

REPORT TO INFORM STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING

**FOR THE
PROPOSED AMENDMENTS
(IMPLEMENTATION AND PHASING)**

**TO THE
CHERRYWOOD SDZ PLANNING SCHEME 2014, AS AMENDED**

for: Dún Laoghaire-Rathdown County Council

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Table of Contents

| | | |
|------------------|---|-----------|
| Section 1 | Introduction and Terms of Reference | 1 |
| 1.1 | Introduction | 1 |
| 1.2 | Strategic Environmental Assessment Legislative Requirements | 1 |
| 1.3 | Reasons for the Proposed Amendments..... | 1 |
| Section 2 | SEA Screening | 3 |
| 2.1 | Introduction | 3 |
| 2.2 | Appropriate Assessment..... | 3 |
| 2.3 | SEA Screening Analysis | 3 |
| 2.4 | Schedule 2A..... | 9 |
| Section 3 | Conclusion | 13 |

Section 1 Introduction and Terms of Reference

1.1 Introduction

Dún Laoghaire-Rathdown County Council has prepared Proposed Amendments (Implementation and Phasing) of the Cherrywood SDZ Planning Scheme 2014 in accordance the Planning and Development Act 2000 (as amended).

The Proposed Amendments need to be screened for the need to undertake Strategic Environmental Assessment (SEA). Screening is the process for determining whether a particular plan - or amendment to a plan - other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA.

A determination as to whether SEA is or is not required for the Proposed Amendments must be undertaken. This report has been prepared by CAAS on behalf of Dún Laoghaire-Rathdown County Council in order to help inform the SEA determination.

The Cherrywood SDZ Planning Scheme 2014 was subject to full Strategic Environmental Assessment (SEA) and to Appropriate Assessment (AA) Screening. These processes, throughout which the environmental authorities were consulted, facilitated the mitigation of potential environmental effects. The 2017 Amendments (1-5¹) to the Cherrywood SDZ Planning Scheme were found not to require full SEA or Stage 2 AA.

1.2 Strategic Environmental Assessment Legislative Requirements

SEA is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme, or to a plan or programme, before a decision is made to adopt it. The SEA Directive² requires, inter alia, that SEA is undertaken for certain plans, programmes or variations to these.

The Planning and Development Acts 2000 to 2015 require An Bord Pleanála to determine whether SEA is or is not required. Such a determination is required to take account of relevant criteria set out in Schedule 2A *'Criteria for determining whether a plan is likely to have significant effects on the environment'* of the SEA Regulations, as amended.

This report has been prepared by CAAS on behalf of Dún Laoghaire-Rathdown County Council in order to help inform the SEA determination.

1.3 Reasons for the Proposed Amendments

The purpose of the Proposed Amendments is to amend the provisions of the Planning Scheme relating to the sequencing and phasing of development so as to enable an appropriate quantum of residential development to proceed commensurate with the level of infrastructure permitted to date and currently under construction within the Planning Scheme Area. A significant level of infrastructure, namely, the roads network and bus infrastructure, as well as the significant public parks (Tully, Beckett and Ticknick) as social infrastructure, are being front-loaded – all of which, in conjunction with existing Green Line LUAS – underpin the rationale for amending the phasing and sequencing provisions of the Scheme.

¹ These amendments address/clarify the implications of the "Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities", 2015, and amend the sequencing of the retail development within the Town Centre.

² Directive 2001/42/EC of the European Parliament and of the Council of Ministers, of 27th June 2001, on the Assessment of the Effects of Certain Plans and Programmes on the Environment

The Planning Scheme has successfully promoted and facilitated the significant front-loading of these key infrastructure elements (Refer to Planning History). This permitted infrastructure, the majority of which is nearing completion on site, will serve development across all three Growth Areas and accordingly, it is appropriate at this juncture to allow for the potential to bring forward housing delivery across the Planning Scheme area which can be facilitated by the front loading of this infrastructure provision.

At present, housing delivery is defined spatially by the Growth Areas and also sequentially by min and max quanta for each Growth area. The Proposed Amendments would facilitate the bringing forward of a defined quantum of 2,300 residential units from Growth Areas 2 and 3 in addition to the maximum quantum of residential development in Growth Area 1. The Proposed Amendment will also bring forward an element of Commercial and High Intensity Employment (HIE) uses. Other parts of the Proposed Amendment relate to roads infrastructure³, open space⁴ and schools provision⁵.

