

Mr Tony Horan
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30 April 2019

Re: EIAR Screening Statement - Part 8 Application for a Proposed Pedestrian / Cycle Overbridge over the Dublin – Belfast Rail Line at Corballis, Donabate, Co Dublin

Dear Tony,

This EIAR screening document relates to the provision of a pedestrian / cycle overbridge over the Dublin - Belfast rail line in the townland of Corballis, Donabate, Co Dublin. The purpose of this screening statement is to determine if the proposed development requires an Environmental Impact Assessment (EIA) by reference to the nature, size or location of the proposed development and the significance or the environmental sensitivity of the receiving environment.

Directive 2011/92/EU, as amended by Directive 2014/52/EU, details the requirements for the screening of projects for Environmental Impact Assessment. In this regard, 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".

This Screening Document provides details of the context, relevant planning history and planning policy for the site; along with an assessment of the proposed development in relation to the classes of development and thresholds for EIA in Schedule 5, and the criteria for determining likely significant effects in Schedule 7 of the Planning and Development Regulations, 2001. The preparation of this screening statement has been informed by the following documents:

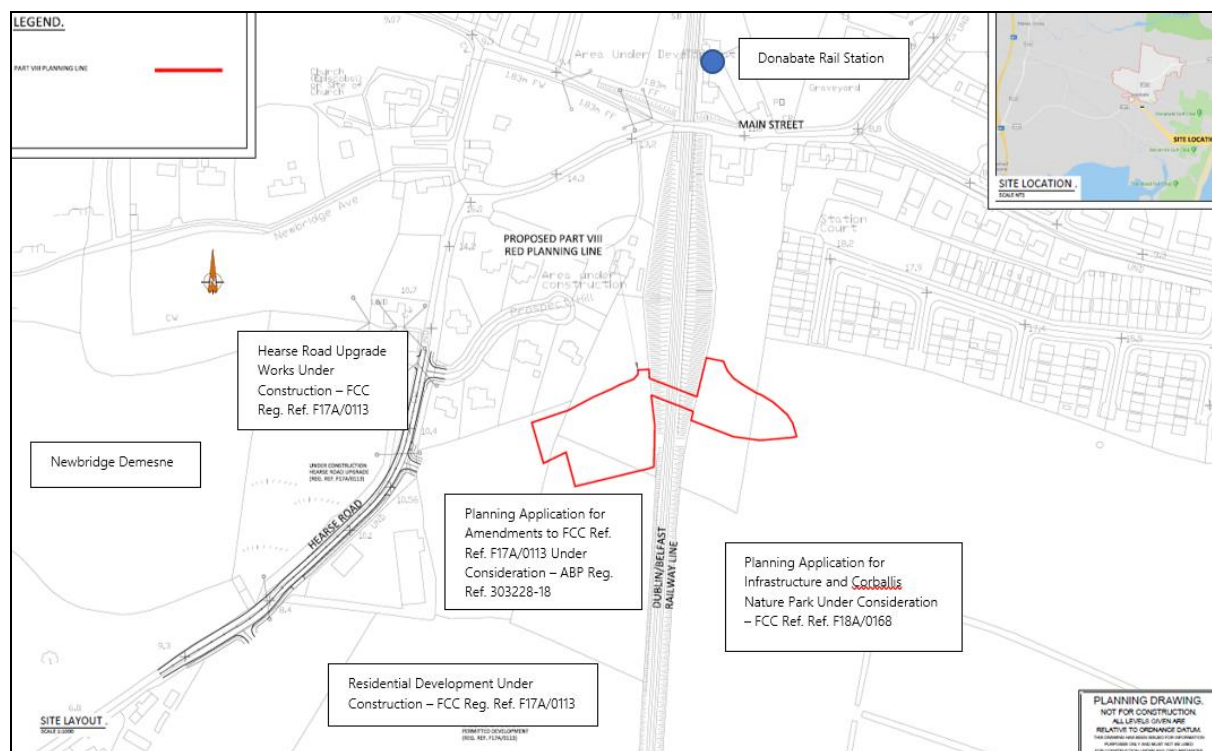
- Environmental Impact Assessment (EIA) Directive 2011/92/EU, as amended by EIA Directive (2014/52/EU);
- Planning and Development Act 2000, as amended.

