

3145/17LAW

### **Proposing Department**

Environment & Transportation Department, Roads and Traffic Planning, Civic Offices, Wood Quay, Dublin 8,

### **Location:**

The site of the subject scheme is located on the seaward side of James Larkin Road; north east of the South Bull Lagoon. The subject portion of the previous permitted flood defence wall under the subject proposal - runs c. 625m from approximately north east of the junction with Mount Prospect Avenue to just north east of the Nanekin River culvert.

The parent scheme for the subject proposal has been largely completed (Reg. Ref. 3601/12 refers)

### **Zoning**

Amenity/Open Space Lands/ Green Network Zone 'Z9'. Land Use Zoning Objective Z9: *To preserve, provide and improve recreational amenity and open space and green networks.*

Within the subject site there are no designated Tree Preservation Orders, listed views or prospects in the area of the promenade, or are there any protected structures or national monuments.

### **Environmental & Heritage Designations**

The site is located in proximity to the Dublin Bay area, with is designated with Special Protection Area (SPA) status, Special Area of Conservation (SAC) and Proposed Natural Heritage Area (pNHA) status. Bull Island has been assigned additional designations including Nature Reserve, Ramsar Site (under the Ramsar Convention on Wetlands of International Importance), Wildfowl Sanctuary, UNESCO Biosphere Reserve and a Special Amenity Area Order (SAAO).

### **PROPOSED DEVELOPMENT**

To amend the previously approved planning permission 3601/12 for Sutton to Sandycove Cycleway & Footway Interim Works: Bull Wall to Causeway Road to include for the modification of the flood defence sea wall on James Larkin Road D3 between Mount Prospect Avenue D3 and Watermill Road D5.

It is proposed:

- To reduce the height of the flood defence sea wall from 4.25 m OD to a height ranging from 4.06 m OD to 3.95 m OD to provide and effect flood defence height of a minimum of 3.95 m OD and pedestrian parapet of a minimum of 500 mm high.

### **Planning History**

3601/12 (Local Authority Works)

Proposed Sutton to Sandycove Cycleway & Footway Interim Works: Bull Wall (Wooden Bridge) to Causeway Road, Dollymount, Dublin 3.

- The proposal for the Sutton to Sandycove Cycleway & Footway Interim Works: Bull Wall (Wooden Bridge) to Causeway Road is to provide approximately 2km of cycleway between the Bull Wall and Causeway Road tying in with the existing

cycleway on either side, thereby providing a continuous 8km cycleway around North Dublin Bay. Works Include:

- Construction of 2km of cycle track and footway requiring a reduction in the road carriageway cross section and resurfacing of the road;
- Introduction of a number of signal controlled crossings to facilitate access for pedestrians and cyclists on the route from the surroundings area;
- Seawall repairs including the construction of a new 325 metres section of sea wall;
- Flood defence works to provide a continuous flood defence level of 4.25m OD between the Bull Wall and Causeway Road;
- Construction of approximately 2km of the North City Arterial Watermain between the Bull Wall and causeway Road while the road works are being undertaken;
- Other works include renovation of tram shelter, undergrounding of pumping station, closure of 2 slipways and steps accessing lagoon and loss of 7 parking spaces and associated works.

Planning Recommendation:

1. *DCC Roads:*

- a) Access to the lagoon shall be maintained by retaining the two existing accesses at Dollymount Avenue and Mount Prospect Avenue, however no access will be provided during the Bird wintering period.*
- b) Existing Double yellow lines between the double yellow lines outside the houses between the shops at the junction of Dollymount Park and house number 378 shall be retained.*

2. *DCC Drainage Division:*

- a) The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads*
- b) Details regarding the proposed flood gates, their operation and maintenance shall be agreed with the Drainage Division prior to commencement of development"*

3. *It is recommended that the development comply with the conditions attached to previously permitted An Bord Pleanála schemes PL29N.JA0008 and PL29N.YA0008 as amended by this proposal.*

