

1 Introduction

1.1 Introduction

This Environmental Impact Statement (EIS) is a statement of the potential impacts on the environment which may result from the Proposed College Green Project (the ‘Proposed Project’).

The objectives of this EIS are:

- To identify the likely significant environmental impacts of the Proposed Project during the construction and operational phases, having regard to the characteristics of the local environment; and
- To evaluate the magnitude and significance of likely impacts and to propose appropriate measures to mitigate potential adverse impacts.

This EIS has been prepared as part of the statutory development consent procedure for the Proposed Project in accordance with the requirements of Section 175 of the Planning and Development Act, 2000, as amended (‘The Act’), Part 10 Planning and Development Regulations 2001, as amended and any other applicable legislation.

This EIS has been prepared on behalf of Dublin City Council (DCC) by a Consultancy Team led by Arup with inputs from a number of specialist sub-consultants.

The site of the Proposed Project is located in Dublin City centre, as illustrated in **Figure 1.1**.

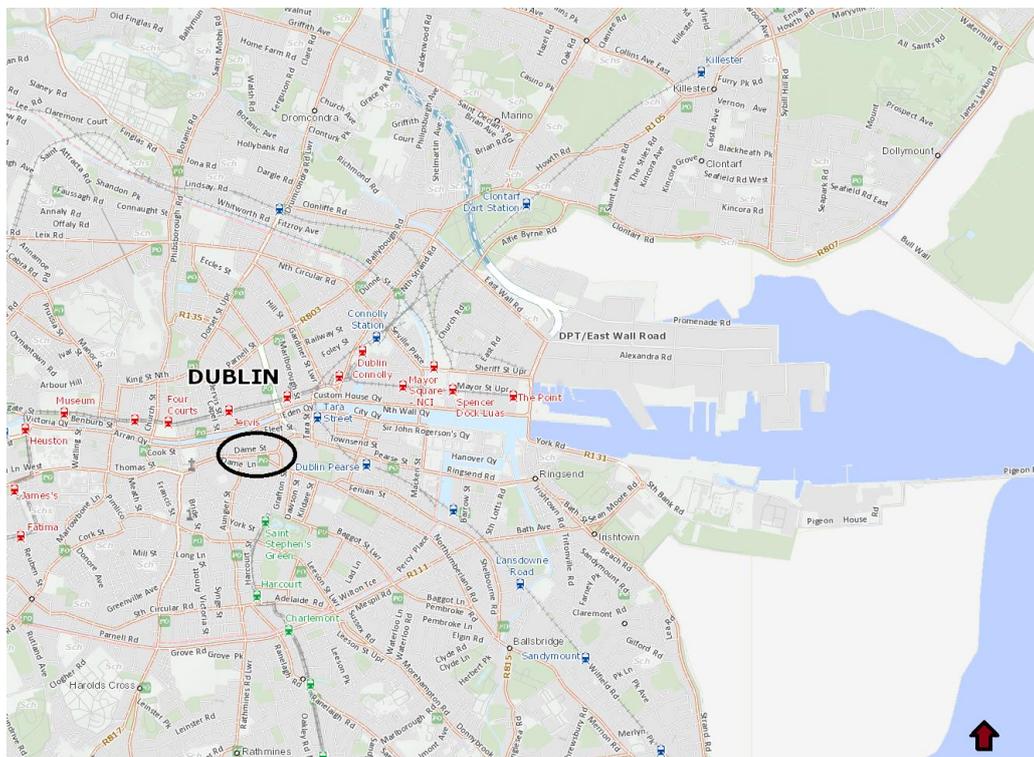


