and Development) (Environmental Impact Assessment)



Regulations 2018 and Annex III of the EIA Directive as amended. This report will review the development under these three main criteria.

Schedule 7 of the Planning & Development Regulations criteria for determining whether a development would or would not be likely to have significant effects on the environment are as follows:

- I. Characteristics of Proposed Development
- II. Location of Proposed Development
- III. Type & Characteristics of Potential Impacts

### **3.0 THE PROPOSED DEVELOPMENT, CONTEXT & LOCATION**

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#### **3.1 Proposed Development**

The proposed physical works consist of a new city centre water based recreation activity centre located in Dublin's Docklands and set within the historic environs of George's Dock.

The project comprises four principal parts:

1. Provision of a white water rafting course utilising the existing George's Dock basin, which is a protected structure, including;
  - a. a central flat water training facility including water polo amenity,
  - b. white water slalom course,
  - c. kayak/raft conveyor,
  - d. pumping station and water treatment plant,
  - e. a mechanical control centre and electrical substations,
  - f. enhancement of existing public lighting and provision of low illumination level floodlighting for waterbased activities; and
  - g. swift water rescue centre with floodable urban street with mock enclosures forming a 'rescue village'.
2. The demolition of former Dublin Docklands Development Authority office building and removal of 6 no. existing trees at Custom House Quay. Construction of two new quayside buildings with a combined total floor area of 763.98 m<sup>2</sup> and maximum height of 5.5m. The east building incorporating land based activities including changing rooms, reception, staff amenity area, equipment storage. The west building comprising replacement offices and conference room for the use of Dublin City Council Docklands office. Ancillary landscaped public open space between these proposed quayside buildings including surface water attenuation area and quayside walkway;
3. Reconfigured and resurfaced public open space where necessary to the existing plaza at Georges's Dock, including the removal of 4 no. existing trees, making good any damage caused by construction work, and the provision of temporary construction compound. Connection to public surface water drainage system; and
4. Conservation and protection works to the lock gate and quay walls together with retention and protection of the triumphal arch on site and the partial removal of the timber boardwalk and insertion of access structures to the canal channel at the sea wall.



**Figure 1; Indicative Design for George's Dock**

The 2 no. proposed quayside buildings will be contained within the location of the existing Dublin Docklands Office building, which it is proposed to demolish. The new replacement buildings along the quayside to replace the existing DCC offices in this location will consist of:



- A public pavilion building which will include
  - Welcome area;
  - Changing rooms;
  - Toilets for participants;
  - Staff amenity areas;
  - A lecture area;
  - Equipment storage; and
  - Quayside walkway and entry to the pontoon.
- A replacement Council office building for use as the Dublin City Council Docklands Office
- A public open space between the buildings

In addition to the development within the Dock and at the Quayside Buildings there will be the following works:

- Temporary construction compound in the public plaza;
- The remediation of any disturbance to the public plaza during construction;
- Overflow drainage provision from the Dock to the Inner Basin;
- New access between the dock and river sides of the separating sea wall adjacent to the lock gates; and
- Conservation and protection works including documentation, removal and storage of the lock gates.

The proposed development will also consist of the provision of enhanced lighting of the area primarily where the proposed white water rafting centre will be located to facilitate evening participation. The lighting level proposed within 7 metres of the proposed water facilities will be 100 lux for recreational activities. When not in use the lighting levels within close proximity of the proposed white water facility will revert when dimmed to existing lighting levels.

The proposed recreational element will be used by tourists and by the public and groups mainly by prior appointment. Groups who are expected to use the proposed facility by prior booking include school, youth and corporate bodies. The public can use the proposed recreational facility, and this is encouraged, mainly through prior booking. The proposed kayak training element will be used by those with abilities at all levels. There will be occasional national and international white water kayaking events to International Canoeing Federation standards which will require temporary facility upgrade and spectator seating.

It is anticipated that very few matches involving water polo or canoe polo or kayaking events will attract any substantial number of spectators requiring temporary spectator facilities to be provided. Where necessary lighting enhanced to international competition standard will be installed. However, international competitions are not typically held at night and therefore this would be a very rare requirement. Such international competition standard lighting will be provided on a temporary and infrequent basis for such occasional competition. The expected level of enhanced lighting will be to 200 lux levels and that for predominant matches, training and recreational activity lighting would be maintained at a level of 100 lux as indicated above.

The training and educational element of the facility will be used by Dublin Fire Brigade and the emergency services during normal business hours unless night time training is specifically required and recreational bookings will not be made available during those periods.

Operational hours of the proposed development will not exceed 22.00 hrs Monday to Sunday.

## 3.2 Location, Site Context and Study Area

This section describes the proposed site location, surrounding context and study area.

### 3.2.1 Location

The application site is located within the Docklands area of Dublin City Centre. It is irregular in shape, with the majority of the site comprising of the George's Dock (now dry basin) with an extended area within the application red line along the quays to comprise the associated current Dublin City Council dockland office building. The George's Dock Red Line Luas stop is located approximately 50m to the north east of the site. Connolly Main Line Rail Station is located some 500m to the north west of the site. The extent of the application site is shown in Figure 3 below.

The application site is located within the International Financial Services Centre which was instituted as a means of attracting global financial services into this part of the country and this part of Ireland's capital city specifically. There is a strong predominance of financial based offices in close proximity to the site with the nearest residential development being located in the Inner Dock at Custom House Harbour.