- Planning and Development Regulations 2001, as amended
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018;
- Department of Environment, Community and Local Government (DoECLG) Guidelines for Planning Authorities & An Bord Pleanála on carrying out Environmental Impact Assessment (2018).

1. Site Location and Context

The site extends to approximately 0.634 ha and is located to the south of Donabate Village, approximately 200m from the Donabate train station. Figure 2.1 below illustrates the approximate location and extent of the proposed development site, incorporating the location of the proposed bridge over the existing Dublin – Belfast rail line and the extent of land for the construction compounds to the east (Corballis East) and west (Corballis West) of the rail line.

Figure 2.1: Site Location and Context



Lands on the western side of the railway line previously consisted of agricultural fields with boundary hedgerows and trees, which have recently been disturbed by site clearance and investigation activities associated with a residential development permitted under Fingal County Council (FCC) Reg Ref. F17A/0113. It is noted that the application for the permitted development was accompanied by a detailed Environmental Report. Construction of the residential development permitted under FCC Reg. Ref. F17A/0113 on the western side of the railway line have commenced to the south of the proposed overbridge site.

It is noted that an application was recently made to An Bord Pleanála (ABP Reg. Ref. 303228-18) under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (Strategic Housing Development) for amendments to the northern portion of the residential development permitted under FCC Reg. Ref. F17A/0113. The proposed amendments consist of the replacement of 97 no. permitted dwellings (62 no. apartments in 3 blocks and 35 no. houses) and a crèche within an apartment block with 174 no. apartments in 5 no. apartment blocks and a stand-alone crèche facility. A detailed Environmental Report accompanied the application. The proposed development area for the overbridge on the western side of the rail line overlaps with the area of the proposed amendments.

Lands on the eastern side of the railway currently consist of agricultural fields with tree lined boundary hedgerows. It is noted that an application for development of lands to the east of the rail line was submitted to Fingal County Council under FCC Reg. Ref. F18A/0618 on the 01 November 2018. The proposed development consists of the provision of strategic open spaces, upgrades to the public road, reconfiguration of the existing car park serving Smyths Bridge House (A Protected Structure), an upgrade of the existing entrance onto Main Street, a new access from Balcarrick Road, internal access roads, water services, a pumping station and utilities. These proposed works are to facilitate future residential development including reserved sites for new primary school and local neighbourhood centre. The proposed development also includes the provision of a Nature Park of 13.63 ha and 3 no additional parks of 1.4437 ha, 0.6788 ha, and 0.3856 ha. Planning permission is sought for 10 years and the application is accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS).

On the 17 December 2018, Fingal County Council issued a request for further information regarding 12 items and significant further information was received on the 23 April 2019. A decision on the application is due by the 18 June 2019. The proposed development area for the overbridge on the eastern side of the rail line overlaps with the area of the proposed development.

2. Overview of Local Planning Policy

The relevant statutory plans for the area are the Fingal County Development Plan, 2017-2023 (FCDP) and the Donabate Local Area Plan 2016 (DLAP).

2.1 Fingal County Development Plan 2017-2023

Donabate is identified as a Moderate Sustainable Growth Town within the Metropolitan Area. The County Development Plan notes that Donabate has experienced population growth in recent years and is served by high-capacity public transport links to Dublin city. Donabate is envisaged as performing a strong role for continuing future growth as a well-served commuter location.

