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CHERRYWOOD SDZ PLANNING SCHEME - PROPOSED AMENDMENT TO NON- RESIDENTIAL CAR PARKING STANDARDS

Report to Inform Screening for Appropriate Assessment

Prepared for:

Dún Laoghaire-Rathdown County Council



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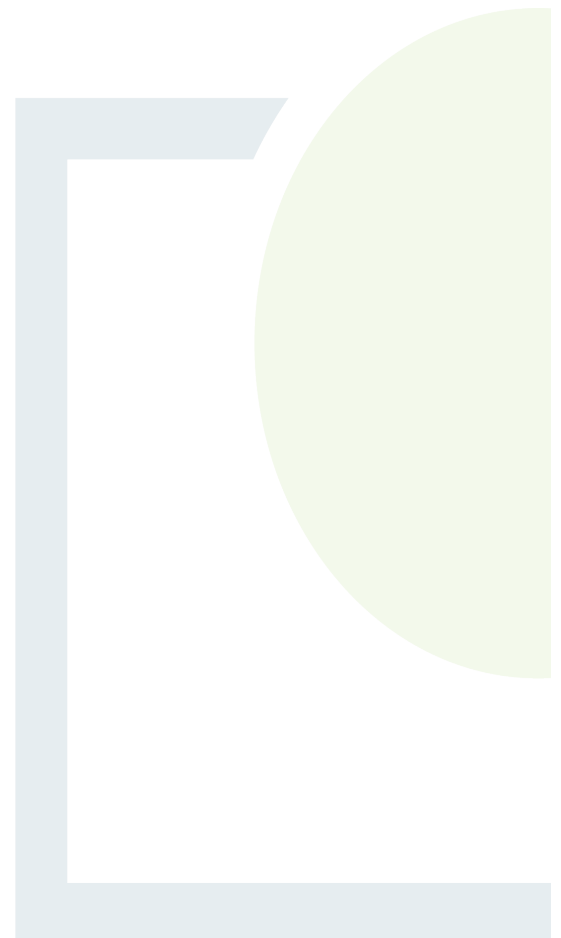
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Report to Inform Screening for Appropriate Assessment

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Abstract: Fehily Timoney and Company is pleased to submit this AASR to of Amendment No. 10 to the Cherrywood SDZ Planning Scheme for Dún Laoghaire-Rathdown County Council.

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1. INTRODUCTION

Fehily Timoney and Company (FT) were appointed have been appointed by Dún Laoghaire-Rathdown County Council (DLR) to prepare a report to inform the competent authority about the Screening for Appropriate Assessment, as required by Article 6(3) of Council Directive 92/43/EEC (Habitats Directive). The preparation of this Appropriate Assessment (AA) Screening Report is for a Proposed Amendment to the non-residential parking standards for the Cherrywood SDZ Planning Scheme, 2014, as amended, in the functional area of Dún Laoghaire-Rathdown Local Authority (Proposed Amendment No. 10).

Currently, the Planning Scheme outlines bespoke non-residential parking standards in relation to three land use types, including Office and Industry Employment Uses, Education and Retail. The parking standards for non-listed, non-residential land use types have been deferred to the standards defined in the DLR County Development Plan 2022-2028.

DLR commissioned AECOM Ireland Ltd. to undertake a review of the existing non-residential parking standards within Cherrywood SDZ. The review, published in September 2024, recommended that parking standards in relation to particular land use types, such as High Intensity Employment (HIE) and some aspects of retail, could be amended.

DLR, in its role as Planning Authority, are now proposing to amend the non-residential parking standards contained in the Cherrywood SDZ, as supported by the evidence-based findings and conclusion(s) of the AECOM report. The proposed amendment - which will be termed Amendment No. 10 to the Cherrywood SDZ Planning Scheme - comprises a reduction in parking standards for employment and retail land-uses within Cherrywood SDZ. The amendment will ensure that the level of non-residential parking provided in the area is appropriate and in alignment with the sustainable travel targets of the Planning Scheme. This Proposed Amendment is being submitted to An Bord Pleanála (ABP), the competent authority, under Section 170 of the Planning and Development Act, 2000, as amended.

This report presents an examination of whether the proposed amendment is likely to have significant effects on European sites (either alone or in combination with other plans and projects) and is based on the best available scientific knowledge. This report, along with the Proposed Amendment and corresponding SEA Screening, will inform the competent authority (ABP), in completing their statutory obligation to carry out a Screening for AA.

1.1 Legislative Requirements

Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive) provides legal protection for habitats and species of European importance. The Directive requires that where a plan or project is likely to have a significant effect on a European Site, while not directly connected with or necessary to the nature conservation management of the site, it will be subject to 'Appropriate Assessment' to identify any implications for the European site in view of the site's Conservation Objectives. Specifically, Article 6(3) of the Habitats Directive states:



"6(3) Any plan or project not directly connected with or necessary to the management of the site (Natura 2000 sites) but likely to have significant effect thereon, either individually or in combination with other plans or projects, shall be subject to Appropriate Assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."