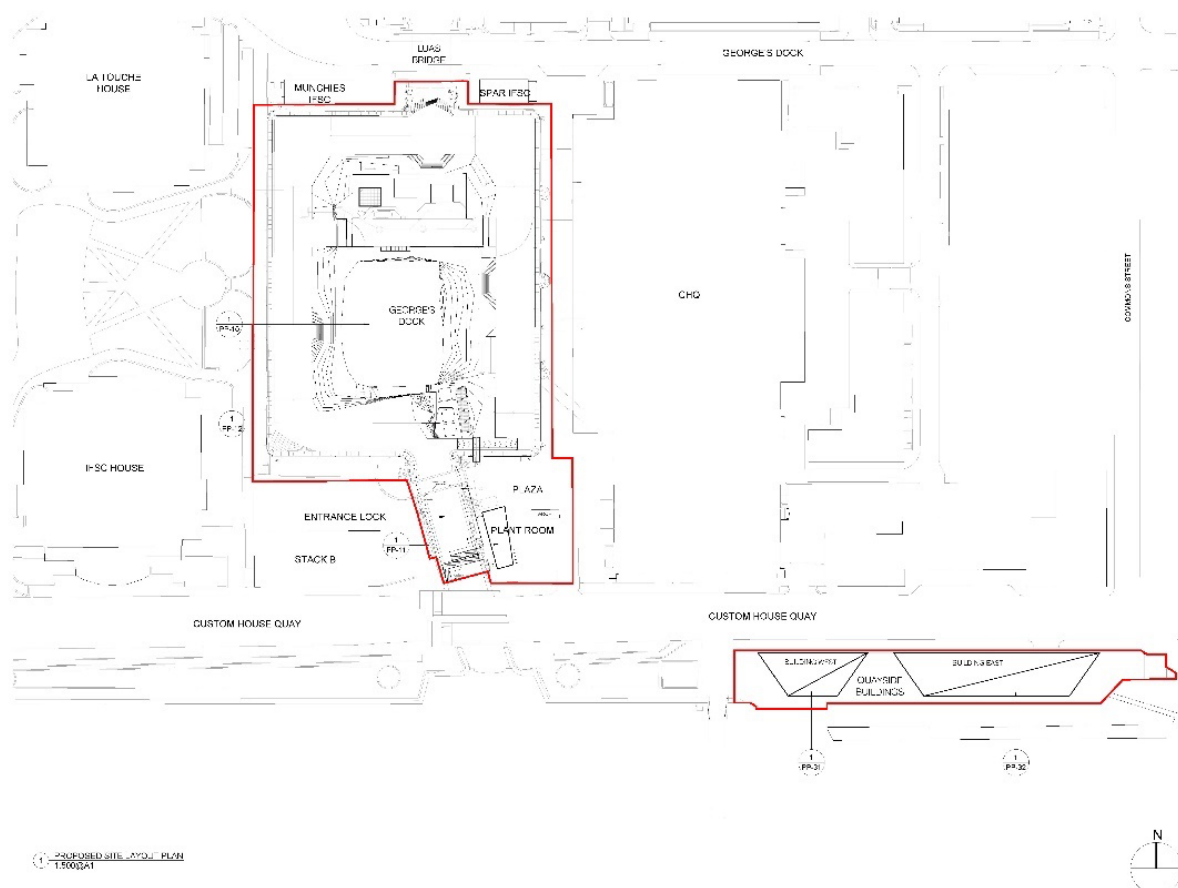


Figure 3 Extent of Red Line for this Part 8 Application

Immediately to the north of the site and on the southern side of Mayor Street are two buildings comprising coffee shop, convenience shop and delicatessens and cafes. Beyond these and further to the north, on the other side of Mayor Street, are located two office blocks namely George's Dock House and an office block occupied by JP Morgan. Immediately to the west is an area of predominantly grassed public open space overlooking the lock located on site and which is surrounded on three sides by IFSC. The eastern side of the site is characterised by a tree lined

promenade with the CHQ running the length of the application site and which comprises the Ely Restaurant and Bar, serviced incubator offices, the Irish Family History Museum and the EPIC Irish Emigration Museum. The southern part of the site is in part bounded by the River Liffey and by the R801 (Custom House Quay).

### *3.2.2 Site Context*

Georges Dock was built in the 1820s as a working maritime dock in proximity to the Custom House. The surrounds of dock were developed in the late 1990s and early 2000s with the establishment of the International Financial Services Centre to the west of the site and the renovation of the last remaining docklands warehouse, now the CHQ building, to the east. The dock itself is largely unchanged, though a large concrete wall isolates it from the River Liffey and a temporary platform to host public events was installed in 2003.

The Triumphal Arch, currently located outside the adjacent CHQ building, was located here in 1998 from its original position at the end of Amien St. The arch is a protected structure (NIAH-50011219).

The quayside buildings were developed between 1988 and 1994 as a marketing suite, which eventually supported the functions of the Dublin Docklands Development Authority and absorbed into Dublin City Council upon dissolution of the DDDA on 1<sup>st</sup> of March 2016.

The site is not located within the North Lotts and Grand Canal Dock SDZ Planning Scheme 2014 but it is located within the Water Animation Strategy Area for the Docklands where active sports and events will be accommodated. The site and public area around it are used on an annual basis for the Oktoberfest which runs for a 5 week period each where large gatherings of people are accommodated and also at further periodic and shorter events each year including the Christmas and Fringe Festival Events.

Apart from the dock other predominant features of the site include the Triumphal Arch in the south east corner of the site, the lock and Shertzer Bridge in the south west corner and other docklands artefacts.

There is a pedestrian crossing linking the two elements of the application site across the R801. On the R801 within 100m of the application site are located Dublin Bus stops serving routes 33d/X, 41X, 90, 142, 151, 747 and 757 Express Service to Dublin Airport. There is also a Bus Eireann stop located within 100m of the site serving the X2, X7, X12, 100X and 101X routes. There is also a Big Dublin Bus Tourist Bus stop no. 29 servicing the site.

Sean O Casey Bridge is located a few metres from the existing quayside City Council offices providing direct and convenient access across the River Liffey at this point.

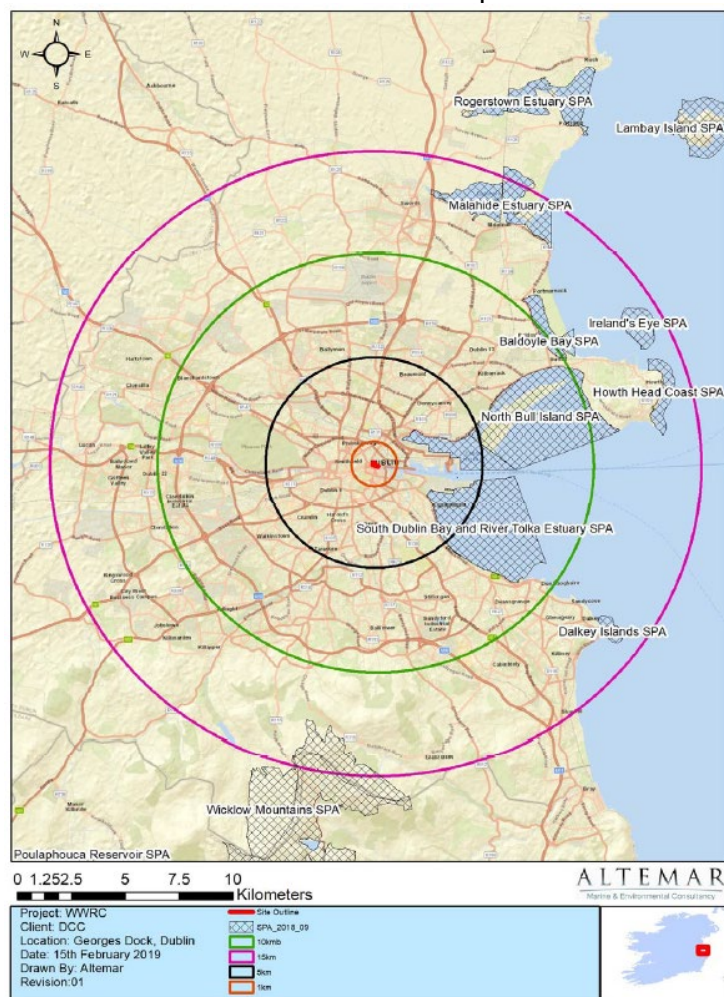
### *3.2.3 Study Area*

The site is located within Dublin Docklands area with limited local ecological features as this is a largely developed area with little environment suited to natural flora and fauna. The most significant natural feature, notwithstanding a small grassed area at IFSC House to the west of the site and a row of decorative trees between the proposed water features and the CHQ building is the River Liffey. The relationship of the site to designated sites is identified below.