The Proposed Amendments aligns with Government policy to accelerate delivery of housing on key strategic sites as set out in the Government's 'Stabilising Rents, Increasing Supply, and Rebuilding Ireland' (November 2015). The Cherrywood Planning Scheme Area, has also been designated as a Major Urban Housing Development Site (MUHDS) and a candidate site under the Local Infrastructure Housing Activation Fund (LIHAF) for which €15.4 million has been allocated in order to expedite housing delivery.

³ In relation to roads infrastructure, the sequencing requirements have been revised to reflect the key findings of a background transportation study.

⁴ In terms of open space provision, alternative safeguard mechanisms are introduced to ensure timely delivery of the parks commensurate with residential development under the amended approach.

⁵ With regard to schools provision, the thresholds for the schools have been retained, but no longer relate specifically to each Growth Area, on the basis that under the proposed amendment, residential development could potentially occur concurrently across each of the Growth Areas – a stated preference to secure the school site in closest proximity to an application site within the relevant Growth Area combined with land use zoning will ensure location-specific delivery.

Section 2 SEA Screening

2.1 Introduction

This section examines whether each part of the Proposed Amendments would be likely to have significant environmental effects (and thus would warrant the undertaking of Strategic Environmental Assessment).

This examination takes account of relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended (see Section 2.4).

2.2 Appropriate Assessment

Appropriate Assessment (AA) screening must also be undertaken on the Proposed Amendments and a determination must be made regarding whether there is a need, or not, to undertake Stage 2 AA on the Proposed Amendments. AA is an impact assessment process concerning European Sites - these sites have been designated or proposed for designation by virtue of their ecological importance.

In addition, to being required to determine whether or not an SEA is required for the Proposed Amendments, it must be determined whether or not Stage 2 AA is required for the Proposed Amendments. The report to inform the AA Screening has been prepared by Dún Laoghaire-Rathdown County Council.

2.3 SEA Screening Analysis

Table 2.1 examines whether each part of the Proposed Amendments would be likely to have significant environmental effects (and thus would warrant the undertaking of Strategic Environmental Assessment).

The examination takes account of relevant criteria set out in Schedule 2A '*Criteria for determining whether a plan is likely to have significant effects on the environment*' of the SEA Regulations, as amended, (see Section 2.4).

The full range of environmental effects⁶, including cumulative effects are considered by this assessment.

⁶ These include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects

Table 2.1 SEA Screening

| No. | Title | Summary of Proposed Amendment | SEA Screening Information |
|-----|-----------------|--|--|
| 1 | Overview | <p>The purpose of the proposed amendment is to amend the provisions of the Scheme relating to the sequencing and phasing of development so as to enable an appropriate quantum of residential development to proceed commensurate with the level of infrastructure permitted to date and currently under construction within the Planning Scheme Area. A significant level of infrastructure, namely, the roads network and bus infrastructure, as well as the significant public parks as social infrastructure, are being front-loaded – all of which, in conjunction with existing Green Line LUAS – underpin the rationale for amending the phasing and sequencing provisions of the Scheme.</p> <p>The Planning Scheme has successfully promoted and facilitated the significant front-loading of these key infrastructure elements (Refer to Planning History). This permitted infrastructure, the majority of which is nearing completion on site, will serve development across all three Growth Areas and accordingly, it is appropriate at this juncture to allow for the potential to bring forward housing delivery across.</p> <p>At present, housing delivery is defined spatially by the Growth Areas and also sequentially by min and max quanta for each Growth area. The Proposed Amendments would facilitate the bringing forward of a defined quantum of 2,300 residential units from Growth Areas 2 and 3 in addition to the maximum quantum of residential development in Growth Area 1. The Proposed Amendment will also bring forward an element of Commercial and High Intensity Employment (HIE) uses. Other parts of the Proposed Amendment relate to roads infrastructure⁷, open space⁸ and schools provision⁹.</p> | <p>It is noted that the proposed amendments do not: change the overall objectives of the Planning Scheme; significantly increase or decrease the overall floor area or density of the proposed development; and would not adversely affect or diminish the amenity of Cherrywood.</p> <p>By enabling an appropriate level of development to take place commensurate with the level of infrastructure delivered to date, the amendment would facilitate a sooner realisation of both the positive and potentially adverse (if unmitigated) environmental effects arising from the proper planning and sustainable development of Cherrywood than would be the case otherwise (the original SEA of the Scheme did not consider the phasing and sequential requirements in the approved Scheme to be unnecessarily restrictive or prohibitive, however in the context of infrastructure delivery they are now considered to be so).</p> <p>Positive effects include contributions towards: sustainable mobility (arising from a high public transport and non-motorised mode share and a high percentage of internal sustainable mode trips between the residential, employment, education and leisure uses within Cherrywood and), including associated interactions with energy usage and greenhouse gas and other emissions to air; and contributions towards the protection and management of various environmental components (including habitats, species, ecological connectivity, water quality/status, soil, flood risk management, visual sensitivities, archaeological heritage, architectural heritage and exposure to noise levels).</p> <p>Potential adverse (if unmitigated) environmental effects include those relating to various environmental components (including habitats, species, ecological connectivity, water quality/status, soil, flood risk management, visual sensitivities, archaeological heritage, architectural heritage and exposure to noise levels).</p> <p>These effects have already been identified, assessed and mitigated (where relevant) by the SEA undertaken on the 2014 Planning Scheme. The Proposed Amendments do not propose anything that would exceed the previously environmental envelope of effects considered by that SEA.</p> <p>With respect to the timing of effects, the original SEA did not consider the phasing and sequential requirements in the approved Scheme to be unnecessarily restrictive or prohibitive; the amendment removes unnecessary restrictions that evolved from these requirements thereby restoring a similarly facilitative approach to that which existed at the adoption of the Scheme in 2014.</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |

⁷ In relation to roads infrastructure, the sequencing requirements have been revised to reflect the key findings of a background transportation study.

⁸ In terms of open space provision, alternative safeguard mechanisms are introduced to ensure timely delivery of the parks commensurate with residential development under the amended approach.

⁹ With regard to schools provision, the thresholds for the schools have been retained, but no longer relate specifically to each Growth Area, on the basis that under the proposed amendment, residential development could potentially occur concurrently across each of the Growth Areas – a stated preference to secure the school site in closest proximity to an application site within the relevant Growth Area combined with land use zoning will ensure location-specific delivery.

Report to inform SEA Screening for Proposed Amendments (Implementation and Phasing) to the Cherrywood SDZ Planning Scheme 2014, as amended

| No. | Title | Summary of Proposed Amendment | SEA Screening Information |
|-----|--------------------------------------|---|--|
| 2 | Sequencing of development (i) | <p>In the approved scheme, the phasing and sequencing requirements are set out in Chapter 7. Section 7.2 relates to the sequencing of development and defines three Growth Areas: First Growth Area; Second Growth Area and Third Growth Area. It is relevant also to note that each Growth Area comprises of a number of smaller Development Areas. In terms of sequencing, the scheme stipulates that to commence development in either the Second or Third Growth Area, the infrastructure requirements of the previous Growth Area must be completed or the service provided. It also includes a stipulation to the effect that in the sequence of development, development within each of the constituent Development Areas must be constructed to the minimum quantum levels, prior to development to any development is a subsequent Growth Area. The proposed amendment is proposing to remove this provision to facilitate an appropriate quantum of residential development proceeding in the Second and Third Growth Areas. The appropriate quantum has been defined having regard to the carrying capacity and resilience of the road network and sustainable transport infrastructure as emerging and delivered to date. The appropriate quantum has been ascertained as 2,300 residential units. The proposed amendment therefore, allows for this number of units to be brought forward from either the Second or Third Growth Area, in addition to the development of First Growth Area. Above this threshold of 2,300 units, the requirement for the provision of critical infrastructure elements within the Second and Third Growth Area applies.</p> <p>This approach in removing the prescriptive sequential nature of the Growth Areas, in effect means that up to 2,300 residential units in either the Second or Third Growth Area can progress in tandem with the roll-out of development in the First Growth Area. The proposed amendment also protects the development capacity of the First Growth Area, in recognition of a number of key characteristic, namely, its mixed use nature the including the Town Centre and the existing Business Park / HIE Uses; proximity to Cabinteely Village and existing residential communities, as well proximity to high quality public transport corridors (Green Line LUAS & N11 QBC).</p> <p>The proposed amendment in removing the sequential nature of the Growth Area, would also allow for the Commercial and High Intensity Employment (HIE) lands in Growth Area 3 to be brought forward, having regard to the potential of the commercial lands to provide a noise and visual motorway buffer to the adjoining residential lands and the HIE lands to be developed possibly in tandem with the Town Centre, providing streetscape and synergy with the Town Centre. This approach has the potential to contribute to a greater self-sustaining mixed-use development at an earlier stage of implementation of the Scheme, reducing the need for external travel and thereby contributing to the attainment of the ambitious sustainable travel targets set for Cherrywood. Notwithstanding, the above referenced Commercial & HIE lands would be subject to the thresholds set out in the</p> | <p>The "Cherrywood SDZ Sequencing and Amendment Background Technical Note" (AECOM on behalf of Dún Laoghaire-Rathdown County Council, January 2018) assesses whether the transport infrastructure, existing and currently under construction, can cater for any additional trips during the peak periods without negatively impacting upon mode share aspirations for the area or causing significant traffic impacts and if not, what additional infrastructure or measures would allow for additional trips in the short to medium term. The analysis in the report "suggests that an additional 2,300 residential units could be brought forward earlier than currently allowed for in the Planning Scheme subject to a number of conditions. Overall, this would allow 6,400 units by 2002 (4,114 in 1st Growth Area and 2,300 additional)". The study recommends that "to ensure the mode choice for residents evolves in a sustainable way as set out in the Planning Scheme, the locations of these additional units is restricted to areas within the walking catchment of both Luas and/or bus stops and that growth occurs around the town centres/villages. Internal roads required to provide access to a specific plot should be delivered through the planning process". Above the 2,300 unit threshold, the proposed amendment requires for the provision of critical infrastructure elements within the Second and Third Growth Area. The report's recommendations have been integrated into the proposed amendment in full and, together with the analysis undertaken, would facilitate the revised approach to sequencing and phasing proposed by the amendment (please also refer to "SEA Screening Information" comments provided under No. 1 above).