

APPROPRIATE ASSESSMENT SCREENING

In Accordance With The Requirements Of

ARTICLE 6(3)

Of The

EU HABITATS DIRECTIVE

For the

Non Statutory Draft Masterplan for the Regeneration of O Devaney Gardens Dublin 1.

AMENDED VERSION 17/11/2010

SECTION 1 – INTRODUCTION & TERMS OF REFERENCE

This is an Appropriate Assessment Screening of a proposed Non Statutory Draft Masterplan for the regeneration of O Devaney Gardens, Dublin 7 in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC).

The Draft Masterplan has been prepared to guide the redevelopment of a 5.6 ha social housing complex at O Devaney Gardens Dublin 7.

The plan has been assessed to ascertain if it is required to be subject to an ‘*Appropriate Assessment*’ under the EU Habitats Directive.

Based on the ‘*Methodological guidance on the provision of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*’, a ‘*Screening Matrix*’ and a ‘*Finding of No Significant Effects Matrix*’ have been completed.

The principal trigger for undertaking an ‘*Appropriate Assessment*’ would be if the proposed Masterplan was likely to have significant effects on a Natura 2000 site. For the purposes of Article 6 assessments, Natura 2000 sites are those identified as Sites of Community Importance under the Habitats Directive (normally called Special Areas of Conservation) or classified as Special Protection Areas under the Birds Directive (79/409/EEC),

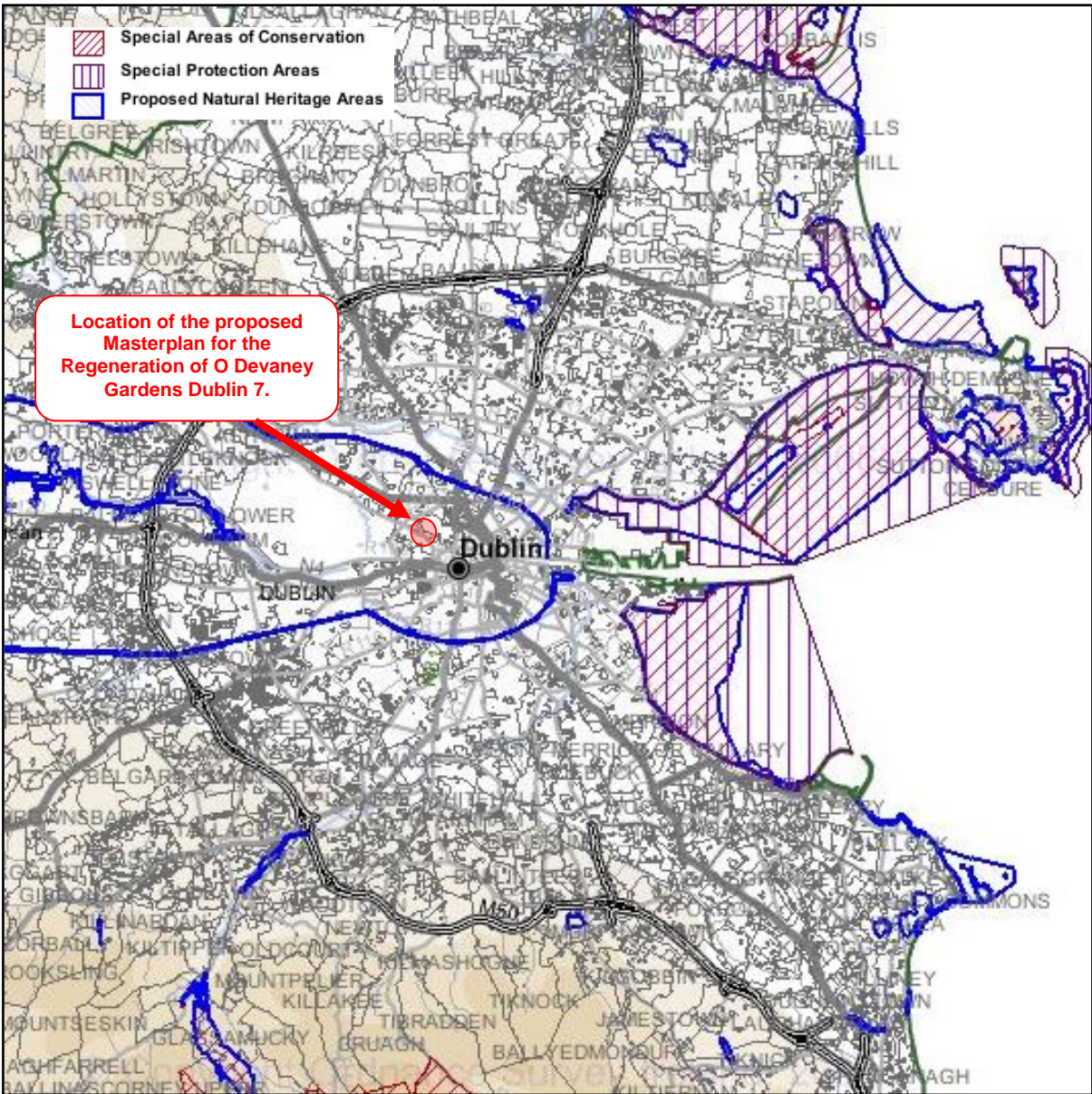
There are no Natura 2000 Sites within the boundaries or adjoining the boundaries of the proposed Masterplan area. In terms of proximity, the nearest Natura 2000 site to the masterplan area is Dublin Bay which is approximately 5 kilometres to the east of the plan area.