**Table 1: List of European sites within a 15km radius of the proposed development**

Site Name	Site Code	Distance
South Dublin Bay and River Tolka Estuary SPA	[004024]	3.6 km
North Bull Island SPA	[004006]	4.7 km
Baldoyle Bay SPA	[004016]	9.7 km
Howth Head Coast SPA	[004113]	12.8km
Ireland's Eye SPA	[004117]	13.4 km
Dalkey Islands SPA	[004172]	12.4 km
Wicklow Mountains SPA	[004040]	12.7km
Broadmeadow/Swords SPA	[004025]	13.1 km
South Dublin Bay SAC	[000210]	2.5 km
North Dublin Bay SAC	[000206]	4.6 km
Baldoyle Bay SAC	[000199]	9.9 km
Howth Head SAC	[000202]	10.3 km
Rockabill to Dalkey Island SAC	[003000]	10.5 km
Wicklow Mountains SAC	[002122]	12.4 km
Malahide Estuary SAC	[000205]	12.6 km
Glenasmole Valley SAC	[001209]	12.8 km
Ireland's Eye SAC	[002193]	13.4 km

There are two NHAs and seventeen pNHAs within 15km of the subject site.



**Figure 2; Designated sites within 15km of the proposed development from AA Screening**

Three site visits were carried out on the 24th January 2019, 7th February 2019 and 24<sup>th</sup> May 2019 by Bryan Deegan of Altemar to assess the ecological based characteristics of the site and surrounding area.

An Appropriate Assessment Screening Statement was prepared to assess the potential impacts of the proposed development on the designated sites as listed above. The AA Screening Report, available under separate cover, found that there is no likelihood of any significant effects on any European sites arising from the proposed development, either alone or in combination with other plans or projects.

### **3.3 Planning History**

Georges Dock formed part of the Custom House Docks Development Authority, the predecessor of the Dublin Docklands Development Authority, under the Custom House Docks Area Urban Renewal Act 1986. The proposed building area to the Quayside was included within the development area by the Custom House Docks Area, 1<sup>st</sup> Extension, Urban Renewal (Amendment) Act 1987.

The existing quayside office building was not indicated for any particular use zoning in the Custom House Docks Development Authority Planning Scheme, 1994, but as a quayside building was indicated for small retail or public use. It has been in use since 1994 as the Dublin Docklands Development offices, now part of Dublin City Council. This development did not require planning permission.

Public realm works to Georges Dock, including the backfill of stone and insertion of the temporary platform was completed under the Section 25 process as part of the 1994 Planning Scheme. Under this scheme the development was to be temporary and as such the removal of the pontoon and backfill is the final stage of this Section 25 permitted development.

There are no current planning applications before the local authority for determination.

## **4.0 PLANNING POLICY**

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### **4.1 National Planning Framework**

Current trends suggest that the Republic's population could increase by a further one million people over the period to 2040. Government planning policy acknowledges that this is going to require an enormous shift in thinking in how and where people live, work, participate in recreation and travel. It will also require maximising the development potential of existing sites and making the most of available infrastructure getting value from investment in public transport in particular. There is also a requirement to locate development where it will minimise the need to travel and promoted linked trips. There is also a require for planning to assist in the promotion of healthy lifestyles and for a range of facilities and services to be provided that assist in improving quality of life. To address these challenges the Department of Housing, Planning and Local Government produced the National Planning Framework (NPF) on behalf of Government, with input from other Departments and Agencies.



The aim of the NPF is to direct future development and investment in Ireland to sustainable locations and to promote sustainable development and proper planning across the entire State. The NDP (Ireland 2040) articulates shared national development goals, including improved living standards, quality of life, prosperity, competitiveness and environmental sustainability and provide greater clarity for private sector investment.

Chapter 3 of the NPF looks at the development of Ireland's urban spaces. Section 3.8 "Achieving Urban Infill/Brownfield Development" states:

*"Ireland 2040 targets a significant proportion of future urban development on infill/brownfield development sites within the built envelope of existing urban areas. This is applicable to all scales of settlement, from the largest city, to the smallest village.*

*This means encouraging more people, jobs and activity generally within our existing urban areas, rather than new development mainly taking place on the fields outside and requires a change in outlook. The plan sets out a number of objectives to drive and deliver development over the plan period."*

Ireland 2040 targets a significant proportion of future urban development on infill/brownfield development sites within the built envelope of existing urban areas. This means encouraging more people, jobs and activity including social and recreational activities within existing urban areas, rather than development of greenfield sites and expanding existing development boundaries.

The application site is an excellent example of the reuse of a brownfield site with former water features that are not being used to anywhere near their potential with the site having access to an excellent transport network and providing activation of public space and the waterfront and greater use and utilisation of an existing passive recreation asset in an area of the city centre where opportunities for recreational facilities are limited given land prices and ownership patterns. The Mulvey Report commissioned by the Government confirms this for the north inner city area.

The NPF supports the provision of recreational infrastructure to enhance quality of life as a key strategy. This states that development must *"integrate with our built, cultural and natural heritage, which has intrinsic value in defining the character of urban and rural areas and adding to their attractiveness and sense of place."*

The proposal is a clear re-utilisation of an underused extremely accessible urban brownfield site served by enhanced public transport, providing a significantly improved recreational facility in an area where there are relatively few sporting or recreational facilities in a sustainable location. This is consistent with national policy and guidance seeking to improve social capital and encourage healthier lifestyles.

The proposed development is also consistent with and is of a type of active recreation in this location consistent with the 'Water Animation Strategy for the Docklands Area' prepared in accordance with the 'North Lotts and Grand Canal Dock SDZ Planning Scheme 2014'. The Strategy envisages George's Dock being developed as an 'Active Zone' and the proposed development is considered entirely consistent with this objective as active sport and sporting events will be catered for in the proposed development to complement the occasional existing social and cultural events taking place there. It should be noted that the application site is not located within the North Lotts and Grand Canal Dock SDZ Planning Scheme even though it comes within the remit of the Water Animation Strategy.

## 4.2 Draft Eastern Midlands Regional Spatial and Economic Strategy

The Eastern Midlands Regional Spatial and Economic Strategy (RSES) is currently at draft stage and consultation ended on 23rd of January earlier this year. The location of the White Water Rafting Centre and associated amenities and facilities proposed as a part of the reuse or intensification of an existing waterways is supported by Regional Policy Objective 6.16 of the RSES.

*RPO 6.16: Support the maintenance of, and enhanced access to, state lands such as National Parks, Forest Parks, Waterways, etc for recreation and tourism purposes.*

The provision of such a facility of regional or potentially national importance is consistent with Proposed Regional Policy Objective 9.19.

*RPO 9.19: Local authorities shall seek to support the planned provision of easily accessible social, community, cultural and recreational facilities and ensure that all communities have access to a range of facilities that meet the needs of the communities they serve*

As with the NPF, compact urban form is central to the objectives of the Eastern Midlands RSES. The proposal is compliant with emerging regional planning guidance therefore.

## 4.3 Dublin City Development Plan 2016-2022

The application site is covered by two zonings in the Dublin City Development Plan 2016-2022. The dock basin is zoned Z11 whose zoning objective is 'to protect and improve canal, coastal and river amenities.' The land element of the application site including the quayside where DCC offices are located, and area around the basin within the site, are zoned as Z9 whose objective is 'to preserve, provide and improve recreational amenity and open space and green networks.'

The City Plan has a strong focus on retaining, enhancing and providing for new recreational facilities and activities across the entire City. In section 4.5.1.2 *Approach to the Docklands and the Port*, the City Plan identifies the Dockland area as a key location for recreation, especially water based recreation.