4. *Prior to commencement of significant works on site a Traffic Management Plan, a Construction Methodology Plan and an Environmental Management Plan, shall be provided to the satisfaction of DCC*

5. *As proposed an environmental and monitoring and liaison committee shall be established for the duration of the construction period.*

6. *As proposed the renovation of the Tram shelter shall be carried out in consultation with the DCC Architects, DCC Conservation and DCC Archaeology Departments.*

7. *As proposed the construction period shall be restricted to between March and September each year. Any exceptions sought shall be agreed in advance with the National Parks & Wildlife Service.*

8. *DCC Archaeology:*

*The following recommendations of the Dublin City Archaeologist shall be complied with in the development:*

a) *The developer shall retain a suitably qualified licensed-archaeologist to advise regarding the archaeological implications of site clearance, demolition and/or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary.*

b) *The recommended mitigation measures summarised in the Project report by Roughan O'Donovan Engineers December 2012 section 4.9 shall be undertaken for the scheme.*

c) *The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.*

d) *The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.*

e) *The archaeologist shall consult with and forward their Method Statement in advance of commencement to the City Archaeologist.*

f) *In the event of archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall immediately contact the City Archaeologist. The City Archaeologist (in consultation with the National Monuments Service, Department of Arts Heritage and Gaeltacht) shall determine the further archaeological resolution of the site.*

g) *A written and digital report containing the results of the archaeological monitoring shall be forwarded on completion to the City Archaeologist and National Monuments Service, Department Arts Heritage and Gaeltacht.*

h) *Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.*

9. *Adequate tree protection measures, to a recognised EU standard, shall be provided where required for all trees, directly adjoining the route, in accordance with details to be agreed in writing with the Planning Authority prior to the commencement of development and such measures shall remain in place for the duration of the development.*

10. *Prior to commencement of development the applicant shall contact the Parks Department to ascertain any requirements they may have with regard to post construction reinstatement and proposed landscaping schedule.*

PL29N.YA0008

APPROVAL GRANTED by ABP on (22/12/2011) for:  
Dollymount Promenade and Flood Protection Project (DPFPP) which is approximately 1.9 kilometres long will link the Causeway Road/Windmill Road junction to the east with the Wooden Bridge/Clontarf junction to the west.

Summary of scheme:

- A promenade and cycleway which will upgrade and link existing intermittent sections of promenade and cycleway within the Clontarf/Dollymount area, ultimately facilitating the provision of an 8 kilometre long promenade and cycleway around North Dublin Bay; that in turn will form part of a larger 22 kilometre long promenade and cycleway around the entire Bay
- A flood defence scheme between the Wooden Bridge to the southwest and Causeway road to the northeast which will provide flood protection for properties along the Clontarf Road and James Larkin Road.

ABP's Reasons & Considerations - :

*i. the provisions of the EU Floods Directive 2007/60/EC which aims to reduce and manage risks posed by floods to human health, the environment, infrastructure and property,*

*ii. the National Development Plan 2007-2013 and, in particular, to the policy on social infrastructure set out at chapter 8 therein in relation to flood relief measures and the maintenance of existing defences,*

*iii. the National Cycle Policy Framework, 2009-2010 which, inter alia, provides for the completion of the Sutton-Sandycove (S-S) cycleway/promenade (Policy No.2.10),*

*iv. the policy and provisions of the Dublin City Development Plan 2011-2017 which, inter alia, recognise the increased risk of flooding due to climate change and sea level rise, including coastal flooding, and which promote use of public open space in conjunction with flood and nature conservation strategies,*

*v. the objectives contained in the Dublin City Development Plan 2011-2017 including:*

- a) Objective GC02 which promotes the development of the Sutton to Sandycove Cycle Tracks Scheme (S-S) subject to the appropriate environmental assessments, including any assessment required under 6(3) of the Habitats Directive,*
- b) GC26 namely to protect flora, fauna and habitats, which have been identified by the Habitats Directive, Birds Directive, Wildlife Act 1976 (as amended), the flora protection order (S.I. No. 84 of 1999) and the European Communities (Natural Habitats) Regulation 1997 (S.I No. 94 of 1997),*