Lands on either side of the rail line are zoned Objective RA in the County Development Plan to *'provide for new residential communities subject to the provision of the necessary social and physical infrastructure'*. There are several map-based objectives in the immediate vicinity of the site, including Objective 39, which seeks the provision of *'a public walkway/cycleway on land west side of the train line in Donabate and along the existing railway embankment across the Malahide Estuary, in consultation with Iarnród Éireann within the lifespan of this Development Plan.'*

2.1 Donabate Local Area Plan 2016

The lands on either side of the rail line form the eastern and western parts of the Corballis lands, which is one of the four areas of Donabate for new residential development. Regarding pedestrian and cycle facilities in the Corballis lands, the LAP states that a strong pedestrian / cycle link is required from Newbridge Demesne through the LAP lands to Donabate Village. The LAP proposes a new pedestrian/cycle bridge over the rail line to connect new development in this area to the Village and Train Station. In this regard, the following objectives are relevant:

OBJECTIVE DONABATE 4: *'Provide for a comprehensive network of pedestrian and cycle ways linking residential areas to one another, to the town centre and the railway station subject to an HDA Screening'.*

OBJECTIVE 3.1: *'Provide a network of pedestrian and cycle access routes to Donabate Train Station from the new development lands.'*

OBJECTIVE 3.6: *'Ensure the construction of the following cycleway/footpath improvements in tandem with development:*

- *Link path/route from Newbridge Demesne to Donabate Village via the Corballis LAP lands;*

OBJECTIVE 3.10: *'Prior to Unit No. 201 being sold and occupied in Phase 1 of the Corballis West development, a new pedestrian and cycle overbridge over the Dublin –Belfast rail line connecting the development to Donabate Village (via Smyths Pub) and a link to Newbridge Demesne shall be provided and shall be operational.'*

3. EIAR Screening – Development Class and Thresholds

Section 3.2 of the 2018 Guidelines states that screening is the initial stage of the EIA process and determines if specified public or private developments are likely to have significant effects on the environment and, as such, require EIA to be carried out prior to a decision on a development consent application being made. A screening determination is a matter of professional judgement, based on objective information relating to the proposed project and its receiving environment.

Section 3.3 of the 2018 Guidelines notes that the first stage in the screening process includes an examination as to whether the proposed project is of a class set out in Annex I and II of the Directive. It is noted that Directive 2014/52/EU does not make any amendments to the list of projects set out in the 2011 Directive. Annex I and Annex II of 2011/92/EU are incorporated into Schedule 5 (Part 1 and 2) of the Planning and Development Regulations 2001, as amended. Developments specified in Schedule 5 (Part 1 and 2) that meet or exceed the thresholds set out therein, or where no thresholds are set, require mandatory EIA.

The proposed development consists of the construction of a pedestrian and cycle overbridge over the existing Dublin-Belfast rail line in the townland of Corballis, Donabate, Co Dublin. The development

proposed does come with any of the development classes, descriptions or thresholds specified in Schedule 5, Part 1 of the Planning and Development Regulations 2001, as amended.

Class 10 of Schedule 5, Part 2 of the Planning and Development Regulations 2001, as amended is for 'Infrastructure Projects'. However, the proposed development does not meet any of the development descriptions or thresholds specified in Class 10.

Class 10 (b) (iv) provides for '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'. The application site consists of 2 no. greenfield areas on either side of the Dublin-Belfast rail line, along with a smaller portion of the railway. The application site, including areas for construction compound is approximately 0.634 ha. The site cannot be reasonably be defined as being within a business district as defined in the Regulations. It is significantly below the 20 ha and 10 ha thresholds that apply to sites outside of the business district.

It is concluded that EIA is not mandatory for the proposed project.

4 EIAR Screening - Sub Threshold Development

Section 172 (1) (b) (i) of the Planning and Development Act 2000, as amended, notes that EIA will be carried out where a proposed development would be of a class specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, but does not equal or exceed the relevant threshold specified in that part, and it is concluded, determined or decided that the proposed development is likely to have a significant effect on the environment.