*"The active use of the public realm in the Docklands to host events and the use of the waterbodies, such as the Grand Canal Dock, for active leisure or recreational uses significantly enhances the vitality of this evolving urban environment."*

The proposed development is entirely consistent with this aim of the City Plan. The relevant recreational and open space policies contained within the Development Plan are:

*SC4: To promote a variety of recreational and cultural events in the city's civic spaces.*

*GI10: To continue to manage and protect and/or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.*

*GI31: To improve on existing sports/ recreational facilities in the city through the implementation of the Dublin City Sport and Active Recreation Strategy 2009–2016 and to ensure the availability of a range of recreational facilities to the general population of all ages and groups at locations throughout the city, including ice-skating. In areas where a deficiency exists, Dublin City Council will work with the providers of such facilities, including schools, institutions and private operators, to ensure access to the local population.*

The proposal is compliant with and actively encouraged by these provisions of the City Plan. The proposed development greatly enhances the range of recreational activities available in the city in accordance with policy SC4. The proposal meets, not just the social and recreational needs of GI31 for the city, but also complies with the conservation and ecological protection requirements set out in Policy GI10. The amenity of this space will be enhanced from the works proposed and an increase in sports and recreation activity in a currently greatly underutilised recreational asset to the whole city and to the city centre in particular. The proposed recreational activity provides an unusual, significant and potentially attractive additional dimension to the range of sports activities available within not just the city but the city centre in particular. The development does not fall within any local area plan and is adjacent to but not contained within the North Lotts Strategic Development Zone.

The application site is located within the River Liffey Conservation Area. The likely impact of the proposed development on the Conservation Area and upon protected structures is set out below.

## **5.0 SUB-THRESHOLD ASSESSMENT**

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### **5.1 Sub-Threshold Assessment Guidance**

In considering whether the proposed sub-threshold development is likely to have significant environmental effects, the Planning Authority, it is necessary to have regard to the criteria set out under Schedule 7 of the Planning and Development Regulations 2001 as amended, including the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 or Annex III of the EIA Directive.

The criteria set out in Annex III are grouped into three categories:

- (i) Characteristics of Proposed Development (Project),
- (ii) Location of the Proposed Development (Project) and
- (iii) (Type and) Characteristics of Potential Impacts.

Consent authorities (CA) must have regard to these criteria in forming an opinion as to whether or not a sub-threshold development such as the proposed development, is likely to have significant effects on the environment.

### **5.2 Assessment Criteria**

Schedule 7, of the Planning and Development Regulations 2001 as amended provide the criteria for determining whether a development would or would not be likely to have significant effects on the environment under Articles 103, 109 and 120.



The criteria are set out as follows:

### **5.2.1 Characteristics of the Proposed Development**

In impact terms, Schedule 7 requires a review of a sub threshold proposal in light of:

- the size of the proposed development;
- the cumulation with other proposed development;
- the nature of any associated demolition works;
- the use of natural resources;
- the production of waste;
- pollution and nuisances;
- the risk of accidents, having regard to substances or technologies used.

The amended EIA Directive 2014/52/EU, Annex III elaborates on the above and notes that:

“The characteristics of projects must be considered, with particular regard to:

- (a) the size and design of the whole project;
- (b) the cumulation with other existing and/or approved projects;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (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;
- (g) the risks to human health (for example due to water contamination or air pollution).

### **5.2.2 Location of the Proposed Development**

The environmental sensitivity of geographical areas likely to be affected by the proposed development, with particular regard to—

- (a) the existing and approved land use,
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground,
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas:
  - (i) wetlands, riparian areas, river mouths;
  - (ii) coastal zones and the marine environment;
  - (iii) mountain and forest areas;
  - (iv) nature reserves and parks;
  - (v) areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive;
  - (vi) areas in which there has already been a failure to meet the environmental quality standards laid down in legislation of the European Union and relevant to the project, or in which it is considered that there is such a failure;
  - (vii) densely populated areas;
  - (viii) landscapes and sites of historical, cultural or archaeological significance.

### **5.2.3 Characteristics of Potential Impacts**

The likely significant effects on the environment of proposed development 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 development the subject of a consent for proposed development for the purposes of section 172(1A)(b) of the Act and/or development the subject of any development consent for the purposes of the Environmental Impact Assessment Directive by or under any other enactment, and
- (h) the possibility of effectively reducing the impact.

### **5.3 Characteristics of the Proposed Development**

The proposed development involves in physical terms the refilling of the existing empty basin and works within that basin to facilitate its continued use as a recreational facility transforming it from a passive recreational amenity to an active sports facility along with the construction of a number of structures within the refilled dock basin for emergency services training. The other main physical component of development comprises the replacement of the existing DCC offices with replacement offices based around the activities proposed.

As stated above the key elements of the proposed development comprise the following:

- (i) Works to Georges Dock, provision of white water rafting course inserted within the existing basin to create a central island with a central area for flat water training, canoe polo and water polo and a kayak & canoe conveyor, pumping station and mechanical control centre, plant room, swift water rescue training centre and floodable urban street with mock enclosures forming a Rescue Village.
- (ii) Works to provide a new Quayside Buildings for shore-based support accommodation and replacement Dublin City Council offices with a conference space.
- (iii) Public space works to the plaza to the southeast of George's Dock

A more detailed development description is included in Section 3.1.

Operationally the proposed activities will result in an intensification of the existing underutilised recreational asset on a daily basis with occasional larger events for a shorter duration than is currently experienced on site with cultural and social events which run onto several weeks. In the vast majority of instances the site will remain as a public thoroughfare as a means of access between Mayor Street and the quays. That primary function will remain except in the few occasions per year where the area will be closed off, for sporting events as it is currently for special social and cultural events.

Participation in sport will be confined to the southern section of the basin and to changing facilities on the quayside.

#### **5.3.1 The Size of the Proposed Development**

The site area covers 1.3 Ha approximately comprising two parts of the site on either side of the R801 Custom House Quay. On the northern portion there are works proposed within the basin and public realm modification and upgrade to facilitate the proposed recreational activities within the basin. On the southern section of the site replacement Council offices comprising ancillary amenities for the intended recreational and emergency services activities are proposed.

The scale of the development in this urban location is not significant in terms of impact.

#### **5.3.2 The Cumulation with other Proposed Developments**

In order to assess the cumulative impact of the proposed development on the receiving environment, a planning search on the City Council's website has been undertaken as well as a site survey identifying the occurrence of site notices in the area.

A desktop search on the Council Planning System indicated that there are no planning applications for large scale development in the immediate area of the site likely to interact with the proposed development. There are no other proposed developments on the site or known projects adjoining the site.

The City Council are not engaged in any current pre-application discussions on sites adjacent to this application site.

#### **5.3.3 The Nature of any Associated Demolition Works**

The demolition proposed is restricted to the existing Dublin Docklands office building which is approximately 100sqm. The activities and works in relation to demolition are contained within the construction management plan submitted with the planning application. A key requirement is to ensure the protection of the adjacent river environment.

#### **5.3.4 The Use of Natural Resources**

The existing environment in this location is almost entirely man made – from the creation of the existing dock basin to the intervening lock and the creation of the campshire/quayside upon which the existing Council offices are located. There is limited opportunity in this instance for what is effectively a replacement facility to utilise or positively exploit natural resources. The existing water feature, prior to it becoming a dry basin, will be utilised in a positive and beneficial manner.