These requirements are implemented in the Republic of Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and the Planning and Development Act 2000 (as amended).

The competent authority (ABP under Section 170A of the Planning and Development Act 2000, as amended) must carry out a screening for appropriate assessment to assess, in view of best scientific knowledge, if the proposed plan, individually or in combination with another plan or project is likely to have a significant effect on the European site. If it cannot be excluded, on the basis of objective information, that the proposed plan, individually or in combination with other plans or projects, will have a significant effect on a European site, an appropriate assessment of its implications for the European Site(s) in view of the Site's conservation objectives must be carried out.

The provisions of Article 6(3) do not apply where the proposed plan or project is 'connected with or necessary to the management of the site'. In this case, the proposed amendment is not directly connected with or necessary to the management of any European site(s).

1.2 Guidance

The assessment was conducted in accordance with the following guidance:

- Fossitt, J. A. (2000). A guide to habitats in Ireland. Heritage Council/Chomhairle Oidhreachta.
- Appropriate Assessment of Plans and Projects in Ireland: Guidance for Planning Authorities. National Parks and Wildlife Service (NPWS), Department of the Environment, Heritage and Local Government, Dublin (2009, updated 2010);
- Interpretation Manual of European Union Habitats. Version EUR 28. European Commission 2013;
- Scottish Natural Heritage. (2016). Assessing Connectivity with Special Protection Areas (SPAs) Guidance.
- Managing Natura 2000 sites. The provisions of Article 6 of the Habitats Directive 92/43/EEC. European Commission (2019). Brussels, (2019/C 33/01). OJ C 33, 25.1.2019.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg (European Commission, 2002). This document was updated by Assessment of plans and projects in relation to Natura 2000 sites - Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC. Commission Notice (2021) Brussels, 28.9.2021 C (2021) 6913 final;
- OPR Practice Note PN01 Appropriate Assessment Screening for Development Management, Office of the Planning Regulator (2021).
- Atkinson, S., Magee, M., Moorkens, E.A. & Heavey, M. (2024). Guidance on Assessment and Construction Management in Margaritifera Catchments in Ireland. <https://e-mussels.eu/europe/conservation-guidelines>



1.3 Assessment Process and Approach

The process of determining the likelihood of significant effects from a proposed plan or project on European sites is an iterative process centred around a Source-Pathway-Receptor (S-P-R) model. In order for an effect to be established, all three elements of this mechanism must be in place. The absence or removal of one of the elements of the mechanism is sufficient to conclude that a potential effect is not of any relevance or significance.

- Source(s) – e.g., pollutant run-off, noise, removal of vegetation etc.;
- Pathway(s) – functional link, or ecological pathway e.g., groundwater connecting to nearby qualifying wetland habitats; and,
- Receptor(s) –the qualifying habitats and species of European sites and ecological resources supporting those habitats/species.

In the context of this report, a source is any identifiable element of the proposed plan that is known to interact with the receiving environment. A receptor is the Qualifying Interests (QI) for an SAC or Special Conservation Interests (SCI) for an SPA or an ecological feature that is known to be utilised by the QI/SCI. In practice, the term Qualifying Interests also applies to SCIs (and is used in this document for simplicity). A pathway is any connection or link between the source and the receptor.

The assessment commences with a description of the plan or amendment, and the associated sources for impacts to the receiving environment. The type of impacts that are likely due to the plan (Source) are identified having regard to the spatial and temporal scale of the plan, resource requirements and likely emissions. These sources are then used to define the zone of influence (ZoI) of the plan.

The European Commission Notice (2021) on the ‘Assessment of plans and projects in relation to Natura 2000 sites – Methodological guidance on Article 6(3) and (4) of the Habitats Directive 92/43/EEC, states that in identifying European sites (Natural 2000 sites), which may be affected by a plan or project, the following should be identified:

- Any European sites geographically overlapping with any of the actions or aspects of the plan or project in any of its phases, or adjacent to them;
- Any European sites within the likely zone of influence of the plan or project. European sites located in the surroundings of the plan or project (or at some distance) that could still be indirectly affected by aspects of the plan project, including as regards the use of natural resources (e.g., water) and various types of waste, discharge or emissions of substances or energy;
- European sites whose connectivity or ecological continuity can be affected by the plan or project.

The zone of influence of a plan is the geographical area over which it could affect the receiving environment in a way that could have potential effects on the Qualifying Interests of a European site. The OPR (2021) practice note states that the Zone of Influence must be established on a case-by-case basis using the Source-Pathway-Receptor (S-P-R) framework and not by arbitrary distances (such as 15 km). Section 3.3 sets out the detailed rationale for the identification of relevant European Sites within the ZoI based on the sources of impacts arising from the proposed amendment.