*vi. the recorded propensity of the Clontarf Road to flooding,*

*vii. the Environmental Impact Statement submitted in support of the application, including the mitigation measures set out therein,*

viii. the information contained in the “Habitats Directive Assessment Report” and the finding contained therein that the proposed project “will not have adverse effects on the integrity of the (Natura) site(s) as defined by their status and conservation objectives”, and

ix. the submissions made in relation to the application, it is considered that a need for the proposed coastal flood defence measures and for the proposed cycleway and promenade have been established and that, subject to compliance with the conditions set out below, the proposed development would represent an appropriate response to identified coastal flooding problems in the Clontarf area, would consolidate approved flood relief works there, would comply with the objectives of the National Cycle Policy Framework and the Dublin City Development Plan 2011-2017 in regard to cycling and recreational activities, would not significantly impact on any protected species or habitat, would not adversely affect the integrity of any European/designated Natura 2000 site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The ABP conditions imposed did not specify any significant changes to the proposed development.

PL29N.JA0008 APPROVAL GRANTED by ABP on 24/07/2008 for:

- North City Arterial Main (NCAM), from Fairview Park to Sutton, (Fairview Park/Alfie Byrne Road/Clontarf Road/Howth Road/Dublin Road to junction with Bayside Boulevard South); including spur mains on the Hollybrook and Kilbarrack Roads &
- Clontarf Flood Defences (CDF) – was to be constructed within the existing Clontarf Promenade area (from Alfie Byrne Road to the Bull Wall) and was to generally consist of 2.15 kilometres of earth bunding and 0.85 kilometres of in-situ reinforced concrete walls with either stone patterned formwork or natural stone facing.

ABP in deciding on the schemes considered that the proposed development:

- (i) represents an appropriate response to flooding risk in the area,
- (ii) would not seriously injure the visual amenities of the area,
- (iii) would not interfere to any significant extent with existing land uses in the area,
- (iv) would be acceptable in terms of traffic safety and convenience,
- (v) would not be likely to result in significant adverse effects on the local ecology or on the local environment as a whole, and
- (vi) would be in accordance with the proper planning and sustainable development of the area.

The conditions imposed by ABP did not specify any significant changes to the proposed development.

## **EVALUATION of SUBJECT PART 8 SCHEME**

The applicant has provided the following technical summary for the scheme:

*The proposed Sutton to Sandycove (S2S) Sea Wall Works along James Larkin Road consists of modifications to the height of the recently built sea wall, erected as part of the S2S Cycleway & Footway Interim Works Bull Road to Causeway Road.*

*The sea wall was constructed to a height of 4.25mOD which was determined by coastal flooding modelling carried out as part of the Dollymount Promenade and Flood Protection Project (DPFPP). Following construction of a section of the sea wall on James Larkin Road there was an adverse public reaction due to the partial loss of views of the South Bull Lagoon from the roadway at the northern end of the scheme.*

*In response to the objections from the public, Dublin City Council (DCC) commissioned a reassessment of the height of sea wall required to provide an adequate level of protection from coastal flooding while maintaining views of the South Bull Lagoon from the roadway.*

*An assessment of the sea wall height determined that a height of 3.95mOD would provide adequate protection against coastal flooding whilst improving views of the South Bull Lagoon from the Roadway. The reduction in height would provide protection against a 100 year tidal event rather than the national standard of a 200 year tidal event. In the event of a tidal event greater than a 100 year tidal event, the carriageway north of the Mount Prospect Junction would provide storage for coastal flood waters and a natural high point at the junction will block coastal flood waters impacting upon residential and business properties to the south.*

*In the interest of safety for pedestrians adjacent to the sea wall, the minimum height of the wall relative to the footpath is required to be 500mm above footpath level. This requirement results in sections of the sea wall being above the 3.95mOD. The resulting height of sea wall ranges from 3.95mOD to 4.056mOD along the sections which currently reduce visibility of the South Bull Lagoon.*