Figure 1.1 - Site location

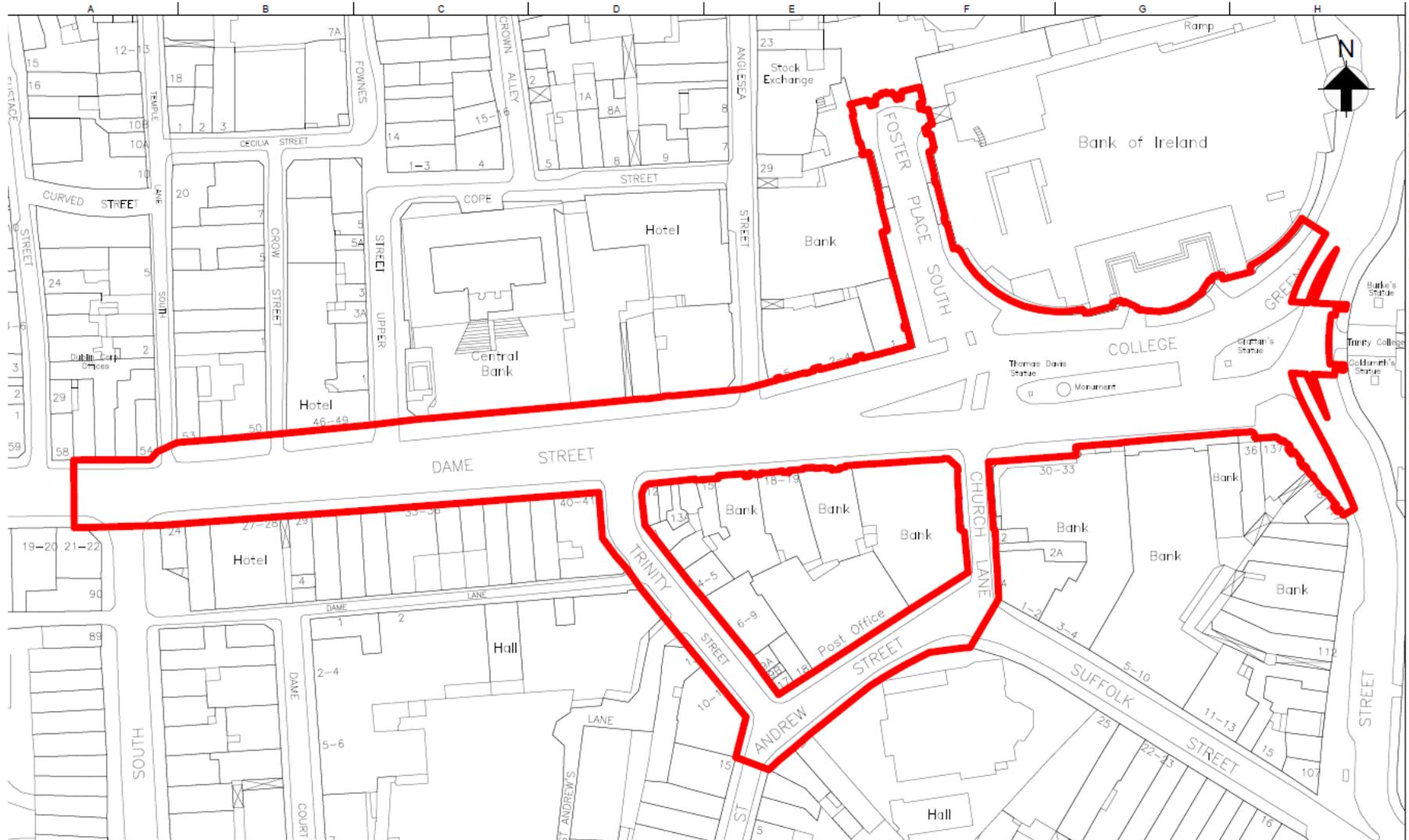


Figure 1.2 - Extent of Main Works Area

In addition, the Proposed Project involves the alteration of road and surface pavement, kerbs, street furniture, signage and utilities to provide for the development of a largely vehicular-free civic plaza at College Green.

Further detail on the Proposed Project is provided in Chapter 4, ‘*Proposed Project Description*’.

1.3 Planning Process for the Proposed Project

1.3.1 Need for an EIA

Environmental Impact Assessment legislation as it relates to the planning process has now been largely brought together in Part X of the Planning and Development Acts 2000-2010 and Part 10 and Schedules 5, 6 and 7 of the Planning and Development Regulations 2001-2010.

Part 1 of Schedule 5 to the Planning and Development Regulations lists projects included in Annex I of the EIA Directive (Directive 2011/92/EU) which automatically require EIA. Part 2 of the same Schedule outlines thresholds for other projects which also require EIA, per Annex II of the Directive.

Dublin City Council engaged CAAS Ltd. to carry out Environmental Impact Assessment Screening in order to determine whether the Proposed Project should be subject to EIA.