The proposed structures both for emergency services training and the proposed office buildings will not utilise existing natural resources but the principal component of the development, around which everything is based, is the use of water to its maximum recreational and educational benefit.

Water demand will be managed with agreement from Irish Water and once the initial fill has been completed, any necessary water supplementing will be minimised through the use of the integrated water treatment plant. A letter of agreement from Irish Water is contained within this Part 8 application.

#### **5.3.5 The Production of Waste**

No significant additional waste will arise from the operational phase of the development.

Waste arising from the demolition and removal of the existing modest offices located on the quayside will be controlled in terms of potential environmental impact through adherence to the submitted Demolition and Construction Management Plan. The construction phase will involve waste streams and will be included in a Construction and Demolition Waste Management Plan.

#### **5.3.6 Pollution and Nuisances**

The potential issue of pollution has been considered by Patrick Parsons and is dealt with in accompanying reports.

N17397 External Lighting Proposal concludes that, provided the specified lighting design is implemented, the ILP (Institution of Lighting Professionals) Obtrusive light limits have been satisfied by the design. Luminaires have been selected with no upward light component and Sky glow levels associated with the development will not have a significant effect on the surrounding environment. A fully functional artificially illuminated Water Rafting Facility should be achievable with relatively minimal overspill of light into adjacent properties and the public highway.

Potential exists for contamination to be present within the dock and behind the quay wall which have been backfilled with unknown materials. These materials could be of significant thickness and may have the potential to impact on both fresh and saline waters. The following

contaminants of concern may be anticipated on site within these materials; heavy metals, polyaromatic hydrocarbons, total petroleum hydrocarbons (TPH) and asbestos.

Sampling and analysis of these materials will be required to confirm contaminant concentrations, to assess potential impacts to receptors and to assist with possible off-site disposal. Management systems will be implemented to reduce the risk of transferring the contaminants either through containment or safe disposal.

The potential issue of noise from the proposed development can be considered both a pollutant and a nuisance. A noise assessment has been carried out by Patrick Parsons and the conclusions of that assessment are set out below under Section 5.5.5. Potential sources of noise will come from mechanical equipment, the sound of rushing water, people participating in, and enjoying, recreational activity and occasionally the sound of emergency vehicles arriving at the site to conduct their safety and rescue exercises. These are in the main likely to occur during the day when the surrounding area is overwhelmingly at work. In the evenings and at night it is not considered that there are any noise sensitive receptors such as residential properties in such close proximity as to cause nuisance or pollution.

On those relatively infrequent occasions where there will be recreational or sporting events it is anticipated that noise experienced as a result of the proposed development would in any way be significantly greater than the noise associated with Oktober Fest, Christmas Markets and Fringe events.

There is potential for light pollution and light nuisance. The effect of the proposed operational lighting scheme at the predominant light level of 100 lux on the existing lighting levels assumed as 5-7.5 lux is a significant increase in light within approximately 7m of the water edge. However levels fall into the region of the 5-7.5 lux existing levels within approximately 10m of the water edge or within a few metres of the site boundary. When the course is not in operation, the dimming of the lighting provides a light level equal to the assumed existing levels having no significant effect on the existing lighting levels.

On the occasional instances where additional lighting is required it is expected that illuminance will be raised to 200 lux. However, additional lighting will be used for any specific event or competition. This will be of a temporary and periodic nature and will be removed when not in use.

Other common forms of nuisance include antisocial behaviour and litter. Regarding antisocial behaviour it is expected that an extended presence on site and use and management of the proposed facility into the evenings will greatly reduce the potential for antisocial behaviour. The proposed closing time of 22.00 on Mondays to Saturdays and until 20.00 on Sundays will neither encourage nor facilitate antisocial behaviour in the area. The onsite presence on management on the site, where none currently exists, will ensure that there will be no issue associated litter.

#### ***5.3.7 The Risk of Accidents, Having Regard to Substances or Technologies Used***

There are no substances or technologies used such as to increase the risk of accidents from the development proceeding. The physical form proposed is not significant as there are is a modest two block, single storey development proposed for the quay and structures proposed within the existing basin and its replenishment with potable water.

There is an imperceptible risk of major accident or disaster arising from the development by way of substances or technologies used. The anticipated water treatment system will involve a process using coarse and then finer straining, flocculation/phosphate control, sand media filtration, UV treatment, chlorination, pH control and potentially algacide treatment. Waste products from this system are suitable for discharge into the public foul drainage system. Chemicals including polyaluminium chloride, sodium hypochlorite/calcium hypochlorite and

hydrochloric acid will be transferred to the course water treatment chemical stores typically once a month. These chemicals will be transported and stored in accordance with The Chemicals Acts 2008 & 2010 and other local guidelines.

#### **5.3.8 The Risks to Human Health**

It is emphasised that the overall aim of the proposed development is one that will enhance the health of the area, the City and the State as well as provide tourists with an opportunity to participate in active and healthy recreational pursuits.

The risks to human health are assessed within section 5.5.1. Risks to human health are largely confined to health and safety of the operation of the proposed facility for those participating in recreational and sporting pursuits and also for workers during the construction phase.

However, the change in activity and intensification of recreational activity is not expected to have any adverse risk impact on human health through existing safety procedures already in place by the local authority for swimming pools and recreational facilities within their control. The existing guard rail around the existing facility will be maintained and enhanced where necessary. Life buoys will be located within and around the proposed facility and a management plan, addressing health and safety of both workers, participants and spectators will be put in place under the appropriate Health and Safety Legislation.

The centre is expected to have a more general widespread beneficial effect on health and safety as it will act as a training centre for emergency services and rescue personnel through the swift water training centre.

### **5.4 Location of the Proposed Development**

The location of the proposed development is set out in Section 3.2 above.

The proposed development is located within an existing developed area of the city centre where there is little remaining of the natural environment. It is not considered that there are any sensitive environmental receptors in the immediate area other than the River Liffey within which there no physical intervention and for which the nearest component of development is confined to the demolition and replacement of the existing office building.

#### **5.4.1 The Existing and Approved Land Uses**

The existing dry basin was previously in use for recreational and leisure. The proposed development maintains and enhances this leisure and recreational function utilising the basin and channel as existing key features. The proposed activities remain compatible with the proper planning and development of the area.

#### **5.4.2 The relative abundance, quality and regenerative capacity of natural resources in the area**

The proposed development is a recreational development making use of an existing underutilised public space located in a former industrial site. It constitutes the reuse of resources in terms of the dock, public space surrounding and redevelopment of the quayside. The site and surroundings were historically in industrial use and more recently have formed part of an urban regeneration project. Given their location in proximity to Dublin City Centre, they are under strong urban influence. The site is in proximity to the River Liffey in proximity to Dublin Bay. The area has been in industrial, particularly dock usage, long term.