*Due to the ecological sensitivities of working within and in proximity to the South Bull Lagoon, designated as a Natura 2000 Site (SAC & SPA) a number of restrictions have been placed on the periods within which works may be carried out and further control measures have been proposed to avoid and minimise impacts. Works are expected to commence in early September 2017, provided that the numbers of individuals of the bird species listed as Special Conservation Interests of the two Spas are less than 1% of the national population for each species, and in agreement with NPWS and Bird Watch Ireland. The Works will continue until completion, or until the bird population threshold has been reached, or until the NPWS and/or Bird Watch Ireland considers that there is a risk of likely Significant effects on the bird species in the lagoon.*

*A Habitats Directive Assessment Screening Report was undertaken and as a result of the assessment carried out it is the considered view of the authors that the proposed development, with the implementation of the proposed control measures, will have no adverse effect on the integrity of any of the Natura 2000 sites listed and as such this report returns a conclusion that there is no potential for significant effects on the Natura 2000 sites. As such the project can be screened out under the Habitats Directive as not requiring a Stage 2 Appropriate Assessment.*

The proposer notes that they investigated the option of providing a Pedestrian Guard Rail on top of the sea wall along sections of the sea wall which do not provide a wall height of 500mm. Such a guard rail would have had a minimum height above top of wall of 300mm to reduce obscuring the view of the South Bull Lagoon. As providing handrails only along certain sections of wall would appear visually inconsistent it is deemed necessary to provide a handrail for the full length. Following consultation with the S2S Environmental Liaison Committee (EMLC) the provision of a pedestrian handrail was deemed visually intrusive and undesirable.

The proposer notes that the permitted S2S Cycleway and Footway Interim Works made provision for a concrete rendered finish to the roadside face of the wall. Following consultations with the EMLC it was deemed desirable to provide a different finish to the

section of sea wall from the Mount Prospect Junction north. This section is adjacent to St. Anne's park which has a low random rubble boundary wall on the west side of the road. In keeping with the environment it was agreed with the EMLC to provide a Blue Limestone Cladding. A sample section of this treatment has been provided on site.

The proposer notes that the construction period to complete the works described above is expected to be in the order of 6-8 weeks. The Works are expected to commence in early September 2017 depending on the outcome and programming of the Part 8 process. Should works have to be suspended due to potential impacts on bird populations they will not recommence prior to 1st April.

The proposer notes with regard to construction impacts that the Contract for undertaking the Works will include provisions to minimise any temporary nuisance that may occur, and the management of the construction site and the undertaking of the works will be monitored to ensure compliance with the requirements of the contract. Such measures would include restricting site working hours and noise levels, provision of traffic management measures, and provision of adequate measures to ensure the integrity of the South Bull Lagoon from pollution. As detailed in Section 4.2 of this report, works will take place from early September 2017 and continue until works are complete or until, in the opinion of the Ecological Clerk of Works (ECoW) or NPWS or BirdWatch Ireland, there is a risk of works activities causing birds to behave differently from the behaviour that they would be expected to exhibit without the presence of that activity. The limit value considered appropriate by the Project Ecologist is until the 1% population threshold for any of the species listed in Table 4.1 has been reached to ensure that disturbance to the SPA bird population is kept to a minimum

It is noted that in addition to the screening for Appropriate Assessment the applicant has examined impacts during the construction phase on relevant environmental factors Population / Human Beings; Biodiversity; Noise and Vibration; Air Quality & Climate Hydrology; Soils and Geology; Landscape and Visual Impact; Archaeology; Architecture and Cultural Heritage.

## **Dublin City Development Plan 2016-2022**

### **2.2.7 Core Strategy and SEA / AA**

The EU Floods Directive (FD) 2007/60/EC on the 'Assessment and Management of Flood Risks' requires member states to assess and manage flood risks. The Office of Public Works (OPW) is the lead agency in implementing this process. The Department of the Environment, Community and Local Government (DECLG) and OPW prepared 'The Planning System and Flood Risk Management – Guidelines for Planning Authorities (2009)' in order to integrate the assessment and management of flood risk into the planning process. Planning Authorities are required to introduce flood risk assessment as an integral and leading element of their development planning functions. The Flood Risk Assessment is aligned with the Strategic Environmental Assessment (SEA). All future development of the City will be carried out in accordance with the requirement of the Habitats, Birds, Water Framework, Floods, SEA and EIA Directives.