Subsequently, an assessment is undertaken with respect to potential connectivity (Pathways) to European Sites and their qualifying interests/special conservation interests are identified.



The potential for in-combination impacts with other plans and projects is also assessed having regard to the identified impacts of the proposed plan along the ecological pathways identified to European sites.

The likelihood of significant effects on the European Sites within the ZOI is examined having regard to the sensitivity of each European site with pathways for impacts associated with the proposed plan on its own and in combination with other plans and projects.

Having regard to the European Commission Communication on the Precautionary Principle (European Commission, 2000) the:

“absence of scientific evidence on the significant negative effect of an action cannot be used as justification for approval of this action. When applied to Article 6(3) procedure, the precautionary principle implies that the absence of a negative effect on Natura 2000 sites has to be demonstrated before a plan or project can be authorised. In other words, if there is a lack of certainty as to whether there will be any negative effects, then the plan or project cannot be approved.”

Where significant effects are determined to be likely, or where there is uncertainty regarding the likelihood of significant effects, the plan will be required under law to be subjected to Appropriate Assessment.



2. AMENDMENT TO THE CHERRYWOOD SDZ NON-RESIDENTIAL PARKING STANDARDS

2.1 Summary of the Amendment to the Cherrywood Non-Residential Parking Standards

DLR, in its role as Planning Authority, are proposing an Amendment to the Non-Residential Parking Standards of the Cherrywood SDZ Planning Scheme. The rationale to restricting non-residential car parking standards has been on the basis of climate change targets and the shift towards sustainable transport and behavioural change. Under the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the majority of Cherrywood is located within Car Parking Zone 2. This classification sets out car parking standards for non-residential zonings. These are in keeping with the goals and objectives for Cherrywood in the majority of cases

The Planning Scheme currently defines bespoke non-residential parking standards in relation to the following three land use types:

- High Intensity Employment
- Education
- Retail

Parking standards excluding the three land use types above have been deferred to standards defined in the Dún Laoghaire-Rathdown CDP.

Current non-residential parking standards in Cherrywood SDZ were reviewed in comparison to the baseline standards of other local authorities in conjunction with best practice relating to non-residential parking standards both in the UK and Republic of Ireland. DLR now propose to amend these non-residential parking standards in light of this review, supported by a study conducted by AECOM (this study is discussed in Section 2.2 below).

The revised parking standards DLR are proposing can be viewed in Table 2-1 below. These standards are considered as maximum standards that will optimise the balance between supply and demand in Cherrywood. No further reduction shall be permitted unless there is a specific development requirement for a lower number of spaces than outlined by the maximum standards. This is to ensure that appropriate monitoring is undertaken in order to manage the impacts of the Planning Scheme standards, in tandem with the delivery of active travel infrastructure and public transport services.

Table 2-1: Current and Proposed Non-Residential Car Parking Standards

| Land Use Type | Current Cherrywood Parking Standard | Amended Maximum Parking Standard |
|--|-------------------------------------|----------------------------------|
| Office and Industry Employment Uses | | |
| Office | 1 per 100sqm | 1 per 140sqm |
| Industry | 1 per 200sqm | 1 per 280sqm |
| Retail | | |
| Food Retail | 1 per 20sqm | 1 per 35sqm |
| Non-Food Retail | 1 per 50sqm | 1 per 85 sqm |



Any Employment or Retail Use development proposals that seek to provide either a reduced car parking provision (as defined above) or additional car parking provision that exceeds the proposed standards, will be required to outline a supporting rationale for such proposals, with the subsequent outcome of these planning applications determined by the Planning Authority on a case-by-case basis.

With reference to the current to the Dún Laoghaire-Rathdown County Council Standards for Cycle Parking and associated Cycling Facilities for New Developments (2018), cycle parking provision for residential, employment and retail land uses in Cherrywood will exceed minimum requirements as a measure to cater for future demand and to complement tightened car parking standards for Cherrywood. Cycle parking proposals will be determined by the Planning Authority on a case-by-case basis.

2.2 Cherrywood Strategic Development Zone Non-Residential Parking Study

A study published by AECOM¹ in September 2024 has recommended to reduce parking standards for High Intensity Employment (HIE) and Retail land uses, to provide for a better balance between supply and demand. This has been based on the following rationale (taken verbatim from the AECOM report):

- *'Current HIE and Retail land use standards are considered low in comparison to other CDPs² as more parking is provided on a pro-rata basis.*
- *The TRICS³ analysis shows that these land use types operate with a maximum parking occupancy of less than the acceptable occupancy level as stated by the Chartered Institute of Highways and Transportation (CIHT) document, i.e. 85%. Therefore, the standards have been determined by assuming the maximum number of spaces that can maintain 85% occupancy*
- *Parking provision for these land uses is generally provided on a large scale and as such a reduction can provide the push measure for employees and customers to consider more sustainable modes.*
- *The NTA GDA Strategy considers that measures are required for destination parking and also parking management at retail centres.'*

In summary, the existing parking standards for HIE and Retail land uses are resulting in an oversupply of parking in the area. The new parking standards will better balance parking supply and demand, and better promote use of sustainable transport modes.

