

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)
SCREENING REPORT

DRAFT O'CONNELL STREET AND ENVIRONS
SCHEME OF SPECIAL PLANNING CONTROL 2022

PLANNING AND DEVELOPMENT ACTS 2000 (AS AMENDED)

PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS

2004-2011

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1.0 Introduction

Pursuant to Sections 85 and 86 of the Planning and Development Act 2000 (as amended) Dublin City Council (DCC) has reviewed the existing Scheme of Special Planning Control (SSPC) for O’Connell Street and Environs, which was approved in 2016. A number of changes to the original scheme are recommended and these have been incorporated into a Draft SSPC for O’Connell Street and Environs 2022 (the Draft SSPC).

There is no change to the boundary of the Area of Special Planning Control (ASPC), to which the Draft SSPC relates. In accordance with the provisions of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) (SEA) Regulations 2004-2011 (the SEA Regulations), SEA screening has been undertaken in respect of the Draft SSPC.

This report provides the findings of the screening exercise that was undertaken, in accordance with the provisions of the SEA Regulations, to determine the requirement for SEA to be undertaken in respect of the Draft SSPC. This report was used by DCC in supporting its Screening Determination.

The observations received from the required environmental authorities, within the appropriate period, were considered by the Planning Authority in making a final determination on the requirement for SEA for the Draft SSPC.

DCC as the competent authority has determined that the Draft SSPC for O’Connell Street and Environs 2022 would not likely have a significant effect on the environment and that SEA is not required in respect of the Draft SSPC.

Public Consultation Programme and Submissions

The Draft SSPC was subject to a public consultation stage from 30 May to 25th July 2022, and a total of 15 submissions were received during this period. All submissions were read, analysed, and summarised and these then formed the basis of the Chief Executive’s Report and recommendations.

The recommendations proposed by the Chief Executive to the members arising from the consultation were determined to be non-material and identified as not giving rise to significant environmental effects.

On the 3rd October 2022, at its Monthly Council meeting, the elected members of Dublin City Council resolved to approve the scheme as revised. Dublin City Council as the competent authority has determined that Strategic Environmental Assessment is not required in respect of the scheme as approved.

2.0 Amendments to the O'Connell Street Scheme of Special Planning Control

DCC proposes amending the existing SSPC to include a number of text changes, to ensure consistency with the Dublin City Development Plan 2016-2022 (the Development Plan) and taking into account wider planning policy and economic changes that have occurred since the SSPC was adopted.

The changes proposed include:

- Updates to general land use controls.
- Updates to street specific land uses considered permitted, open for consideration and non-permissible.
- Text changes, to include updated objectives.

The changes proposed **are consistent** with the Development Plan, which was subject to SEA.

For clarity, no change to the boundary of the Area of Special Planning Control is proposed.

3.0 Area of Special Planning Control Context

The physical area covered by the Draft Scheme is identical to the O’Connell Street Architectural Conservation Area (ACA). The designation of the O’Connell Street ACA as an Area of Special Planning Control allows DCC to specify development objectives for the preservation or enhancement of the area that would further strengthen its designation as an ACA.

Section 84 of the Planning & Development Act 2000 (as amended) states:

‘A planning authority may, if it considers that all or part of an architectural conservation area is of special importance to, or as respects, the civic life or the architectural, historical, cultural or social character of a city or town in which it is situated, prepare a scheme setting out development objectives for the preservation and enhancement of that area, or part of that area’, including the promotion of an appropriate mix of uses and the remediation of derelict or vacant sites.’

The SSPC shall remain in operation for six years. DCC will monitor and review the impact of the Scheme over this six year period and may by resolution, amend or revoke the Scheme as necessary. The SSPC should be read in conjunction with the O’Connell Street Architectural Conservation Area Plan, in particular with regard to the general controls over works to the exterior of all buildings, both protected and non-protected.

Figure 1: O’Connell Street Area of Special Planning Control



4.0 Purpose of amendments to the SSPC

4.1 Background

On 9th July 2001, DCC designated O'Connell Street and environs as an ACA in recognition of its major architectural, historical, cultural, artistic and social importance to the city. DCC subsequently approved a SSPC for the entire O'Connell Street ACA on 8th June 2003 in order to provide more appropriate guidance on how to achieve a strong and dynamic relationship between the quality of architecture and the uses to which it is put. The 2003 SSPC was reviewed and subsequently updated in 2009 and 2016.

4.2 Policy Context Update

Since the adoption of the SSPC in 2016, the context for the Area of Special Planning Control has changed, including the adoption of the **Dublin City Development Plan 2016-2022**, and in particular revised policies relating to conservation, retail, urban design and public realm. Broader international and national economic trends relating to retailing will impact on the long term mix and range of land uses anticipated within the O'Connell Street area.