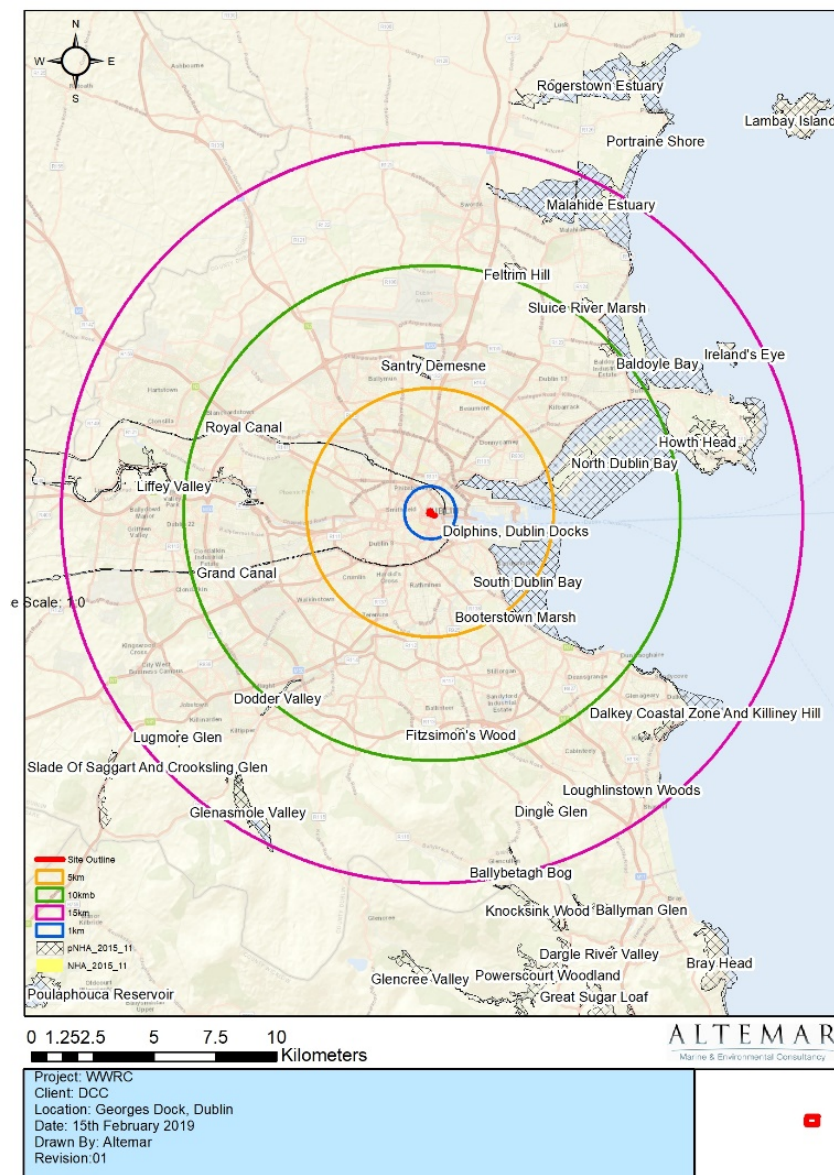
#### **5.4.3 The absorption capacity of the natural environment**

As indicated above there are limited features of the environment within and adjoining the application site. The predominant natural feature in the immediate vicinity is the River Liffey which



is already under strong urban influence in this location and which will not be the subject of physical intrusion and which could be utilised as a natural resource under carefully controlled circumstances proposed. The River Liffey has the capacity to be further utilised in this manner without damaging that natural resource.

Beyond the confines of the site there are nine SACs and eight SPAs within 15km of the subject site. The closest are the South Dublin Bay and River Tolka Estuary SPA and South Dublin Bay SAC at 3.6km and 2.5 km respectively. There are two NHAs and seventeen pNHAs within 15km of the application site.



**Figure 2; Designated sites within 15km of the proposed development from AA Screening**

An Appropriate Assessment Screening Statement was prepared to assess the potential impacts of the proposed development on the designated sites listed in Table 1 on page 12. The AA Screening Report concludes there is no likelihood of any significant effects on any European sites arising from the proposed development, either alone or in combination with other plans or projects.

## 5.5 Characteristics of Potential Impacts

The potential impacts are discussed with respect to the characteristics identified within the legislation as discussed in Section 5.2.3. In addition they are rated in accordance with the methodology contained within the EPA 'Guidelines on Information to be contained in Environmental Impact Assessment Reports' (EPA, Draft - August 2017). This provides a clear outline on communicating duration, significance, duration and frequency as required. None of the impacts are expected to have transboundary effects.

<b>Impact Characteristic</b>	<b>Term</b>	<b>Description</b>
<b>Quality</b>	Positive	A change which improves the quality of the environment
	Neutral	No effects or effects that are imperceptible
	Negative/ Adverse	A change which reduces the quality of the environment
<b>Significance</b>	Imperceptible	An impact capable of measurement but without significant consequences
	Not significant	An effect which causes noticeable changes in the character of the environment but without significant consequences
	Slight	An impact which causes noticeable changes in the character of the environment without affecting its sensitivities
	Moderate	An impact that alters the character of the environment in a manner consistent with existing and emerging baseline trends
	Significant	An effect, which by its character, magnitude, duration or intensity alters most of a sensitive aspect of the environment
	Very Significant	An effect which, by its character, magnitude, duration or intensity significantly alters most of a sensitive aspect of the environment
	Profound	An effect which obliterates sensitive characteristics
<b>Extent and Context of Effects</b>	Extent	Describe the size of the area, the number of sites, and the proportion of a population affected by an effect
	Context	Describe whether the extent, duration, or frequency will conform or contrast with established (baseline) conditions
	Likely Effects	The effects that can reasonably be expected to occur because of the planned project if all mitigation measures are properly implemented
	Unlikely Effects	The effects that can reasonably be expected not to occur because of the planned project if all mitigation measures are properly implemented
<b>Duration and Frequency</b>	Momentary	Effects lasting from seconds to minutes
	Brief	Effects lasting less than a day
	Temporary	Effects lasting less than a year
	Short-term	Effects lasting one to seven years
	Medium-term	Effects lasting seven to fifteen years
	Long-term	Effects lasting fifteen to sixty years
	Permanent	Effects lasting over sixty years
	Reversible	Effects that can be undone, for example through remediation or restoration
	Frequency	Describe how often the effect will occur

<b>Type</b>	Indirect	Impacts which are not a direct result of the project, often produced away from the project site or because of a complex pathway
	Cumulative	The addition of many minor or significant effects to create one larger, more significant effect.
	'Do Nothing'	The environment as it would be in the future should the subject project not be carried out
	Worse Case Effects	The effects arising from a project in the case where mitigation measures substantially fail.
	Indeterminable	When the full consequences of a change in the environment cannot be described
	Irreversible	When the character, distinctiveness, diversity, or reproductive capacity of an environment is permanently lost
	Residual	Degree of environmental change that will occur after the proposed mitigation measures have taken effect
	Synergistic	Where the resultant impact is of greater significance than the sum of its constituents

#### **5.5.1 Population and Human Health**

The development is not expected to have any significant impacts on the local population from a demographic perspective.

The proposed facility is expected to be used by the local community including community groups and schools and will be of significant benefit to the north inner city area where it is identified in other studies including the Mulvey Report that recreational facilities and activities, and the consequent formation of clubs and societies can greatly enhance a sense of community in this part of Dublin. This is likely to be a moderately positive impact. The enhanced facility is also likely to result in the creation of a number of both full time and part time jobs that are likely to be attractive to the local population. This will also deliver a moderate and positive impact.

The proposed facility is located in an area where there is acknowledged to be a shortage of recreation and sporting facilities (the north inner city area) and the impact on health from a facility that encourages active participation in sport in such circumstances is likely to be significant and positive.