Other Natura 2000 sites within the Dublin area and in the wider vicinity are as follows:

- North Bull Island SPA (#00406)
- South Dublin Bay & River Tolka Estuary SPA (#004024)
- Howth Head Coast SPA (#004113)
- Irelands Eye SPA (#004117)
- Baldoyle Bay SPA (#004116)
- North Dublin Bay SAC (#000206)
- South Dublin Bay SAC (# 000210)
- Howth Head SAC (#000202)
- Irelands Eye SAC (#002193)
- Glenasmole Valley SAC (#001209)
- Wicklow Mountains SAC (#002122)

The closest Natura 2000 site is North Bull Island SPA(c4.3km) followed by North Dublin Bay SAC (c 7.4 km), South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA (both c 7.6 km).

Figure 1 below illustrates all of the designated sites in the wider vicinity of the Draft Masterplan Area.



Brief Background of the Proposed Plan:

The regeneration site at O Devaney Gardens is located in an inner suburban residential area close to Stoneybatter and the Phoenix Park. Whilst the character of the immediate area is residential and institutional (St Bricin’s Militray Hospital adjoins the site), it is strategically located close to Heuston Station and emerging character areas such as the Courts Services on Infirmary Road and the Grangegorman SDZ. The site is zoned for social, physical and economic renewal and is designated as a Strategic Development and Regeneration Area.

The 5.6ha site is currently occupied by nine social housing apartment blocks, temporary structures accommodating a grocery shop, a sports pitch (unused), a playground, community facilities (temporary structure for childcare and apartment No 34 used for community services) and two vacant sites which were formerly occupied by apartment blocks (since demolished) and two storey shops.

The site is in need of a significant regeneration programme to provide a higher quality environment for its residents. A re-visioning of the estate is needed to break the cycle of isolation and segregation

between the site and the adjoining neighbourhood. A regeneration project which delivers mixed tenure, quality homes, neighbourhood facilities including parks, shopping and community facilities will assist in integrating the site with its surroundings and transforming its image. A higher quality of life for existing and future residents of the site is a key aim of the regeneration strategy.

As noted above, the site is zoned Z13 under the 2005-2011 Dublin City Development Plan “to seek the social, economic and physical rejuvenation of an area”. The Draft 2011-2017 Dublin City Development Plan has designated the site as a Strategic Development and Regeneration Area and is zoned Z14 ,a similar zoning to the current plan seeking rejuvenation.

The Draft Masterplan for the Regeneration of O Devaney Gardens Dublin 7 will provide an important guidance document and brief for the redevelopment of the site and achievement of the zoning objective for comprehensive and holistic renewal inclusive of physical, social and economic goals.

The masterplan ensures that the regeneration of the site integrates positively with the character of the streets adjoining and creates positive synergies with the wider city centre to revitalise the street. The plan will also ensure that the regeneration of the site over a phased period will be coordinated.

There are two main phases in total with a development timescale of approximately 10 years. The masterplan will give clear guidance on the appropriate design code, height strategy, landuse proposals and ensure that the physical, social and economic objectives of the project are being delivered. Importantly, the preparation of the plan has included consultation and participation with local residents and other interest groups and stakeholders connected with the street and local area.

As a tool to assist the effective delivery of the zoning objective for the site, the masterplan comes directly from the Dublin City Development Plan. It assists the implementation of Development Plan policy at the local level. The site and its population are not large enough to warrant the preparation of a statutory Local Area Plan. The benefit of a preparing a masterplan is however recognised.

The preparation of such masterplans or design briefs by the local authority for particularly important, sensitive or large scale development sites are advocated under Section 3.8 of the DoEHLG Guidelines Sustainable Residential Development in Urban Areas (May 2009).

The first phase of the re-development will be a local authority planning application for a residential scheme and neighbourhood park on a site of 2.3 ha to the north end of the site. High quality housing consisting of 110 units are envisaged of mixed tenure and mixed type. 60 units will be allocated to housing and will be mixed spatially and by unit type for social integration. The character of residential units will be predominantly family orientated own door housing (terraced houses and duplex units).