¹ Cherrywood Strategic Development Zone Non-Residential Parking Study, prepared by AECOM for Dún Laoghaire-Rathdown County Council (September 2024).

² Reviewed Development Plans included those for: Dún Laoghaire-Rathdown County, Dublin City, Fingal County, and South Dublin County

³ Trip Rate Information Computer System is the system of trip generation analysis for the UK and Ireland. The system allows its users to establish potential levels of trip generation for their development scenarios, using a series of database filtering process.



2.3 Proposed Amendment Text for Cherrywood Planning Scheme.

The proposed amendment text changes for Amendment 10 to the Cherrywood Planning Scheme are presented in Table 2-2. Detail on the type of text change made, original text and new text is provided as appropriate.



Table 2-2 Proposed Amendment Text for the Cherrywood Planning Scheme

| Type of Text Alteration | Original Text | New Text |
|-------------------------|---|---|
| Text Added | - | <p><u>Non-Residential Car Parking</u> There is a need to achieve a balance between historic over supply and observed demand for parking at non-residential land use types on a wider scale and Cherrywood SDZ aims to lead the way in encouraging the use of sustainable modes of transport for all trip types. Sustainability is a key theme in the over-arching national, regional and local policies which includes a modal shift through infrastructure, service improvements, demand management, and behavioural change measures. It is also identified that future development should be planned and designed in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes. There is a strong rationale to restrict non-residential car parking standards on the basis of climate change targets and the shift towards sustainable transport and behavioural change. Under the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, the majority of Cherrywood is located within Car Parking Zone 2. This classification sets out car parking standards for non-residential zonings. These are in keeping with the goals and objectives for Cherrywood in the majority of cases. Exceptions, including Employment uses and Retail, have been highlighted below.</p> |
| Text Changed | <p><u>High Intensity Employment</u> The Dún Laoghaire-Rathdown County Development Plan 2010-2016 has maximum parking standards for high intensity employment that are appropriate on a countywide basis. In Cherrywood new neighbourhoods and a new Town Centre are being proposed in what is primarily green field property with no overhang of car parking that was permitted when the hierarchy of modal share was more private vehicular dominated. Therefore, Cherrywood specific standards are required for higher density employment. In addition to the ratio of spaces to floor area, the car parking locations are to be used in the</p> | <p><u>Employment Uses</u> The Dún Laoghaire-Rathdown County Development Plan, 2022-2028 has maximum parking standards for employment uses that are appropriate on a countywide basis. However, specific standards are required for higher density employment uses in Cherrywood. In addition to the ratio of spaces to floor area, the car parking locations in the Planning Scheme area are to be used to enhance the urban form, support the mixed use nature of the district centre, and reinforce the modal share targets.</p> |



| Type of Text Alteration | Original Text | New Text | | | | |
|-------------------------|---|---|--------|--------------------------------------|----------|--------------------------------------|
| | Planning Scheme to enhance the urban form, support the mixed use nature of the district centre, and reinforce the modal share targets. | | | | | |
| Text Added | - | Parking provision for Employment land uses is generally provided on a large scale and as such, tightened standards can provide the push measure for employees and customers to consider sustainable modes. As a result of this, the car parking standards for Employment uses will differ from those provided in the broader Dún Laoghaire Rathdown County Development Plan and are shown below in Table 4.5. | | | | |
| Text Deleted | On-site car parking will be permitted in accordance with the County Development Plan 2010-2016 maximum car parking standard for offices along public transport corridors. i.e. 1 space to 100sqm gfa of new office space. In addition, within the area of the Cherrywood Planning Scheme, off- site car parking consisting of temporary surface car parking and permanent multi-storey car parking will be permitted in accordance with Table 4.5. The temporary car parking will allow for the ratio of parking spaces to employees to be managed downwards over time in line with improvements to public transport. The permanent multi-storey car park will enable a turnover of spaces more in keeping with the mixed use nature of the area. | | | | | |
| Text Changed | Table 4.5 Parking Standards for High Intensity Employment | Table 4.5: Maximum Parking Standards for Office and Industry Employment Uses | | | | |
| Text Changed | Table 4.5 data was deleted and a new table 4.5 was included, as below: <table border="1" data-bbox="448 1193 1500 1276" style="margin-left: 40px;"> <tbody> <tr> <td style="padding: 5px;">Office</td> <td style="padding: 5px;">1 space per 140 sqm gross floor area</td> </tr> <tr> <td style="padding: 5px;">Industry</td> <td style="padding: 5px;">1 space per 280 sqm gross floor area</td> </tr> </tbody> </table> | | Office | 1 space per 140 sqm gross floor area | Industry | 1 space per 280 sqm gross floor area |
| Office | 1 space per 140 sqm gross floor area | | | | | |
| Industry | 1 space per 280 sqm gross floor area | | | | | |