Furthermore, national and regional policy has reinforced the importance of city and town centres in achieving compact growth and facilitating vibrant and sustainable economic development. The **National Planning Framework (NPF)** (Project Ireland 2040) identifies 10 National Strategic Outcomes (NSOs) for the future growth and sustainable development of Ireland, including Compact Growth. It states that at least 50% of all new homes for Dublin City and suburbs are required to be delivered within and adjoining its existing built-up footprint. To achieve this, the NPF identifies the reusing of large and small 'brownfield' land, infill sites, and underutilised lands at locations well served by existing and planned public transport. The NPF particularly highlights the need to focus on underutilised lands within the canals and the M50 ring.

The **Regional Spatial and Economic Strategy (RSES)** for the Eastern and Midlands Region is underpinned by three key principles: healthy placemaking; climate action; and economic opportunity. It seeks the consolidation and re-intensification of infill, brownfield, and underutilised lands within Dublin City and its suburbs. 50% of all new homes within Dublin City and its suburbs are to be located in the existing built-up area. To facilitate this growth the RSES also includes a **Metropolitan Area Strategic Plan (MASP)** for Dublin. The MASP directs future growth to identified Strategic Development Areas located on existing and planned strategic transport corridors and anticipates future growth will also be accommodated on infill development lands in the city.

The **National Transport Authority's Transport Strategy for the Greater Dublin Area 2016-2035**¹ provides a framework for developing a sustainable transport network. Key public transportation projects for Dublin City include:

- **Luas** - expansion of the existing network. Luas Cross City has provided two stops on O'Connell Street by connected the exiting Luas Red and Green Lines. It has made the historic O'Connell St district more

¹ Draft Transport Strategy for the Greater Dublin Area 2022-2042 published.

accessible to visitors, and the main attractions in the O'Connell Street area (i.e. GPO's Witness History, The Gate Theatre, The Abbey Theatre, and the Dublin City Hugh Lane Gallery).

- **Bus Connects** – enhancement of Dublin's bus network along with several identified Core Bus Corridors. O'Connell Street will be a focal point for significant interchange on the network.
- **MetroLink** – proposed rail link from the City Centre to Dublin Airport / Swords. Both the Luas and Bus Connects are being designed to integrate and interchange with MetroLink as part of a wider strategic transport network for Dublin. A MetroLink stop is proposed on O'Connell Street.

The Draft SSPC acknowledges the link between significant State investment in the public transport infrastructure of the area and the anticipated changes to and intensification of land uses that will occur in the area. Significant re-development proposals and opportunities exist on O'Connell Street and its environs.

It is within this context that it is proposed to update the SSPC.

5.0 Requirements

In accordance with the Planning and Development (Strategic Environmental Assessment) Regulations 2004-2011 it is mandatory to undertake a screening process to determine whether or not a SEA as set out in the aforementioned Regulations is required. An assessment of the Draft SSPC in terms of the criteria set out in Schedule 2A of the Regulations and in accordance with *Strategic Environmental Assessment: Guidelines for Regional Assemblies and Planning Authorities* (March 2022) is set out below.

ASSESSMENT IN TERMS OF SCHEDULE 2A OF THE PLANNING AND DEVELOPMENT (STRATEGIC ENVIRONMENTAL ASSESSMENT) REGULATIONS 2004-2011

1. THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:

The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;

DCC has reviewed the existing Scheme of Special Planning Control (SSPC) for O'Connell Street, which was approved in 2016. A number of changes to the original scheme are recommended and these have been incorporated into a Draft SSPC for O'Connell Street 2022 (the Draft SSPC).

The current Development Plan establishes the strategic planning policy framework for all projects and development in the City (excluding Strategic Development Zones). All planning proposals are assessed against this strategic framework and all lower plans must be consistent with this. O'Connell Street is designated as an Architectural Conservation Area (ACA) and as an Area of Special Planning Control (ASPC). An SSPC was subsequently prepared for the area, which specifies development objectives for the preservation or enhancement of the area that would further strengthen its designation as an ACA.

The current Development Plan has been informed by Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) undertaken as parallel processes in tandem with each stage of Plan process, thereby ensuring full integration and consideration of environmental issues.

The Draft SSPC for O'Connell Street is considered to be consistent with the current Development Plan. **Therefore, it is not considered that the amendments to the SSPC result in significant effects on the environment over and above any identified (and mitigated against) as part of the SEA of the current Development Plan.**

The degree to which the plan influences other plans, including those in a hierarchy.

The Development Plan sits at the Local Government level of the Spatial Planning Hierarchy in Ireland and below the Regional Assembly and Government levels. The Development Plan sits at the top of the Local Government Level Spatial Planning Hierarchy and it influences Local Area Plans and other area-specific plans.

The Draft SSPC does not influence other spatial plans, including those in a hierarchy.

The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

The Development Plan sets out the overall strategy for the proper planning and sustainable development of the city and consists of a written statement and plans indicating the development objectives for the city (as required under Section 10 of the P&D Act, as amended).