Article 103(3) of the Planning and Development Regulations, 2001 as amended states that in determining whether a proposed development would or would not be likely to have a significant effect on the environment, regard shall be given to the criteria set out in Schedule 7. In this regard, the details of the proposed development are assessed against the Schedule 7 of the Planning and Development Regulations 2001, as amended, in Tables 4.1, 4.2 and 4.3 below:

Table 4.1 Characteristics of the Proposed Development

Criteria	Assessment
The size of the proposed development	The proposed development is sub-threshold for an EIA, consisting of the construction of a bridge over the Dublin – Belfast rail line to connect lands on either site. The total site area, incorporating temporary construction compounds is 0.634 ha.
The culmination of other proposed development	Lands on the western side of the railway line have recently been disturbed by site clearance and investigation activities associated with a residential development permitted under Fingal County Council (FCC) Reg Ref. F17A/0113 which is currently under construction. It is noted that the application

	<p>for the permitted development was accompanied by a detailed Environmental Report.</p> <p>It is noted that an application was recently made to An Bord Pleanála (ABP Reg. Ref. 303228-18) under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (Strategic Housing Development) for amendments to the northern portion of the residential development permitted under FCC Reg. Ref. F17A/0113. A detailed Environmental Report accompanied the application. The proposed amendments primarily consist of the replacement of 97 no. permitted dwellings with 174 no. apartments.</p> <p>An application for development of lands to the east of the rail line was submitted to Fingal County Council under FCC Reg. Ref. F18A/0618 on the 01 November 2018. The proposed development consists of the provision of infrastructure to facilitate future residential development including reserved sites for new primary school and local neighbourhood centre. The proposed development also includes the provision of a Nature Park of 13.63 ha and 3 no additional parks of 1.4437 ha, 0.6788 ha, and 0.3856 ha. Planning permission is sought for 10 years and the application is accompanied by an Environmental Impact Assessment Report (EIAR) and a Natura Impact Statement (NIS). A decision on the application is due by the 18 June 2019.</p> <p>The proposed development does not give rise to any likely and significant environmental effects in culmination with those permitted and proposed projects that would require EIA.</p>
The nature of any associated demolition works	The proposed development does not include the demolition of any structures on site.
The use of natural resources, in particular land, soil, water and biodiversity.	<p>The proposed development does not include the extraction of materials or groundwater from local sources. Excavation will be required to facilitate the proposed development and the majority of extracted soil will be utilised in the landscaping of public open spaces on either side of the rail line.</p> <p>The construction phase of the proposed development will use natural resources including aggregate, cement, wood</p>

	<p>and water, sourced off site. These are secondary impacts associated with off-site activities, such as quarrying, which are the subject of separate consenting procedures, which consider the impacts arising at those locations.</p> <p>The site consists of a rail line and lands on either side of the railway to the east and west. Lands to the west have been cleared for a residential development under FCC Reg. Ref. F17A/0113. Lands to the east are currently undeveloped green fields with intervening tree lined hedgerows. It is considered that a small extent of hedgerow and trees of lower quality will need to be removed to facilitate the development. Appropriate measures will be taken to retain hedgerows and trees where possible and protect ecology.</p> <p>No adverse significant impacts are expected to occur on the site or in the vicinity of the site through the use of natural resources.</p>
The production of waste	<p>Any waste produced as part of the proposed development during the construction phase will be stored and disposed in a sustainable manner and in accordance with all relevant environmental guidance and policy documents.</p> <p>No potential significant impacts are envisaged on the site or in the vicinity of the site as a result of the production of any waste associated with the proposed development.</p>
Pollution and nuisances	<p>Potential impacts of the proposed development relating to pollution and nuisances include air, water and soil pollution and noise.</p> <p>Pollution impacts could potentially occur through the creation of dust and spillage of materials from the construction phase, and emissions from construction traffic. The traffic emissions could also potentially have an indirect impact on climate (in terms of climate change).</p> <p>The proposed development is not expected to cause any likely significant impact on ambient air quality. Dust levels are likely to increase in localised areas during construction, but these increases will be short-term and will remain insignificant due to standard construction management measures to be employed on site through the implementation of appropriate Construction Management Plans.</p>