</p> <p>By allowing High Intensity Employment and Commercial lands in the former Third Growth Area to come forward for development at any stage, subject to thresholds pertaining to the provision of key transportation infrastructure elements, as set out in the sequencing and phasing requirements, the amendment would have the potential to further contribute towards the proper planning and sustainable development that is already provided for by the Scheme (please also refer to "SEA Screening Information" comments provided under No. 1 above).</p> <p>By amending the existing sequencing for retail development that stipulates that retail provision should be split over the First and Second Growth Areas and that the minimum number of residential units in the First Growth Area shall be permitted prior to the second 50% of retail floorspace provision being permitted, the amendment further contributes towards the proper planning and sustainable development that is already provided for by the Scheme (please also refer to "SEA Screening Information" comments provided under No. 1 above). Amendment¹⁰ of the existing 50:50 sequential requirement would allow for an application for permission for the remainder of the town centre retail element, including the entirety of Quadrant TC1 and would give greater certainty to the deliverability of the Town Centre Project. By protecting the residential development capacity of the First Growth Area the amendment further contributes towards the proper planning and sustainable development of the area - please refer again to "SEA Screening Information" comments provided under No. 1 above.</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |

¹⁰ This existing requirement, which seeks to ensure that retail provision is in line with residential and employment development:

- Is a somewhat artificial constraint having regard to the number of residential units permitted and applied for – c. 50% of the residential units of Growth Area 1 (2,249 Units);
- Was prepared in a different economic context since which consumer expenditure levels have significantly increased - this factor mitigates any concerns with regard to the potential overprovision of retail floorspace (Refer to Technical Note for Retail Analysis);
- Was prepared in a context whereby various existing conditions that safeguard against the retail provision being out of step with the rest of the Scheme were not present; and
- Would present a potential challenge of constructing a podium whereby two of the blocks with a significant proportion of the remainder of the retail quantum could not be constructed as a single project.

| No. | Title | Summary of Proposed Amendment | SEA Screening Information |
|-----|-------|---|---------------------------|
| | | <p>sequencing and phasing requirements for transportation infrastructure in order to safeguard the resilience of the emerging transportation network.</p> <p>Under the approved scheme, the sequencing requirement curtails retail provision in the Town Centre to the extent that it is contingent on residential development in other Development Areas in the First Growth Area. The existing sequencing stipulates that retail provision should be split over the First and Second Growth Areas and that the minimum number of residential units in the First Growth Area (circa 2,249) shall be permitted prior to the second 50% of retail floorspace provision being permitted. Notwithstanding the stated rationale that this requirement ensures retail provision is in line with residential and employment catchment, it is now considered that this provision is a somewhat artificial constraint having regard to the number of residential units permitted (1,269 units) and in the pipeline as live planning applications (838), which combined equate to circa 2,100 units, which in essence represents a close approximation of 50% of the residential units of Growth Area 1 (2,249 Units).</p> <p>Furthermore, a key concern at the time of preparation of the planning scheme was the potential for a shopping centre to be developed on the town centre site in the absence of any residential, community or other non-retail services, given the lack of planning or construction activity in the residential sector at that time. In the interim period, a number of factors on implementation of the scheme, have effectively safeguarded against the retail provision being out of step with the rest of the Scheme, which include inter alia: the finalisation of the Urban Form Development Framework (UFDF) for the Town Centre which provides certainty in terms of the building form, layout and mix of uses; the grant of permission for the Town Centre Development TC1, TC2 & TC4 which provides certainty in terms of a mix of uses and a supporting residential and employment population (DZ17A/0862); a number of current live planning applications for residential development (circa 830 units) as well as a primary school (DZ18A/0458); and the critical housing shortage across the Greater Dublin Area which will undoubtedly sustain a demand for housing within the Cherrywood Planning Scheme. These factors combined, along with the current proposal to bring forward additional residential units across the scheme, effectively safeguard against a scenario whereby the town centre would proceed independently or out of step with the wider settlement.</p> | |