That element of the proposed development devoted to swift water emergency training is likely to bring benefits of a moderate but positive nature to safety training of the emergency services and Dublin Fire Brigade in particular.

There is an existing pedestrian crossing which will be retained and utilised and the upgrade of the lock within the site will facilitate canoeists and kayakers passing under the existing R801 before entering into the George's Dock basin therefore avoiding to have to cross the road at this point.

#### **5.5.2 Land Soils and Geology**

There are no significant impacts likely to arise from the enhanced use of what is an underutilised recreational amenity in terms of soils and geology. The proposed structures to be located north of the R801 are to be constructed within the existing dry dock basin without breaking ground. The proposed activities north of the R801 are otherwise within an existing dock and lock system and there are no significant excavations proposed in the development north of the R801.



We believe that modest excavation or breaking ground will be required to replace the existing Council Office along the quayside, subject to favourable ground conditions being encountered during the intrusive ground investigation. To ensure that there is no significant impact on soils and geology the necessary site investigations will be carried out prior to development commencing as indicated in the Phase 1 Geo-environmental report compiled by Patrick Parsons. These will inform the detailed design and the construction management plan.

#### **5.5.3 Water and Services Including Hydrology and Hydrogeology**

Any interaction of the development with the adjoining River Liffey is of a very small scale confined to the surface water drainage of the quayside buildings which are of modest scale and which will not have significant impact upon the water channel. The Quayside buildings are to be developed at a level which accounts for flood conditions and is compatible with quayside flood protection measures. Foul water drainage and any water output of the WWRC course will be managed through the Dublin Waste Water Treatment Plant at Ringsend.

The potable water of the refilled George Dock basin and the salt water of the River Liffey will continue to be separated by the existing concrete structure preserved in situ within the channel.

There are no significant impacts expected to arise from the development on either surface or groundwater.

Upon the original fill of the dock basin work supplementation will be relatively minor due to water treatment and evaporation. Thereafter water demand will be managed with agreement from Irish Water and once the initial fill has been completed, any necessary water supplementing will be minimised through the use of the integrated water treatment plant.

There are no hydrogeological issues arising from interaction of water through rock or soil within or adjacent to the application site.

#### **5.5.4 Air Quality and Climate**

No significant impact to air quality and climate is expected as part of the proposed development. The use does not have any risks to air quality or climate. It is not anticipated that fire fighting training will be undertaken on this site as other facilities exist within Dublin for training to be undertaken at alternative venues. The principal activity conducted by Dublin Fire Brigade will be the conduct of rescue and evacuation exercises from flooded or flooding locations.

#### **5.5.5 Noise and Vibration**

The proposed development site is not in a noise sensitive environment. The nearest residential buildings are the apartments which are approximately 105m to the north of George's Dock at Customs House Harbour within the Inner Dock. The Hilton Garden Inn Hotel, which only becomes a sensitive noise receptor during the night (between 11pm and 7am) is 80m to the east of George's Dock. There are no other noise sensitive receptors in close proximity to the application site such as educational buildings, nursing homes or hospitals. The predominant building use around the proposed course area is office use which is not a noise sensitive use. It is anticipated that noise generated by users of the course is likely to be at its greatest outside of normal business hours, when the adjoining predominant offices will be vacated in the evening and prior to closing during the week at 10.00pm.

The four lane R801 (Custom House Quay) running east west along the southern boundary of George's Dock and along the northern boundary of the proposed quayside buildings is the main noise source at the sites. Bars and restaurants line the eastern boundary of George's Dock and generate noise through the day. These are also late night activities which will continue to produce increasing noise well after the closing time of the WWRC.

The George's Dock site has previously been periodically used as the venue for Oktober Fest and the Christmas Fair which had a significant late night impact on the apartments within the Inner Dock particularly when music was played. The proposed facility will not be operating beyond 10pm and will have a lower impact on neighbouring offices and restaurants.

The main source of noise that will be generated by the development will be the sound of the water being pumped into and around the course but as demonstrated at a similar course, this noise, beyond 50m away from the discharge point, was not audible above background road traffic noise. There are a number of existing late night activities in the area dominating the evening noise regime which will be in operation long after the 10pm closing time of the proposed water course.

As noise levels are not expected to be high from any proposed source and due to the lack of residential neighbours within 105m of the water course and the high level of background noise from the traffic on Custom House Quay and Mayor Street it is not recommended to provide any form of sound attenuation.

It is not anticipated that the construction works will generate substantial vibration as it is unlikely that any piling works will not involve driven piles to limit the impact on the existing quay and dock walls. The demolition of the DDDA building will be relatively simple as it is not a substantial structure so will not create excessive vibration.

#### **5.5.6 Biodiversity (Flora and Fauna)**

No significant impact to flora and fauna is expected from the proposed development. The enhanced utilisation of an existing recreational asset does not impact any existing habitats and the potential zone of influence is local. Three site visits were carried out (24th January 2019, 7th February 2019 and 24th May 2019) and the full extent of the proposed development was examined. The proposed development is comprised totally of built land/artificial surfaces. The land surrounding Georges Dock consists primarily of paving and old stone walls from the initial construction of the Dock itself. Upon examining historic satellite and ortho imagery the inside of the dock appears to have a mixed history of being immersed in water or being left dry. Possibly as a result of this immersion/dry cycle, or recent deposition of stone and a concrete platform, it appears that neither terrestrial or aquatic flora are able to take hold, with the exception of some butterfly-bush (*Buddleja davidii*) and hart's-tongue fern (*Asplenium scolopendrium*) on the higher portions of the walls. Relatively recent infill, concrete and a platform cover the entire extent of Georges Dock and this area is devoid of any flora or obvious fauna. A solid robust concrete poured wall separates the Georges Dock from the River Liffey, thereby breaking the hydrological link. Some *Ulva intestinalis* was noted on the inside of this wall in an area of some minor seepage. No other algae were noted inside the Georges Dock area. No evidence of mammal activity was seen on site. Noted bird activity was solely feral pigeon (*Columba livia f. domestica*) landing within the dock area and nesting under the bridges in the vicinity of the poured concrete wall. No birds of conservation importance were noted on site. It would be expected that herring gull (*Larus argentatus*) and back-headed gull (*Chroicocephalus ridibundus*) would be also seen in the site. A bat emergent detector survey was carried out on the 24th May 2019. This survey was carried out within the optimal survey timing and weather conditions. No bats were noted within the site. It should be noted that bats are protected under the Habitats Directive but, are not a conservation interest of any of the

Natura 2000 sites within 15km of the proposed development. No species of conservation importance were noted on site or have been recorded on site by NPWS or NBDC data. Data on rare and protected species was acquired from the National Parks and Wildlife Service. No species of conservation importance were located in the vicinity of the proposed works. However, the River Liffey which is located proximal to the proposed development has Atlantic salmon (*Salmo salar*) which are protected (in freshwater) under the Habitats Directive.

#### **5.5.7 Traffic, Transportation and Parking**

The proposed White Water Rafting Centre at this location benefits from excellent existing public transport connections being located some 50m from the George's Dock Red Line Luas stop. The R801 which effectively splits the application site in two, has bus stops within approximately 50m of the site operated by Dublin Bus, Bus Eireann and the Big Bus Tourist company. A direct bus service runs from the site to Dublin Airport. The site is extremely well served by public bus and is accessible for pedestrians and cyclists with a Dublin Bike cycle stand located directly opposite the site on the other side of the R801. Being located within the city centre the site is well located in terms of existing city centre attractions, services and amenities for tourists and visitors.