### **2.3.1 Climate Change Adaptation and Mitigation**

Tackling Climate Change is a global issue, and it is essential to implement changes at city level to both adapt to the impacts of change and also to mitigate climate change in accordance with national policy. The 'Climate Change Strategy for Dublin City' is being revised and updated and this will include key targets and indicators. Adaptation measures are required to prevent the negative impacts arising from potential flooding and storm events, and the city will develop an adaptation strategy in accordance with the National Climate Change Adaptation Framework (2012).

The policies and objectives of this plan have been informed by strategic flood risk assessment in accordance with statutory guidance, and future flood prevention

adaptation works have been considered and are set out in Appendix 11. The burning of fossil fuels is the main cause of climate change, and Dublin City Council works closely with Codema (the city's energy agency) to continuously implement initiatives and projects to raise awareness of energy issues, monitor energy use, increase the share of renewable energy and improve energy efficiency at work and in the home. A Spatial Energy Demand Analysis study is ongoing and its outcomes will help influence new and more efficient approaches to energy in the city.

### 3.5.3 Climate Change and Flood Risk

Various projects are currently underway to address areas of the city known to be vulnerable to coastal flooding during extreme events, and therefore requiring new protective works.

These include: South Campshires Flood Protection Project, Sandymount Promenade and Flood Protection Project, and Clontarf Promenade Development and Flood Defence Project.

As part of the proposed Sutton to Sandycove promenade and cycleway project, the planned section adjacent to Bull Island has commenced and this incorporates flood protection works

CC5: To address flood risk at strategic level through the process of strategic flood risk assessment, and through improvements to the city's flood defences (see appendix 11)

### 9.2 Achievements

A number of flood protection works have been implemented and schemes have been constructed, are being constructed, or are at an advanced feasibility stage, to protect the city to a 1:100-year return period event from river flooding and 1:200-year event for coastal flooding

### 9.3 Challenges

The main challenges in flooding are:

i. To reduce the flood risk in Dublin city to the National Flood Standards to above 1% annual exceedance probability or AEP (roughly 100-year flood event) for fluvial flooding and above 0.5% AEP (roughly 200-year flood event) for tidal flooding, as far as is reasonably possible....

### 9.4 The Strategic Approach

Using flood risk assessment techniques, identification and management of these risks to be put in place through the identification and protection of existing and proposed flood defences and the need for flood-resilient urban and building design and construction

#### 9.4.1 Appropriate Assessment

The Council will ensure that all developments relating to environmental infrastructure are subject to Article 6 EU Habitats Directive Assessment to ensure that there are no likely significant effects on the integrity of any European Site(s). The development will proceed only after it has been ascertained that it will not adversely affect the integrity of the site or where, in the absence of alternative solutions, the development is deemed imperative for reasons of overriding public interest, all in accordance with the provisions of the EU Habitats Directive.

### 9.5.3 Flood Management

Climate change is one of the most significant and challenging issues facing humanity. It is important that Dublin City Council responds to this issue. Climate change will result in rising sea levels and more frequent and more severe rainfall events.

The primary sources of flooding are:



- Coastal and estuarine flooding of areas adjacent to the coast or tidal estuaries....