| Type of Text Alteration | Original Text | New Text | | | | |
|-------------------------|--|--|--------------|-------------------------------------|------------------|-------------------------------------|
| Text Changed | <p><u>Retail</u> As retail is primarily located within mixed use areas it is appropriate that retail parking be provided in village or Town Centre car parks either underground or multi storey rather than in individual car parks associated with each retail unit. Where surface car parking is proposed it will be required to demonstrate that this is not to the detriment of the vitality of the area, the public realm, pedestrian linkages, urban form and achieving the potential scale of development identified within the Development Area, see Chapter 6.</p> | <p><u>Retail</u> As retail is primarily located within mixed use areas, it is appropriate that retail parking be provided within the built form of the Town Centre or Village Centres rather than in individual car parks associated with each retail unit. Where surface car parking is proposed it will be required to demonstrate that this is not to the detriment of the vitality of the area, the public realm, pedestrian linkages, urban form and achieving the potential scale of development identified within the Development Area, see Chapter 6.</p> | | | | |
| Text Changed | - | <p>Current retail trip generation analysis indicates that a significant portion of retail trip demand is not considered to be new on the transportation network, as such trips either pass by on the way to another destination or specifically divert to the retail land use. Therefore, the typical short stay nature of retail parking often results in the same parking space being utilised several times throughout the day, with a higher turnover of spaces achieved.</p> | | | | |
| Text Changed | The car parking requirements are set out below. | The Retail use car parking requirements are set out below. | | | | |
| Text Changed | Table 4.6: Maximum retail car parking standards | Table 4.6: Maximum Parking Standards for Retail Uses | | | | |
| Text Changed | <p>Table 4.6 data was deleted and a new table 4.6 was included, as below:</p> <table border="1" data-bbox="459 1053 1556 1141"> <tbody> <tr> <td>Retail- Food</td> <td>1 space per 35 sqm gross floor area</td> </tr> <tr> <td>Retail- Non Food</td> <td>1 space per 85 sqm gross floor area</td> </tr> </tbody> </table> | | Retail- Food | 1 space per 35 sqm gross floor area | Retail- Non Food | 1 space per 85 sqm gross floor area |
| Retail- Food | 1 space per 35 sqm gross floor area | | | | | |
| Retail- Non Food | 1 space per 85 sqm gross floor area | | | | | |
| Text Added | | <p>The standards in Tables 4.5 and 4.6 are considered as maximum standards that will optimise the balance between supply and demand in Cherrywood. No further reduction shall be permitted unless there is a specific development requirement for a lower number of spaces than outlined by the maximum standards, where for instance there are demonstrable benefits for the SDZ or where wider strategic initiatives such as provision of large-scale mobility hubs. This will ensure that appropriate monitoring is undertaken in order to manage</p> | | | | |



| Type of Text Alteration | Original Text | New Text |
|-------------------------|---------------|---|
| | | the impacts of the Planning Scheme standards, in tandem with the delivery of active travel infrastructure and public transport services. |
| Text Added | | Employment or Retail use development proposals that seek to provide either a reduced car parking provision to that defined under Table 4.5 or Table 4.6, or additional car parking provision that exceeds the maximum standards as defined under Table 4.5 or Table 4.6, will be expected to outline a supporting rationale for such proposals. This rationale shall include robust evidence and consideration of impacts, as well as complementary sustainable transport measures, that may be required to support a reduced/increased Employment or Retail use car parking provision. In this regard, applicants should contact the Planning Authority via the pre-planning process to discuss evidence-based assessments that would support such proposals, which may also necessitate consultation with the NTA and TII if considered as strategically important, as outlined in Chapter 7 of the Planning Scheme. Following this process, subsequent planning applications will be determined by the Planning Authority on a case-by-case basis. |
| Text Added | | As Employment use development is delivered, temporary surface Employment use car parking in Cherrywood shall be removed over time through monitoring of the continued need for and the usage of same. Proposals to decommission temporary surface Employment use car parking shall be expected to either incorporate these temporary spaces into permanent Employment use car parking provision (within existing or proposed Employment use development) in line with Table 4.5 standards; repurpose existing temporary parking areas to facilitate sustainable mode infrastructure; implement dual use parking; or revert to the land use as defined in the Planning Scheme. Planning applications of this nature will be determined by the Planning Authority. |