The Mobility Management Plan submitted with the planning application sets out the estimated usage of the proposed development over the first 5 years, with the estimated 103 average no. visitors per day in year 5. These visitors will likely visit the proposed development in a spread even manner throughout the day based on the fact that use of the proposed facility will be controlled through prior bookings arrangements having to be made in advance of use of the proposed facility.

The proposed development is an enhanced utilisation of an existing recreational facility. There are no on-site parking spaces currently available and none are proposed. The development does not propose any parking and as such the existing parking provision in the area will be used for those relatively few visitors who are obliged to travel by private transport.

It is not expected that there will be any significant negative impact upon traffic and transport arising from this development.

#### **5.5.8 Cultural Heritage**

Impact upon cultural heritage is assessed in the Conservation Report by Howley Hayes, submitted with this part 8 application under separate cover. The report concludes that there will be a significant but positive impact upon the protected structure of George's Dock, as planning permission is sought to repair current minor structural issues with the dock walls. The intervention in the dock will also be fully reversable and will not detract from the dock or surrounding structures of historic or cultural importance.

#### **5.5.9 Archaeology**

There are no significant impacts likely to arise from the proposed development on archaeology. There are minimal groundworks occurring and the area of the development where ground breaking is necessary (ie the existing DCC quayside building) has previously been previously significantly disturbed by development. It is not anticipated that any excavation on the quay will be greater than that previously undertaken for the construction of the existing DDDA building. The on the ground extent of construction and floorplate is not significantly greater than the existing development including the existing yard east of the DDDA offices. Excavation in this located is also limited by the need to preserve and protect the quay walls. There are no substantial ground disturbances to George's Dock.

#### **5.5.10 Waste Management**

There are no significant impacts likely to arise from the proposed development in terms of waste generation during operation. Water to be used in the proposed facility will be reused. The construction phase will result in some waste streams, particularly from the demolition of the quayside buildings. Construction and demolition waste will be appropriately disposed of or recycled as set out in the Construction and Demolition Waste Management Plan. The operational phase will have no significant waste stream.

#### **5.5.11 Material Assets**

There are no significant impacts likely to arise from the proposed enhanced activities on site in terms of impact on Material Assets. The use is within an existing building and does not have an increased requirement for utilities.

#### **5.5.12 Visual Impact Assessment**

The visual impact of the proposed development must be considered in the context of current use and activity on site – or the lack of. Currently there is a dry basin which would be considered visually obtrusive and prior to that there was a substantial pontoon area over what was a relatively large expanse of water. Periodically there are a number of marquees, temporary accommodation and promotional or advertising structures that rest on the site for long periods including Oktoberfest, Christmas Fairs and Fringe events which diminish the visual attractiveness of this area.

The proposed development involves four principal components for the purposes of landscape and visual impact.

The first is the replacement of the existing former DCC office building which is of low architectural quality and presents a poor vista when viewed from the river, Sean O Casey bridge and from the other side of the Liffey. The vistas will be significantly improved from the provision of two modern ancillary buildings and enhanced public realm between them, to support the proposed activity and for the purposes of reinstating a DCC office in this location. The submitted Architectural Design Statement states that the contemporary structure introduces a new and positive aesthetic to the quayside in this location.

The second visual element of the proposed development is the public realm around the proposed facility north of the R801 which is to remain substantially as is so there is no significant impact in this regard.

The third element for which there can be a potential visual impact are the structures proposed within the current basin and the creation of channels within that basin for water sports respectively. Of these built features the artificial structures for training will remain permanently visible. The built channels will only be intermittently visible when the white water generating machinery is switched off, the level of the water subsides and becomes still. This view will become moderately more obtrusive than when the facility is in operation but for periods when the facility is not in use only. This coincides largely with when the surrounding office blocks and commercial properties will not be in use (ie outside normal business hours). It is confirmed that there are no residential properties overlooking the proposed development where the permanent structures and channels will be visible when the facility is not in use.

The fourth element of the proposed scheme that may have some bearing on landscape and visual impact is the range of activity associated with the proposed uses and structures. Previously there were limited opportunities for activity – usually in the form of periodic or seasonal events including a number of festivals. The creation of active spaces, whether being

land based or water based, occurring on a permanent basis is preferable to only occasional use.

The visual impact of the proposed development will be neutral or benign offering a permanent and managed amenity with positive animation of the dock during normal business hours and into the evening. The proposed use would provide a permanent and fixed range of activities in this historic part of the docks complementary to surrounding leisure uses and making maximum use of a recreational asset. There are no sensitive visual receptors in this location.

#### 5.5.13 Interactions of the Foregoing

This section considers the significant interactions of impacts between each discipline. In operation many impacts have slight or subtle interactions with other disciplines. The matrix below highlights those interactions which are considered to potentially be of a significant nature with a tick, interactions which are considered to not be significant with an x and no interaction with n/a.

	A.	B.	C.	D.	E.	F.	G.	H.	I.	J.	K.	L.
A. Population and Human Health		n/a	n/a	n/a	X	n/a	n/a	n/a	n/a	X	X	n/a
B. Soils and Geology			X	n/a	n/a	X	X	n/a	X	n/a	n/a	n/a
C. Hydrology and Hydrogeology				n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
D. Air Quality and Climate					X	X	X	n/a	n/a	n/a	n/a	n/a
E. Noise and Vibration						X	X	n/a	n/a	n/a	n/a	n/a
F. Biodiversity							X	X	n/a	n/a	n/a	n/a
G. Traffic and Transport								n/a	n/a	n/a	n/a	n/a
H. Cultural Heritage									X	n/a	n/a	n/a
I. Archaeology										n/a	n/a	n/a
J. Waste											n/a	n/a
K. Material Assets												n/a
L. Visual Impact												

As is evident from the matrix, no interactions are expected to be significant in nature. There are not considered to be any direct or indirect significant impacts experienced from the proposed development proceeding nor cumulative impacts with any other developments proposed in the area.

## 6.0 CONCLUSIONS

The proposed development is considered to be a sub-threshold development. The **characteristics of the proposed development** are not considered to be significant, due to the surroundings in an urban location and the minimal areas of environmental importance locally combined with the design of the development to minimise any significant effects.

In relation to the **location of the proposed development**, the site is located in an urban environment, providing a leisure use in a former industrial site which has been in leisure use for over 15 years. The AA Screening Report found that there is no likelihood of any significant effects on any European sites arising from the proposed development, either alone or in combination with other plans or projects.

**Characteristics of the potential impacts** of the proposed development are unlikely to be significant in this urban location. Any impact associated with noise, vibration, air, and traffic are likely to be insignificant and will be managed at construction and operation stages.

Having regard to the criteria outlined in Section 7 of the Planning and Development Regulations 2001, as amended, it is concluded that the proposed development will have **no likely significant effect, indirect or direct, on the receiving environment, either on its own or cumulatively with other development** and that having regard to the effects of the proposal it is our professional opinion that no adverse impacts occur such as to warrant an Environmental Impact Assessment Report for a sub threshold development.