There are two distinct parcels in Phase 1 adjoining the boundary with Thor Park to the east of the site and Findlater Street to the west, both of which are residential conservation areas and characterised by terraced cottages. The neighbourhood park and mixed use neighbourhood centre (Phase 1B) will be located in between the residential sites so that the housing area is well integrated with and focused on the park and centre as a focal point to the scheme.

The concept is to develop the site at its north end connecting well with the established residential streets adjoining it. Facilities proposed on this site including the park, retail and community facilities are for neighbourhood use and such facilities will encourage interaction between residents from the site and streets surrounding.

Phase 1B will be a site sold for private development in the context of a master plan, design brief and building agreement for its character and content. Works associated with Phase 1 A will prepare this site for development including infrastructure and road access. It is envisaged that Phase 1B will develop as a concurrent phase with the housing and neighbourhood park. Only when Phase 1 is completed in its entirety will Phase 2 commence.

Phase 2, the southern half of the site measuring c2.7ha, will be developed to integrate successfully with Phase 1 to deliver a co-ordinated and complete development of the entire site. The site will be developed privately in accordance with the masterplan. A residential scheme is envisaged comprising

of approximately 240 units as Option 1 or a combined scheme of residential and commercial (c 120 residential units and 8,000 sq,m commercial).

An Environmental Impact Assessment will be prepared for the Phase 1 application to ensure a robust assessment in the context of the cumulative development of all future phases and other developments in close proximity within the city centre. The first application will therefore be lodged to An Bord Pleanála as Strategic Infrastructure Development in accordance with Section 175 of the of the Planning and Development Act 2001 (as amended by the Strategic Infrastructure Act 2006).

Consultations with Dublin City Council Parks and Landscaping Department and Biodiversity Section

The AA Screening Process was reviewed by both the ecologist for the Phase 1 EIS (Flora and Fauna Section Niamh Roche) and also DCC Parks and Landscape Division and Biodiversity Section.

The specific comments from that department are noted below.

The development by virtue of its location, type and size does not have the potential to impact on the integrity of any Natura 2000 sites, including North Bull Island, the nearest site.

There is an increase in density proposed, but this will not be sufficient to have any impact. The new residential units replace a scheme that originally contained 203 units (a net increase of 195 units potentially). The high-density scheme on a brownfield, city centre site is a more sustainable design and is implementing Government policy on sustainable design and spatial strategy, as well as the objectives of the RPG's and the Dublin City Development Plan. The Development Plan includes mitigatory policies to ensure that this development does not impact on Natura 2000.

A regeneration plan such as this affords an opportunity to reduce environmental emissions from an already developed urban site by way of improved and more sustainable methods of design and engineering than the original 1950's scheme provided. The loading to the wastewater treatment plant may be increased by the development, but this is minimal in scale and will be catered for in the design capacity of that facility. It is important to note that the overall masterplan re-development of this site is phased over a ten year period. Development will be parallel therefore with regional improvements to waste water and water treatment facilities. Facilities in situ by the time all development is completed in the masterplan area will help to mitigate against the additional loading.

It is envisaged that the upgrade of the Ringsend plant will have positive impacts on Dublin Bay and North Bull Island, particularly with regard to the minimisation of the effluent plume which occurs during peak CSO's. The discharge of surface waters to the River Liffey will be through the existing drainage network, which is subject to the GDSDS requirements. No direct impacts on the River Liffey are envisaged during construction, as the site is 390 meters from the River.

As the site is within an aquifer zone, measures to mitigate against groundwater contamination and also mixing of groundwater into surface water discharge will be implemented, particularly in relation to the construction of the underground car park. The EIS process will derive the appropriate mitigation measures.

The proposal includes a new neighbourhood park in an area which will provide enhanced biodiversity, although this is unlikely to affect Natura 2000 sites, it may be of benefit to certain species listed Annexes in the Habitats Directive.

Conclusion

It is not anticipated that, subject to adherence with Development Plan policy, development management standards and mitigation measures identified under the Environmental Impact Assessment (EIA) for Phase 1, there will be any potential impact on the conservation function of any Natura 2000 site in the wider vicinity of the proposed regeneration masterplan.

Taking cognisance of the above, the planning authority is of the opinion that there will be no direct, indirect or cumulative impact on any Natura site in the wider vicinity as a result of the implementation of the developments proposed under the masterplan. The AA Screening Matrix is attached to this report.

Accordingly, the planning authority has determined that an Appropriate Assessment (AA) is not required for the proposed Draft Masterplan for the Regeneration of Dominick Street Lower, Dublin 1.

This will be notified to the National Parks and Wildlife Service (NPWS) as the relevant body.