The Development Plan includes, inter-alia, the following objectives for:

- The conservation and protection of the environment including objectives related to the **Habitats Directive**.
- The promotion of compliance with environmental standards and objectives established for bodies of surface water and groundwater, which standards and objectives are included in river basin management plans (**European Communities Regulations 2003/9/10**).
- The integration of the **planning and sustainable development of the area** with the social, community and cultural requirements of the area.
- The development and **renewal of areas** that are in need of **regeneration**.
- The promotion of **sustainable settlement and transportation strategies** in urban areas including the promotion of measures to **reduce energy demand** reduce anthropogenic greenhouse gas emissions and address the necessity of adaptation to climate change.

The content of the Development Plan has been informed by Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) undertaken as parallel processes in tandem with each state of the development plan, thereby ensuring full integration and consideration of environmental issues.

The Draft SSPC is compatible and complementary with the strategies, policies and objectives of the Development Plan relating to compact growth, urban regeneration, mixed-use development and with environmental protection.

Environmental problems relevant to the plan.

The content of the Development Plan has been informed by Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA).

Chapter 4 of the SEA - 'Baseline Environment', identifies the relevant environmental issues (environmental problems) relevant to the development plan as they relate to Population and Human Health, Biodiversity, Flora and Fauna, Air Quality and Noise, Climatic Factors, Water Quality, Material Assets etc.

In accordance with the SEA of the current Development Plan, the policies and objectives contain measures to prevent, reduce and offset any potential significant adverse environmental effects.

The amended SSPC is consistent with the current Development Plan. **It is not considered that the Draft SSPC results in significant effects on the environment over and above any identified (and mitigated against) as part of the SEA of the current Development Plan.**

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

The Development Plan is relevant for the implementation of European Union legislation on the environment.

The Development Plan must include, inter-alia, the following objectives:

- The conservation and protection of the environment including objectives related to the **Habitats Directive**.
- The promotion of compliance with environmental standards and objectives established for bodies of surface water and groundwater, which standards and objectives are included in river basin management plans (**European Communities Regulations 2003/9/10**).

The Draft SSPC does not directly relate to policies / objectives which are directly concerned with the implementation of European Union legislation on the environment.

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

The probability, duration, frequency and reversibility of the effects.

The cumulative nature of the effects.

The Draft SSPC sits within the policy framework of the operational Development Plan. The Development Plan sets the city-wide planning policy framework for all projects and development in the city. All planning proposals are assessed against the policies and objectives of the Development Plan and all lower plans must be consistent with the Development Plan. The content of the Development Plan has been informed by Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and Strategic Flood Risk Assessment (SFRA) undertaken as parallel processes in tandem with each stage of the Development Plan, thereby ensuring full integration and consideration of environmental issues.

The Draft SSPC is compatible, and complementary with, the policies and objectives of the operational Development Plan relating to compact urban development, urban regeneration and environmental protection. **It is not considered that the Draft SSPC results in significant effects on the environment over and above any identified (and mitigated against) as part of the SEA of the Development Plan.**

The transboundary nature of the effects.

The Draft SSPC will have no national, regional or inter-county transboundary effects, over and above the effects from the strategy, policies and objectives of the Development Plan.

The risks to human health or the environment (e.g. due to accidents).

The Draft SSPC will not result in any risks to human health.

The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).

The magnitude and spatial extent of the effects of the Draft SSPC will not be over and above the effects from the strategy, policies and objectives of the current Development Plan.

The value, and vulnerability of the area likely to be affected due to:

a) special natural characteristics or cultural heritage;

Built heritage: No issues identified.

Archaeological heritage: No issues identified.

Biodiversity: No issues identified.

Groundwater: No issues identified.

Flooding and Surface Water Drainage: No issues identified.

b) exceeded environmental quality standards or limit values;

It is not expected that any environmental quality standards will be exceeded or that the value of vulnerable areas limited as a result of the Draft SSPC.

c) intensive land use

The Core Strategy of the current Development Plan includes policies and objectives which seek to facilitate population and economic growth, increase densities and consolidate and intensify land uses within the administrative area of the City Council.

It is not considered that the amendments to the SSPC will be over and above the effects from the strategy, policies and objectives of the current Development Plan, which has been subject to SEA.

The effects on areas or landscapes which have a recognised national, European Union or international protection status.

There will be no effects on areas or landscapes which have a recognised national, European Union or international protection status.

6.0 Consultation

The observations received from the required environmental authorities within the appropriate period were considered by the Planning Authority in making a final determination on the requirement for SEA for the Draft SSPC. No objections were received within the appropriate period.

7.0 Determination

Having regard to the provisions of Schedule 2A of the Planning and Development (Strategic Environmental Assessment) Regulation 2004-2011, DCC as the Planning Authority has determined that the implementation of the Draft SSPC is not likely to have significant effects on the environment.

DCC has considered that a Strategic Environmental Assessment (SEA) is not required in respect of the Draft Special Scheme of Planning Control (SSPC) for O'Connell Street and Environs.