Report to inform SEA Screening for Proposed Amendments (Implementation and Phasing) to the Cherrywood SDZ Planning Scheme 2014, as amended

| No. | Title | Summary of Proposed Amendment | SEA Screening Information |
|-----|--|---|---|
| 3 | Sequencing of development (ii) | <p>In relation to the roads infrastructure, the sequencing requirements have been revised to reflect the key findings of the background transportation study, the purpose of which was to assess the resilience and capacity of the existing or emerging transport infrastructure and to identify when key interventions in the network would be necessary. The study is predicated on the basic premise that Cherrywood is heavily dependent on the achievement of a high Public Transport / Active mode share and a high percentage of internal sustainable mode trips between the residential, employment, education and leisure uses within Cherrywood, and also that walking and cycling infrastructure will need to be in place to provide access to public transport, internally between complementary land uses and externally. Having regard to these governing principles, the study assesses the need to bring forward any road infrastructure to cater for any additional residential development earlier than provided for in the current scheme.</p> | <p>Revision of the thresholds relating to roads infrastructure take account of the findings of the background Technical Note prepared by AECOM on behalf of Dun Laoghaire Rathdown County Council, January 2018 (the recommendations of which have been integrated into the amendment) would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood (please also refer to "SEA Screening Information" comments provided under No. 1 and 2 above).</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |
| 4 | Sequencing of development (iii) | <p>In terms of open space provision, the three major public parks have all been granted planning permission and are currently under construction. The approved scheme includes a requirement under open space for each growth area that permission for the parks must be in place. This requirement has been negated given that each of the three major parks are currently under construction and scheduled for completion in April 2018, (notwithstanding completion to Taking in Charge Standards). However, the current scheme also includes a provision that to commence development in the Second or Third Growth, that the infrastructure requirements of the previous Growth Area will have been completed and/or the service provided. Thus, whilst the tables pertaining to open space do not specify a timeframe for Taking in Charge, this latter provision secures delivery of the open space and green infrastructure in tandem with residential and other development in each of the Growth Areas. The proposed amendment introduces flexibility to the sequential nature of the Growth Areas, allowing up to an additional 2,300 residential from Growth Areas 2 & 3 to occur in tandem with Growth Area 1 and as such removes the strict sequential nature of the Growth Areas. Accordingly, it is necessary to introduce alternative safeguard mechanisms to ensure timely delivery of the parks commensurate with residential development. This is proposed by reference to a requirement that the parks be constructed to taking in charge standard prior to occupation of dwellings in the relevant Development Areas.</p> | <p>By ensuring that parks be constructed to taking in charge standard prior to occupation of dwellings in the relevant Development Areas, this part of the proposed amendment would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood (please also refer to "SEA Screening Information" comments provided under No. 1 above).</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |
| 5 | Sequencing of development (iv) | <p>With regard to schools provision, the thresholds for the sites, associated open space and school buildings, remain unchanged noting that the thresholds are an important trigger mechanism to secure the school sites. The thresholds for the schools have been retained, but no longer relate specifically to each Growth Area, on the basis that under the proposed amendment, residential development could potentially occur concurrently across each of the Growth Areas. Accordingly, the amendment includes a statement advising applicants there will be a preference to secure the school site in closest proximity to an application site within the relevant Growth Area. Notwithstanding, the school sites and associated open spaces are zoned for educational purposes and green infrastructure under the scheme, and this will secure their location-specific delivery.</p> | <p>By securing the delivery of school sites and associated open spaces, this part of the proposed amendment would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood (please also refer to "SEA Screening Information" comments provided under No. 1 above).</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |

Report to inform SEA Screening for Proposed Amendments (Implementation and Phasing) to the Cherrywood SDZ Planning Scheme 2014, as amended

| No. | Title | Summary of Proposed Amendment | SEA Screening Information |
|-----|--------------------------------------|---|--|
| 6 | Sequencing of development (v) | <p>The proposed amendment whilst removing the strict sequential nature of the Growth Areas, allowing development in Growth Areas 2 or 3, up to a maximum of 2,300 additional units, includes a safeguarding mechanism to ensure sustainable development within each of these Growth Areas.</p> <p>It is proposed that to ensure delivery of the villages in tandem with the new residential areas, each of the Village Centres shall be delivered prior to the grant of permission for the minimum quantum of residential units in the associated Development Areas, i.e. Development Areas 1, 3 & 8. This approach acknowledges the importance of the villages and the neighbourhood concept which underpin the vision and key principles for Cherrywood. Furthermore, it will ensure that Cherrywood will develop in a sustainable manner with residential development in the vicinity of the Town Centre and Villages, with a range of local services and local shops helping to foster and underpin new communities and also allowing residents to access employment and services via sustainable modes, in particular walking and cycling.</p> | <p>The safeguarding mechanism and requirements in relation to mixed-use development within each of the Growth Areas would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood, including with residential development in the vicinity of the Town Centre and Villages, with a range of local services and local shops helping to foster and underpin new communities and also allowing residents to access employment and services via sustainable modes, in particular walking and cycling. Please also refer to "SEA Screening Information" comments provided under No. 1 above.</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |
| 7 | Phasing of development | <p>Section 7.3 relates to the phasing of development and sets out phasing thresholds across the scheme in respect of primarily external infrastructure and services of a strategic nature, but also includes internal elements such as public transport and walking / cycling links so as to support active modes.</p> <p>The proposed amendment simplifies the phasing thresholds, reducing the number of phases from seven to three, reflecting implementation of the scheme to date; provision of strategic transport infrastructure by service providers and also the findings of the background transport study (Refer to Cherrywood SDZ Sequencing and Amendment, Background Technical Note January 2018). The revised phasing thresholds take cognisance of the study findings and also the requirements of NTA/TII as key stakeholders with regard to the external transport infrastructure provision and potential impacts on the strategic road network.</p> <p>The proposed amendment also up-dates references to strategic infrastructure and services, where relevant, and the sub-section on pre-maturity, noting that most of the critical steps identified as a pre-requisite to the commencement of any development, have in fact been undertaken.</p> | <p>Amalgamating a number of the phasing thresholds to reflect implementation of the Scheme to date and the findings of the background Technical Note prepared by AECOM on behalf of Dun Laoghaire Rathdown County Council, January 2018, would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood (please also refer to "SEA Screening Information" comments provided under No. 1 and 2 above).</p> <p>Updating references to critical steps (most of which have already been undertaken and others which are listed in the proposed amendment) and strategic infrastructure and services (subject to deviation to be agreed in writing by the local authority in consultation with the relevant statutory body, in both the existing Scheme and the proposal) taking into account, inter alia the background Technical Note prepared by AECOM on behalf of Dun Laoghaire Rathdown County Council, January 2018, would contribute towards both the overall revised approach to sequencing and phasing proposed by the amendment and towards the associated proper planning and sustainable development of Cherrywood (please also refer to "SEA Screening Information" comments provided under No. 1 and 2 above).</p> <p>The proposed amendment notes that "Prior to consideration of the strategic infrastructure requirements, it should be noted that the availability of water supply is a regional strategic issue. This may be a constraining factor on future growth that is outside the ability of the Planning Scheme and Local Authority to resolve, and will require the support of Government and Irish Water." This is a potential constraining factor on growth for plans/programmes and projects throughout the wider region. This challenge must be met in order to ensure that the full development potential of Cherrywood is realised.</p> <p>Taking the above into account, it is not considered that the changes proposed would be likely to result in significant environmental effects.</p> |

2.4 Schedule 2A

PART 1

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

The purpose of the Proposed Amendments is to amend the provisions of the Scheme relating to the sequencing and phasing of development so as to enable an appropriate quantum of residential development to proceed commensurate with the level of infrastructure permitted to date and currently under construction within the Planning Scheme Area. A significant level of infrastructure, namely, the roads network and bus infrastructure, as well as the significant public parks as social infrastructure, are being front-loaded – all of which, in conjunction with existing Green Line LUAS – underpin the rationale for amending the phasing and sequencing provisions of the Scheme.