	<p>The existing noise environment is generally typical of an urban area, characterized by passing traffic along the surrounding road network to the north and by the trains on the rail line.</p> <p>Noise impacts may occur due to construction activities on a temporary basis. The temporary nature of noise impacts associated with construction activity are not expected to be significant and can be appropriately controlled through the standard construction management measures through the implementation of Construction Management Plans.</p> <p>Contamination and pollution to water bodies, which in turn could also affect aquatic habitats and biodiversity are potential impacts associated with ground and construction works. Standard construction management practices implemented through a Construction Management Plan will ensure that the impacts are not significant. The proposed development has also been subjected to Appropriate Assessment Screening.</p> <p>In addition, the potential impact of spillage of potentially polluting materials during construction will be minimised by standard construction management measures to be incorporated on site.</p> <p>Subject to the implementation of appropriate Construction and Environment Management Plans, it is envisaged that any likely environmental impacts would be appropriately avoided.</p>
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	<p>The proposed development is for the construction of a pedestrian/cycle bridge over a rail line, utilising established building materials and technologies typical of the nature and scale of such development. No potential significant impacts are envisaged as a result of the materials or technologies used.</p> <p>The risk of accidents/major disasters is similar for other developments of this scale and nature. It is noted that the subject site is not located within flood zone A or B.</p>
The risks to human health (for example due to water contamination or air pollution)	<p>Potential impacts of the proposed development which may be relevant to human health relate to factors previously detailed, such as noise, water and air pollution.</p> <p>Pollution impacts could potentially occur through the</p>

	<p>creation of dust and spillage of materials from the construction phase, and emissions from construction traffic.</p> <p>The proposed development is not expected to cause any likely significant impact on ambient air quality. Dust levels are likely to increase in localised areas during construction, but these increases will be short-term and will remain insignificant due to appropriate standard construction management measures to be employed on site through the implementation of Construction Management Plans.</p> <p>The existing noise environment is generally typical of an urban area, characterized by passing traffic along the surrounding road network to the north and by the trains on the rail line.</p> <p>Noise impacts may occur due to construction activities on a temporary basis. The temporary nature of noise impacts associated with construction activity are not expected to be significant and can be appropriately controlled through the implementation of standard construction management measures in Construction and Environment Management Plans.</p> <p>Contamination and pollution to water bodies, which in turn could also affect aquatic habitats and biodiversity are potential impacts associated with ground and construction works. The implementation of standard construction management practices will ensure that the impacts are not significant. The proposed development has been subjected to Appropriate Assessment Screening.</p> <p>In addition, the potential impact of spillage of potentially polluting materials during construction will be minimised by appropriate standard management measures on site during construction.</p> <p>Subject to the implementation of an appropriate Construction Management Plan it is envisaged that any likely significant environmental impacts would be appropriately avoided.</p>
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Table 4.2: Location of the Proposed Development

Criteria	Assessment
<p>The existing and approved land use</p>	<p>The site extends to approximately 0.634 ha and consists of part of the Dublin-Belfast rail line and lands to the east and west. Previous agricultural lands to the west of the rail line have been cleared for residential development permitted under FCC Reg. Ref. F17A/0113. Lands to the east of the rail line currently comprise of fields with intervening hedgerows.</p> <p>The lands to the east and west of the rail line are zoned Objective RA in the County Development Plan to <i>'provide for new residential communities subject to the provision of the necessary social and physical infrastructure'</i>. The provision of the pedestrian/cycle overbridge over the Dublin-Belfast rail line is a requirement of the County Development Plan and the Donabate Local Area Plan 2016.</p> <p>The construction phase of the proposed development will result in the provision of a bridge over the rail line with associated connecting infrastructure to the east and west. The eastern and western lands of the proposed development would be permanently lost for other purposes.</p> <p>The proposed development is a plan-led development, which has been subjected to Strategic Environmental Assessment. The proposed development is consistent with the statutory planning framework for the overall Corballis lands. As such, no potential significant adverse impacts are envisaged.</p>
<p>The relative abundance, quality and regenerative capacity of natural (including soil, land, water and biodiversity) resources in the area.</p>	<p>The proposed development is within an area primarily designated for residential development under the County Development Plan and the Donabate Local Area Plan. Permitted and proposed residential and infrastructure development to the west and east of the site respectively will incorporate the provision of high-quality areas of public open space and planting, to mitigate against the loss of any low-quality trees and hedgerows in the overall Corballis lands.</p> <p>There will be potential for minor negative impacts on flora, fauna and ecology resulting from the loss of grassland and hedgerow habitat but this impact is localised to the site only and will not devalue the heritage value of the wider</p>