| Type of Text Alteration | Original Text | New Text |
|-------------------------|--|---|
| Text Deleted | <p><u>Park and Ride</u> The Green Luas line terminates at Bride’s Glen. Due to the proximity of the N11 and M50 the stops at Carrickmines, Cherrywood, and Bride’s Glen are accessible by car from a broad catchment. An underground Park and Ride at Carrickmines was permitted as part of the rail order for the extension of the Luas line from Sandyford to Cherrywood. Due to a number of factors this has not been built. A temporary surface car park is in operation at the Carrickmines stop. The plan envisages this temporary surface car park being replaced by a multi-storey park and ride as this area is developed. A temporary surface car park has also been permitted close to the Bride’s Glen Luas stop. This temporary park and ride was considered appropriate due to the limited development to date in Cherrywood. Any long term provision of park and ride proximate to the Town Centre will be dependent on the proposal according with the NTA Strategic Transport Plan for the Greater Dublin Area. The siting of any such proposal should be such as not to undermine the pedestrian environment, particularly in the Town Centre. It should also be located with good pedestrian links to the Luas stop. It may be appropriate to provide this type of parking in a mixed use car park and to control the Park and Ride aspect of the usage by the method of charging / ticketing.</p> | |
| Text Changed | <p>PI 22 Development in the Planning Scheme shall adhere to the guidance and standards for cycle parking and associated cycling facilities for new developments set out in the current ‘Dún Laoghaire-Rathdown County Council Cycling Policy (June 2010 or as updated).</p> | <p>PI 22 Development in the Planning Scheme shall adhere to the guidance and standards for cycle parking and associated cycling facilities for new developments set out in the current ‘Dún Laoghaire-Rathdown County Council Standards for Cycle Parking and associated Cycling Facilities for New Developments’ (January 2018 or as updated).</p> |
| Text Changed | <p>The Cycling Policy sets out the minimum cycle parking requirements for short (e.g. visitor cycle parking) and long term use for various types of development (including residential). It also sets out the</p> | <p>Dún Laoghaire-Rathdown County Council’s Cycling Policy sets out the minimum cycle parking requirements for short (e.g. visitor cycle parking) and long term use for various types of development (including residential). It also sets out the appropriate quantum of</p> |



| Type of Text Alteration | Original Text | New Text |
|-------------------------|---|--|
| | appropriate quantum of showers and lockers, and incentives required to promote cycling in workplaces. | showers and lockers, and incentives required to promote cycling in workplaces. |
| Text Added | | With reference to the current 'Dún Laoghaire-Rathdown County Council Standards for Cycle Parking and associated Cycling Facilities for New Developments' (January 2018 or as updated), cycle parking provision for residential, employment and retail land uses in Cherrywood shall exceed minimum requirements as a measure to cater for future demand and to complement tightened car parking standards for Cherrywood as outlined in Tables 4.4, 4.5 and 4.6. Cycle Parking proposals will be determined by the Planning Authority on a case-by-case basis. |



2.4 Potential Implications of the Proposed Amendment

2.4.1 Reduction in Non-residential Parking Standards for HIE and Retail for New Development in the Area

First and foremost, the proposed amendment will reduce non-residential parking standards for Employment Uses (this term has replaced the term HIE) and Retail in the area. This will affect all new Employment Use and Retail development in the area. A reduction in the car parking standards will promote the use of sustainable transport modes.

2.4.2 Alterations to Development in the Area

The proposed amendment may result in developers making new planning applications for the purpose of altering existing and permitted development - in line with the new parking standards. Developers may also seek to re-purpose parking spaces no longer required due to the proposed amendment.

2.5 Relationship with other Relevant Plans and Programmes

The proposed amendment will be required to comply with the existing Cherrywood SDZ Planning Scheme and relevant higher-level Plans and Programmes. The proposed amendment, therefore, is subject to compliance with a number of higher-level environmental protection policies and objectives contained within both the Planning Scheme document and the Strategic Environmental Objectives contained in Section 5 of the SEA ER of the Planning Scheme.

The proposed amendment has been informed by and is consistent with the following national, regional and local policy considered relevant to the consideration of non-residential parking.

2.5.1 National Level Policy

- Project Ireland 2040 : National Planning Framework 2018
- Project Ireland 2040 - National Sustainable Mobility Policy
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities
- Climate Action Plan 2024

2.5.2 Regional and Local Level Policy

- Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region 2019 - 2031
- Dún Laoghaire-Rathdown County Development Plan 2022-2028
- Dún Laoghaire-Rathdown County Council Climate Action Plan 2024-2029
- National Transport Authority - Greater Dublin Area Transport Strategy 2022-2042



3. SCREENING FOR APPROPRIATE ASSESSMENT

3.1 Introduction to Screening

This section of the report examines if the plan is likely to have a significant effect upon European Sites from the plan, either alone or in combination with other projects or plans. The screening phase is progressed in the following stages. A series of questions are asked during the Screening Stage of the AA process in order to determine:

- Whether the plan or project introduces any sources of environmental or ecological impact
- Whether a plan or project can be excluded from AA requirements because it is directly connected with or necessary to the management of a European Site.