- SI11: To put in place adequate measures to protect the integrity of the existing Flood Defence Infrastructure in Dublin City Councils ownership and identified in the Strategic Flood Risk Assessment and to ensure that the new developments do not have the effect of reducing the effectiveness or integrity of any existing or new flood defence infrastructure and that flood defence infrastructure has regard also to nature conservation, open space and amenity issues.
- SI14: To protect the Dublin City coastline from flooding as far as reasonably practicable, by implementing the recommendations of the Dublin Coastal Flood Protection Project and the Dublin Safer Project.
- SI17: To require an environmental assessment of all proposed flood protection or flood alleviation works

## APPENDIX 11 Flood Defence Infrastructure

### 11.5 Clontarf to Kilbarrack

All existing coastal defences, rock armour, sandbanks, embankments, promenades, breakwaters, North Bull and sea walls provide significant flood protection to roads, property and buildings behind them, by keeping out the tide and breaking up waves which might otherwise over-top them.

Alfie Byrne Road to Wooden Bridge. Existing sea wall, rock armour, promenade and existing walls and embankments provide significant flood alleviation to Clontarf Road, houses and businesses adjoining them. Proposals are being developed to upgrade these subject to local approval.

Dollymount. Wooden Bridge to Causeway. Existing sea walls and embankments as well as Bull Island reduce flood risk in this area. A flood alleviation scheme to protect the roadway and some buildings to a level of 4.25m Malin Head is programmed to start this year.

Causeway to Kilbarrack Road. Existing seawall, promenade, cycle track, Bull Island and pedestrian wall provide flood defence to roadway up to 200-year flood event. Some wave over-topping can occur in high winds with easterly component

## **SUBMISSIONS/OBSERVATIONS**

Save Our Seafront; Clontarf Residents Association, Robert Dunne, John Cronin, Joe Nolan, Claudia Bulfin, Eoghan Wherity, and Seán A Ryan and issues are summarised as follows;

### Save Our Sea Front – Representative Sutton to Sandycove Interim Works, Environmental Monitoring & Liaison Committee

Part 8: The works will go some considerable way towards restoring the view. The Part 8 lacks artist's impressions/images of the proposed changes. The pedestrian safety barrier should have been incorporated in the Scheme's Design. DCC agreed to include a third option in the Part 8 – a Sea Wall of 3.95ODM with a 300mm guard rail along the whole 470m stretch.

Planning Process: Preserving the visual connection with the Lagoon is important from all vantage points. The finding of the Independent Expert is that a lower standard of flood protection is appropriate here. Aspects of the scheme should have been communicated to local communities during the planning stages through images, not engineers' drawings. The Part 8 should have included visuals to show the risk and fall of the roadway along the length of the scheme and the raised nature of the new

footway/cycleway in places. Finally it is felt that more extensive outreach was needed during the public consultation phase.

#### Clontarf Residents Association (CRA)

The CRA welcome and support the modifications to the flood wall. It is regrettable that the height of the wall from the pedestrian's perspective was not considered for the original scheme. It is further regrettable that the original Road Safety Stage 1 & 2 Audits did not identify the importance of the wall height in terms of protecting pedestrians, in addition to the CRA raising the issue of wall height in an observation at the time. CRA welcome the agreement to provide an appropriate finish to the wall and would also like to welcome DCC openness to re-examine the proposed coping so as to fit in with Age Friendly objectives. We believe that the reconstituted stone coping similar to the samples already provided which will complement the proposed cladding are more appropriate in this location than the precast concrete coping that has been provided along the remainder of these works. We believe that the works should be timed in agreement with NPWS and BWI to have the least impact on the wildlife of the lagoon.

#### Robert Dunne

The new seawall acts as a flood defence wall. The proposed modification works are for aesthetic purposes only, so that motorists can enjoy a slightly better view. The new works must be assessed on the basis of how they affect the functioning of the seawall and their value for money. I am of the view that the proposal fail on both these grounds.

In order to obtain a small improvement in the aesthetics of the wall it is proposed to abandon national norms and severely compromise the effectiveness of the wall as a flood defence. It seems that the accepted criteria for designing the wall are being changed to come up with an answer which suits the politicians. This is completely unacceptable in a time of accelerating climate change, with consequent changes in weather patterns and the increase in the height of sea levels.

No indication is given as to the cost of the proposed work but I understand it is budgeted at €500,000. This is a lot of money especially if it is to carry out apparently frivolous works demanded by a small lobby group.