	<p>area. The plant and animal species that occur are likely to be widespread and common.</p> <p>The proposed development has been the subject of AA Screening.</p> <p>The main potential impacts on soils and geology would result from the construction through the stripping of topsoil together with the excavation of subsoil layers to facilitate development works, in particular the construction of foundations. Such impacts would be temporary in nature.</p> <p>It is considered that the proposed development would not have any significant impact on the underlying bedrock, geology or hydrogeology of the site, either during the construction or operational phases of development.</p>
<p>The absorption capacity of the natural environment, paying particular attention to:</p> <ul style="list-style-type: none"> • Wetlands, riparian areas, river mouths, • Costal zones and the marine environment, • Mountain and forest areas, • Nature reserves and parks, • Areas classified or protected under legislation • Areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure, • Densely populated areas, • Landscapes of historical, cultural or archaeological 	<p>The proposed development site is not adjacent to any wetlands, riparian areas, river mouths, costal zones (marine environment), mountains, forested areas or nature parks/reserves.</p> <p>The proposed development site is not located within or adjacent to any areas classified or protected under legislation. No areas designated for protection extend to the proposed development, nor are they connected to the site by any hydrological link. The site is not located within flood zone A or B. The proposed development has been subject to an Appropriate Assessment Screening.</p> <p>The site does not contain any protected structures, monuments or sites and is not within any Architectural Conservation Areas or area of Archaeological Significance.</p> <p>The groundworks could have a potential impact on unknown sources of archaeological remains on the eastern side of the railway line. Extensive archaeological investigations have taken place on lands on the western side of the rail line. It is not envisaged that the proposed development poses a risk in this regard, subject to appropriate analysis and monitoring of the site by a suitably qualified archaeologist. An Archaeological Impact Assessment will accompany the application.</p> <p>It is noted that the overbridge will serve the populations of permitted, proposed and future residential developments</p>

significance.	to the east and west of the rail line, providing connectivity and permeability from Donabate Village to Newbridge Demesne. It is considered that the receiving environment has sufficient capacity to absorb the proposed development and no significant likely effects are envisaged.
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Table 4.3: Type and Characteristics of Potential Impacts

Criteria	Assessment
The magnitude and spatial extent of the impact (geographical area and size of the affected population)	Potential environmental impacts during the construction phase of the proposed development will be localised to the site and immediate surroundings. It is expected that the proposed development will not have any environmental impact beyond Donabate and its environs.
The nature of the impact	The potential likely impacts arising from the development will be typical of a small-scale infrastructure project in an area designated for growth. The nature of the impacts are expected to be of a magnitude that would not be significant, adverse or permanent.
The transfrontier/transboundary nature of the impact	The proposed development will not give rise to any impacts that are transfrontier or transboundary in nature.
The magnitude (intensity) and complexity of the impact	The potential impacts are not considered to be complex in nature or of a magnitude/intensity/scale to be of significance.
The probability of the impact	Having regard to the nature and extent of the impacts identified in Tables 2.0 and 3.0, no significant adverse impacts with a high probability of occurring have been identified.
The expected onset, duration, frequency and reversibility of the impact	Having regard to the nature and extent of the impacts identified in Tables 2.0 and 3.0, no significant adverse impacts with a high frequency of occurrence have been identified. Impacts on other potential land use are of permanent duration and are irreversible. However, given the plan-led nature of the proposed development and the quality and quantum of undeveloped or appropriately zoned land in the wider area, it is not considered that this impact would be significant.

5 Conclusion

In conclusion, having regard to the criteria specified in Schedule 7 of the Planning and Development Regulations, 2001; the context and character of the site and the receiving environment; the nature, extent, form and character of the proposed development; this EIAR Screening Statement concludes that an Environmental Impact Assessment of the proposed development is not required.

I trust that this will be of assistance and should you have any queries in respect of the above, please don't hesitate to revert to me.

Yours sincerely

Declan Brassil

Declan Brassil & Co.