The Planning Scheme has successfully promoted and facilitated the significant front-loading of these key infrastructure elements (Refer to Planning History). This permitted infrastructure, the majority of which is nearing completion on site, will serve development across all three Growth Areas and accordingly, it is appropriate at this juncture to allow for the potential to bring forward housing delivery across

At present, housing delivery is defined spatially by the Growth Areas and also sequentially by min and max quanta for each Growth area. The Proposed Amendments would facilitate the bringing forward of a defined quantum of 2,300 residential units from Growth Areas 2 and 3 in addition to the maximum quantum of residential development in Growth Area 1. The Proposed Amendment will also bring forward an element of Commercial and High Intensity Employment (HIE) uses. Other parts of the Proposed Amendment relate to roads infrastructure¹¹, open space¹² and schools provision¹³.

The Proposed Amendments aligns with Government policy to accelerate delivery of housing on key strategic sites as set out in the Government's 'Stabilising Rents, Increasing Supply, and Rebuilding Ireland' (November 2015). The Cherrywood Planning Scheme Area, has also been designated as a Major Urban Housing Development Site (MUHDS) and a candidate site under the Local Infrastructure Housing Activation Fund (LIHAF) for which €15.4 million has been allocated in order to expedite housing delivery.

It is noted that the proposed amendments do not: change the overall objectives of the Planning Scheme; significantly increase or decrease the overall floor area or density of the proposed development; and would not adversely affect or diminish the amenity of Cherrywood.

By enabling an appropriate level of development to take place commensurate with the level of infrastructure delivered to date, the amendment would facilitate a sooner realisation of both the positive and potentially adverse (if unmitigated) environmental effects arising from the proper planning and sustainable development of Cherrywood than would be the case otherwise (the original SEA of the Scheme did not consider the phasing and sequential requirements in the approved Scheme to be unnecessarily restrictive or prohibitive, however in the context of infrastructure delivery they are now considered to be so).

¹¹ In relation to roads infrastructure, the sequencing requirements have been revised to reflect the key findings of a background transportation study.

¹² In terms of open space provision, alternative safeguard mechanisms are introduced to ensure timely delivery of the parks commensurate with residential development under the amended approach.

¹³ With regard to schools provision, the thresholds for the schools have been retained, but no longer relate specifically to each Growth Area, on the basis that under the proposed amendment, residential development could potentially occur concurrently across each of the Growth Areas – a stated preference to secure the school site in closest proximity to an application site within the relevant Growth Area combined with land use zoning will ensure location-specific delivery.

The "Cherrywood SDZ Sequencing and Amendment Background Technical Note" (AECOM on behalf of Dún Laoghaire-Rathdown County Council, January 2018) assesses whether the transport infrastructure, existing and currently under construction, can cater for any additional trips during the peak periods without negatively impacting upon mode share aspirations for the area or causing significant traffic impacts and if not, what additional infrastructure or measures would allow for additional trips in the short to medium term. The analysis in the report "suggests that an additional 2,300 residential units could be brought forward earlier than currently allowed for in the Planning Scheme subject to a number of conditions. Overall, this would allow 6,400 units by 2002 (4,114 in 1st Growth Area and 2,300 additional)". The study recommends that "to ensure the mode choice for residents evolves in a sustainable way as set out in the Planning Scheme, the locations of these additional units is restricted to areas within the walking catchment of both Luas and/or bus stops and that growth occurs around the town centres/villages. Internal roads required to provide access to a specific plot should be delivered through the planning process". Above the 2,300 unit threshold, the proposed amendment requires for the provision of critical infrastructure elements within the Second and Third Growth Area. The report's recommendations have been integrated into the proposed amendment in full and, together with the analysis undertaken, would facilitate the revised approach to sequencing and phasing proposed by the amendment.

Positive effects include contributions towards: sustainable mobility (arising from a high public transport and non-motorised mode share and a high percentage of internal sustainable mode trips between the residential, employment, education and leisure uses within Cherrywood and), including associated interactions with energy usage and greenhouse gas and other emissions to air; and contributions towards the protection and management of various environmental components (including habitats, species, ecological connectivity, water quality/status, soil, flood risk management, visual sensitivities, archaeological heritage, architectural heritage and exposure to noise levels).