In the first instance it was necessary to determine whether the Proposed Project is of a type [or ‘class’] that requires an EIS. Part 10 of the Planning and Development Regulations 2001-2010 - in Schedule 5 Development for the Purposes of Part 10, Part 2, identifies:

“Class 10. Infrastructure projects (b) (iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use).”

As the development area was deemed to be less than 2 hectares in area, CAAS determined that the Proposed Project was to be considered ‘sub-threshold development’ with respect to Class 10 developments.

In deciding whether an EIS is required for ‘sub-threshold developments’, it is then necessary to determine the characteristics of the Proposed Project, the location of the Proposed Project and the likelihood of whether significant effects on the environment could arise. In their assessment of the Proposed Project, CAAS and DCC determined that:

- The proposal comprises urban development over an extensive area of the core of the Central Business District, the Proposed Project is of a class that requires an EIS.
- The environmental sensitivity of the receiving environment – on account of its social, tourism, cultural and business significance there is a likelihood that significant environmental resources could be affected – which would warrant an Environmental Impact Assessment.

- The potential for significant environmental effects to arise relating to
 - Human Beings (socio-economic, amenity, tourism and trade);
 - Cultural Heritage (context and setting of Protected Structures);
 - Air [air quality and noise];
 - Material Assets (traffic and parking);
 - Health and Safety; and
 - Interaction, secondary and off-site effects.

In addition, Irish Case law agrees with the European Court of Justice that the wording of the 2011 EIA Directive ‘has a wide scope and a broad purpose’ and accordingly that a project which is likely to have significant effects on the environment is required to have an EIS to be prepared in accordance with the 2011 Directive and the Regulations.

It was therefore concluded that an Environmental Impact Assessment should be carried out of the Proposed Project.

1.3.2 Planning Process

This EIS has been undertaken in accordance with Section 175 of the Planning and Development Act, 2000 as amended (‘The Act’), Part 10 Planning and Development Regulations 2001 as amended and any other applicable legislation.

Section 175 of the Act covers environmental impact assessment of certain development carried out by or on behalf of local authorities, as set out below:

175.-(1) “Where development belonging to a class of development, identified for the purposes of section 176, is proposed to be carried out—

- (a) by a local authority that is a planning authority, whether in its capacity as a planning authority or in any other capacity, or*
- (b) by some other person on behalf of, or jointly or in partnership with, such a local authority, pursuant to a contract entered into by that local authority whether in its capacity as a planning authority or in any other capacity within the functional area of the local authority concerned (hereafter in this section referred to as “proposed development”), the local authority shall prepare, or cause to be prepared, an environmental impact statement in respect thereof.”*

Under Section 175 of the Planning and Development Act, 2000, An Bord Pleanála is the Competent Authority which is required to carry out the EIA. The requirement to submit the EIS to An Bord Pleanála is set out at section 175(3):

175.-(3) “Where an environmental impact statement has been prepared pursuant to subsection (1), the local authority shall apply to the Board for approval.”

Article 120 of the Planning Regulations 2001 (as amended) outlines the procedure for submission of an EIS to the Board:

- (1) “Where a local authority proposes to carry out a sub-threshold development, and where it considers that the development would be likely*

flora;
fauna;
soil;
water;
air;
climate;
the landscape;
the interaction between any of the foregoing;
material assets;
the cultural heritage;

(d) Where significant adverse effects are identified with respect to any of the foregoing, a description of the measures envisaged in order to avoid, reduce, and, if possible, remedy those effects."

2. *"Further information, by way of explanation or amplification of the information referred to in paragraph 1, on the following matters —*

(a) the physical characteristics of the proposed development, and the land use requirements during the construction and operational phases;

(b) the main characteristics of the production processes proposed, including the nature and quantity of the materials to be used;

(c) the estimated type and quantity of expected residues and emissions (including pollutants of surface water and groundwater, air, soil and substrata, noise, vibration, light, heat and radiation) resulting from the proposed development when in operation;

(d) (in outline) the main alternatives (if any) studied by the applicant, appellant or authority and an indication of the main reasons for choosing the development proposed, taking into account the environmental effects;

- *(e) the likely significant direct and indirect effects (including secondary, cumulative, short, medium and long term, permanent, temporary, positive and negative effects) on the environment of the proposed development which may result from —*
- *(i) the use of natural resources;*
- *(ii) the emission of pollutants, the creation of nuisances, and the elimination of waste;*
- *(f) the forecasting methods used to assess any effects on the environment about which information is given under subparagraph; and*
- *(g) any difficulties, such as technical deficiencies or lack of knowledge, encountered in compiling information in this Schedule."*

Consideration was also given to the following guidance in the preparation of this EIS.