Whether the plan or project will have a likely significant effect on a European Site, either alone or in combination with other projects or plans, in view of the site's conservation objectives or if residual uncertainty exists regarding potential effects.

Plans are screened out based on one or a combination of the following criteria:

- Where it can be shown that there are no sources of environmental impact associated with a plan or project.
- Where there are no pathways such as hydrological links between a plan or project area, and relevant European sites
- Where a European site is located at a distance from the plan or project area such that effects are not foreseen;
- Where known threats or vulnerabilities at a European site cannot be linked to potential effects that may arise from a plan or project.

3.2 Potential Interactions of the Proposed Amendment on the Receiving Environment

Having regard to the European Commission (2021) guidance document and the OPR (2021) practice note, the potential impacts of the proposed amendment on the receiving environment at source are considered in Table 3-1 in relation to the following criteria:

- Habitat destruction/fragmentation/deterioration;
- Surface water run-off carrying suspended silt and contaminants, into local watercourses;
- Changes to groundwater quality, yield and/or flow paths associated with the proposed project;
- Plan related activities (noise, vibration, lighting, human presence, structures, etc) leading to disturbance / displacement of species;
- Plan related activities leading to a reduction in species populations / density;
- Air pollution due to dust and other airborne emissions; and
- Disturbance and potential spread of invasive species



Table 3-1: Potential Interactions on the Receiving Environment

| Potential Interactions on the Receiving Environment |
|--|
| <p><u>Introduction</u></p> <p>A study undertaken by AECOM⁴ states the following in relation to parking standards for retail and employment land uses in Cherrywood SDZ:</p> <ul style="list-style-type: none">• The parking standards for convenience retail in Cherrywood are higher when compared to standards contained in Development Plans for Dún Laoghaire-Rathdown, Dublin, Fingal County, and South Dublin.• The parking standards for food retail, and financial and professional services in Cherrywood are lower than those contained in Development Plans for Dublin City, Fingal and South Dublin.• Cherrywood standards for offices and industry are either comparable or higher than Dún Laoghaire-Rathdown and Dublin City and lower than Fingal and South Dublin. <p>The study and emergent recommendations have been informed by baseline standards across these other local authorities, as well as best practice relating to non-residential parking standards in both the UK and the Republic of Ireland. The Demand Analysis carried out for the study notes that occupancy rates for assessed sites of retail outlets and places of employment range between 62% to 77%.</p> <p>CIHT guidelines indicate that parking interventions should aim to ensure that demand does not exceed 85% of the available capacity during peak hours. As the maximum occupancies for retail outlets and employment destinations were recorded to be lower than the 85%, it indicates that parking is over-provided for these land uses.</p> <p>The study recommended a reduction in non-residential car parking standards for retail and employment land uses in Cherrywood SDZ.</p> <p><u>Analysis</u></p> <p>The Cherrywood SDZ Planning Scheme, 2014 (as amended) contains transportation objectives, including the following:</p> <ul style="list-style-type: none">• 'PI 21. It is an objective that car parking within the Planning Scheme be controlled so as to deter car use and promote sustainable travel modes'. <p>It has been stated in the SEA ER of the Cherrywood Planning Scheme that the above policy objective is supportive of Strategic Environmental Objective (SEO) C1. <i>To reduce travel related emissions to air and to encourage modal change from car to more sustainable forms of transport.</i></p> <p>The environmental effects of promoting modal shift from cars have been considered under the existing SEA and AA Screening for the Planning Scheme. As the proposed amendment directly supports both policy objective PI 21 and SEO C1, it accords with the vision and goals of these objectives, as well as relevant higher order and interrelated policy.</p> |

⁴ Cherrywood Non-Residential Parking Standards Review Study document, prepared by AECOM.



Potential Interactions on the Receiving Environment

The proposed amendment may result in developers making new planning applications for the purpose of altering existing and permitted development - in line with the new parking standards. Developers may also seek to re-purpose parking spaces no longer required due to the proposed amendment. These planning applications will be subject to focused project-level environmental assessment, and will need to accord with the existing land use policy defined in Cherrywood SDZ Planning Scheme - which has been subject to SEA and AA Screening already. The proposed amendment does not provide for a development type that has not already been considered at the appropriate level in the SEA and AA Screening for the Cherrywood SDZ Planning Scheme.

Conclusions

The reviewed non-residential parking standards have been proposed after extensive assessment and modelling, the findings of which indicate that the proposed standards will still allow for spare parking space capacity, without creating parking overspill or road obstructions.

The shift to more sustainable modes of transport and the consequent impact of this on future development in Ireland will have a significant contribution to the delivery of future carbon reductions.

The proposed amendment has the potential to better support the realization of potential positive environmental effects relating to promoting modal shift.