Potential adverse (if unmitigated) environmental effects include those relating to various environmental components (including habitats, species, ecological connectivity, water quality/status, soil, flood risk management, visual sensitivities, archaeological heritage, architectural heritage and exposure to noise levels).

These effects have already been identified, assessed and mitigated (where relevant) by the SEA undertaken on the 2014 Planning Scheme. The Proposed Amendments do not propose anything that would exceed the previously environmental envelope of effects considered by that SEA.

With respect to the timing of effects, the original SEA did not consider the phasing and sequential requirements in the approved Scheme to be unnecessarily restrictive or prohibitive; the amendment removes unnecessary restrictions that evolved from these requirements thereby restoring a similarly facilitative approach to that which existed at the adoption of the Scheme in 2014.

Taking the above and the examination of the individual Proposed Amendments provided under Section 2.3 into account, arising from the degree to which the Planning Scheme, as amended, and Proposed Amendments set a framework for projects and other activities, the Proposed Amendments would not be likely to result in significant environmental effects.

2. The characteristics of the plan having regard, in particular, to: the degree to which the plan influences other plans, including those in a hierarchy

None of the Proposed Amendments will influence higher level plans; lower level plans comprise non-statutory plans relating to mitigation that may be required by the current Scheme such as Construction Management Plans, Traffic and Transport Assessments and Travel Plans.

Taking the above and the examination of the various parts of the Proposed Amendments provided under Section 2.3 into account, arising from the degree to which the Planning Scheme, as amended, and Proposed Amendments influence other plans, the Proposed Amendments would not be likely to result in significant environmental effects.

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

The Cherrywood Planning Scheme, as amended, - to which the Proposed Amendments relate - has undergone SEA. This process integrated environmental considerations into the SDZ and found that it contributes to environmental protection and management and sustainable development.

Taking the above and the examination of the various parts of the Proposed Amendments provided under Section 2.3 into account, arising from the relevance of the Planning Scheme, as amended, and Proposed Amendments for the integration of environmental considerations in particular with a view to promoting sustainable development, the Proposed Amendments would not be likely to result in significant environmental effects.

4. The characteristics of the plan having regard, in particular, to: environmental problems relevant to the plan

Environmental problems arise where there is a conflict between current environmental conditions and legislative targets.

Through its provisions relating to environmental protection and management, the existing Planning Scheme, as amended, contributes towards ensuring that environmental conditions do not get worse and, where possible, it contributes towards its amelioration.

Taking the above and the examination of the various parts of the Proposed Amendments provided under Section 2.3 into account, arising from environmental problems relevant to the Planning Scheme, as amended, and Proposed Amendments, the Proposed Amendments would not be likely to result in significant environmental effects.

5. The characteristics of the plan having regard, in particular, to: 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 Planning Scheme, as amended, relates to the land use sector and has undergone SEA. This process integrated considerations with regard to EU and national legislation on the environment into the Scheme, including those relating to the waste management and the Water Framework Directive.

Taking the above and the examination of the various parts of the Proposed Amendments provided under Section 2.3 into account, arising from the relevance of the Planning Scheme, as amended, and Proposed Amendments for the implementation of European Union legislation on the environment, the Proposed Amendments would not be likely to result in significant environmental effects.

PART 2

1. 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 Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the cumulative nature of the effects

The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

3. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the transboundary nature of the effects

The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

4. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the risks to human health or the environment (e.g. due to accidents)

The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

5. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)

The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

6. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the value and vulnerability of the area likely to be affected due to:

- a) special natural characteristics or cultural heritage;**
The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).
- b) exceeded environmental quality standards or limit values, and;**
The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).
- c) intensive land-use.**
The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

7. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: the effects on areas or landscapes which have a recognised national, European Union or international protection status

The Proposed Amendments would not be likely to result in significant environmental effects (see responses under Schedule 2A Part 1 above and the examination of the various parts of the Proposed Amendments provided under Section 2.3).

Section 3 Conclusion

Screening is the process for determining whether a particular plan - or amendments to a plan - other than those for which SEA is mandatory, would be likely to have significant environmental effects, and would thus warrant SEA. The purpose of the report is to evaluate the requirement for SEA to be undertaken on Proposed Amendments (Implementation and Phasing) to the Cherrywood Planning Scheme, as amended.

The determination as to whether SEA is or is not required must be undertaken. This report has been prepared by CAAS on behalf of Dún Laoghaire-Rathdown County Council in order to help the SEA determination.

This report has found that the Proposed Amendments would not be likely to result in significant environmental effects.