- European Commission, 2001. *Guidance on EIA – EIS Review*;
- Department of the Environment, Community and Local Government (DoECLG), 2013. *Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment*;
- NRA, 2004. *Environmental Assessment and Construction Guidelines*;
- Conservation and Amenity Advice Service (CAAS), 2002. *Guidelines on the Information to be contained in Environmental Impact Statements*;
- CAAS, 2003. *Advice Notes on Current Practice in the Preparation of Environmental Impact Statements*;
- CAAS, 2015, *Draft Revised Guidelines on the Information to be contained in Environmental Impact Statement*;
- CAAS, 2015, *Draft Revised Advice Notes on Current Practise in the Preparation of Environmental Impact Statements*.

1.4.2 General EIS Methodology

1.4.2.1 Introduction

The methodology adopted for the preparation of this EIS comprised a systematic analysis of the impact of the Proposed Project in relation to the existing environment. The overall methodology for preparation of the EIS is discussed under the following headings:

- Basis for assessment;
- Impact assessment and mitigation; and
- Significance of environmental issues.

1.4.2.2 Basis for Assessment

The impact assessment examines the existing environmental conditions within the study area for each element of assessment and then determines the potential impacts associated with the Proposed Project during its construction and operational phases.

The impact assessment considers the following scenarios:

- Do-minimum (DM) scenario – Represents movement and access in the city centre as it exists currently, taking into account developments with approved planning permissions, as well as projects committed to be implemented prior to the Proposed Project. This scenario includes the continuation of all east-west through traffic at College Green during the weekends and public transport access only from Monday to Friday. This scenario includes no plaza provided at College Green;
- Do-something (DS) scenario – There will be two representative ‘do-something’ scenarios. The first represents a situation where the

Proposed Project has been implemented as well as other planned projects outlined in the do-minimum scenario (by 2018). The second represents a situation where the Dublin City Centre Transport Study (Dublin City Council, National Transport Authority, 2016) has been implemented in totality (by 2035). This includes the Proposed Project, as well as a number of ‘other planned projects’. This scenario includes the plaza at College Green.

The do-minimum scenario is assessed in chapters where relevant. Where there is no discussion around the do-minimum scenario it is assumed that the Proposed Project area will remain as it currently exists and the impact would therefore be neutral.

The study area considered within this EIS differed for each environmental aspect and extended to incorporate all areas where there was potential for significant impact. Further information on the extent of study area considered for each topic is addressed in the relevant corresponding EIS chapter.

1.4.2.3 Impact Assessment and Mitigation

The preparation of the EIS was an iterative process, linking into the design development process. The approach adopted in the impact assessment and preparation of the EIS was generally based on that recommended in the *Guidelines on the information to be contained in Environmental Impacts Statements* (EPA, 2002), as outlined below.

A design was developed and the potential impacts of the proposal on the receiving environment were identified along with mitigation measures, as required.

1.4.2.4 Significance of Environmental Issues

The glossaries contained in the *Guidelines on the information to be contained in environmental impact Statements* (EPA, 2002) describes an impact as “*the degree of change in an environment resulting from a development*” and a significant impact as “*an impact which, by its magnitude, duration or intensity alters an important aspect of the environment.*”

The following factors were considered when determining the significance of the impact, both positive and negative, of the Proposed Project on the various aspects of the receiving environment:

- The quality and sensitivity of the existing/baseline receiving environment;
- The relative importance of the environment in terms of national, regional, county, or local importance;
- The degree to which the quality of the environment is enhanced or impaired;
- The scale of change in terms of land area, number of people impacted, number and population of species affected, including the scale of change resulting from cumulative impacts;
- The consequence of that impact/change occurring;
- The certainty/risk of the impact/change occurring;