The proposed amendment will not introduce any additional sources of environmental impact that have not been considered in the SEA or AA Screening for the Cherrywood SDZ Planning Scheme, such as

- Land take;
- Resource Requirements (Drinking Water Abstraction Etc.);
- Emissions (Disposal to Land, Water or Air);
- Excavation Requirements;
- Transportation Requirements;
- Construction, Operation, Decommissioning.

The proposed amendment does not introduce any source of environmental impact which could result in or contribute to the following type of effects on a European site:

- Reduction of Habitat Area.
- Disturbance to Key Species.
- Habitat or Species Fragmentation.
- Reduction in Species Density.
- Changes in Key Indicators of Conservation Value (Water Quality Etc.).
- Climate Change.



Potential Interactions on the Receiving Environment

The proposed amendment does not introduce any sources of impact that may combine with environmental impacts of other plans or project to create a likely significant in-combination impact on European sites.

The proposed amendment does not generate any environmental impacts or create a zone of impact that could result in likely significant impacts on any European site. The proposed amendment will not create a Source-Pathway-Receptor linkage between the Cherrywood SDZ Planning Scheme area and any European site or ecological receptor.

It is further noted there are no European sites within the Plan area or terrestrial or aquatic pathways to European sites from the Plan area.

It is clear the proposed amendment will not generate any source of environmental impact that may result in likely significant impacts on any European site.



3.3 European Sites within the Zone of Influence (Zoi)

The OPR (2021) AA Screening practice note states that the Zone of Influence must be established on a case-by-case basis using the Source-Pathway-Receptor model. The S-P-R model has been used to identify the Zoi to ensure that relevant European sites are identified. The S-P-R model minimises the risk of overlooking distant or obscure effect pathways, while also avoiding an over reliance on buffer zones (e.g. 15 km), within which all European sites should be considered. This approach follows the DoEHLG (2009 rev 2010) guidance on AA which states that:

“For projects, the distance could be much less than 15 km, and in some cases less than 100m, but this must be evaluated on a case-by-case basis with reference to the nature, size and location of the project, and the sensitivities of the ecological receptors, and the potential for in combination effects”

As detailed in Section 1.3, in order for an effect to occur, all three elements of this mechanism must be in place. The absence of one of the elements of the mechanism means there is no likelihood for the effect to occur. The potential impacts of the plan are set out in Section 3.2 of this report. The impact is essentially the ‘source’ in the S-P-R model.

Such impacts may be very localised and confined to defined area with no potential connectivity to a European site and therefore no potential for effects. Alternatively, where an ecological or functional pathway exists, they may give rise to a potential effect to a Qualifying Interest of a European site.

The dominant ecological pathways considered for establishing the Zone of Influence are:

- Direct physical interactions or changes to the local environment;
- Air dispersal (noise, dust, odour emissions etc.);
- Hydrological interactions; and
- Dispersal patterns of mobile species

The Cherrywood SDZ Planning Scheme (2014) was subject to a full Strategic Environmental Assessment (SEA) and an Appropriate Assessment (AA) Screening. The AA Screening of the Planning Scheme concluded that there was no potential for the introduction of any adverse significant effects to European Sites. The Cherrywood SDZ Planning Scheme does not contain any European Sites within its boundaries, nor is it directly linked to any European Site through hydrological or ecological corridors.

3.4 Consideration of In-Combination Effects with other Plans or Projects

Article 6(3) of the Habitats Directive requires that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives”.



It is therefore required that the likely significant impacts of the proposed amendment are considered in-combination with other plans or projects within the zone of influence. These principal plans that are related to the proposed amendment are defined in Section 2.5.

The proposed amendment does not introduce any sources of impact that may combine with environmental impacts of other plans or project to create a likely significant in-combination impact on European sites.



4. CONCLUSION

This report presents an examination of whether the proposed amendment is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects) and is based on the best available scientific knowledge. This report has been prepared to inform the competent authority in completing their statutory obligations in relation to Appropriate Assessment, as required by Article 6(3) under Council Directive 92/43/EEC (Habitats Directive).

It can be concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information, that the proposed amendment, individually or in combination with other plans and projects, is not likely to have a significant effect on European sites. The principal reasons for this are as follows:

- The proposed amendment does not introduce any additional sources of environmental impacts not already considered under the SEA and AA Screening for the Cherrywood SDZ Planning Scheme.
- The proposed amendment does not provide for a development type that has not already been considered in the SEA and AA Screening for the Cherrywood SDZ Planning Scheme.
- The proposed amendment only has the potential to generate positive environmental through the promotion of sustainable transportation and travel, and accords with and directly supports the existing policy objective PI 21 and Strategic Environmental Objective EO C1 defined for the Cherrywood SDZ Planning Scheme.
- The proposed amendment does not conflict with any objectives or policies defined in higher-order or inter-related plans.

A Stage 2 Appropriate Assessment is not, therefore, required. It is clear that no likelihood of significant effects arises.



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