The idea of facing the wall with blue granite is completely at odds with the existing sea front environment.

#### John Cronin

John welcomes the reduction of the sea wall. He also notes that to date there has been no flooding along this stretch from the sea. He suggests that DCC in consultation with community groups, explore the option of a good railing design detail along the stretch of 160m where it is currently below 500m.

#### Claudia Bulfin

Completely in support of the lowering of the wall. Minimising it means safety and beauty can work together.

#### Eoghan Wherity

Absolute waste of money taking down the wall. Could be spent elsewhere.

#### Seán A Ryan

Doesn't understand why it is impacting on traffic views as they should be looking at the road. It has improved the amenity for walkers and cyclists so far. It needs to be finished so as to ensure flood protection.

## **INTERDEPARTMENTAL REPORTS**

### **Environment & Transportation Department (E&TD) – Proposing Department**

*This is a Part 8 planning application for an amendment to the previously approved planning permission 3601/12 for Sutton to Sandycove Cycleway & Footway Interim Works: Bull Wall to Causeway Road to include for the modification of the flood defence sea wall on James Larkin Road D3 between Mount Prospect Avenue D3 and Watermill Road D5.*

*It is proposed:*

*- To reduce the height of the flood defence sea wall from 4.25 m OD to a height ranging from 4.06 m OD to 3.95 m OD to provide an effective flood defence height of a minimum of 3.95 m OD and pedestrian parapet of a minimum of 500 mm high.*

*The site of the subject scheme is located on the seaward side of James Larkin Road from Mount Prospect Avenue to a point approximately 620m north.*

*The site is located in proximity to the Dublin Bay area, which is designated with Special Protection Area (SPA) status, Special Area of Conservation (SAC) and Proposed Natural Heritage Area (pNHA) status. Bull Island has been assigned additional designations including Nature Reserve, Ramsar Site (under the Ramsar Convention on Wetlands of International Importance), Wildfowl Sanctuary, UNESCO Biosphere Reserve and a Special Amenity Area Order (SAAO).*

#### **Need for the scheme**

*The purpose of the subject scheme is to reduce the height of the sea wall, which was constructed as part of the Sutton to Sandycove (S2S) Cycleway & Footway Interim Works: Bull Road to Causeway Road, to remedy the partial loss of sea view for motorists travelling inbound for a 400m section of James Larkin Road. In addition, a coping stone is to be added to the top of the sea wall and a limestone cladding applied to the roadside face of the sea wall.*

*The proposal is to reduce the height of the existing sea wall from a height of circa 4.25mOD to either 500mm above adjacent footpath level or 3.95mOD whichever is the greater. The finished sea wall height will range from 3.95mOD to 4.052mOD over the section which experienced partial loss of sea view. The remaining 220m will remain at a height of 4.25mOD. The proposal will reduce the level of protection from coastal flooding from 1 in 200 year event to a 1 in 100 year event. In a 1 in 100 year event, the carriageway will provide storage for flood waters with negatively affecting any residential or business properties.*

The E&TD's Responses to Submissions:

#### **1. Submission from Clontarf Residents Association**

The CRA support the modifications of the flood defence wall.

Provision for a reconstituted stone coping will be explored prior to construction and agreed with relevant interested parties.

#### **2. Submission from Save our Sea Front**

The works will mitigate the highly negative visual impact of the flood defence wall and restore the lost view.

3. Submission from Robert Dunne

Richard is not in favour of altering the wall heights as it increases the risk of flooding and he considered there is no value for the money to be spent estimated at €500,000.

The proposed works must assess the basis of how they affect the functioning of the wall as flood defence including cost of the project. The risk has been increased by adopting a 100 year event profile instead of the 200 years which is the norm. The estimated height of the future rise in seawater levels has been reduced from the original adopted figure of 400mm to a new of 200-300mm

4. Submission from John Cronin

The provision of a hand rail along sections of the sea wall was explored as part of the design process. The Environmental Liaison Committee (ELMC), set up as part of the Sutton to Sandycove (S2S) Cycleway & Footway Interim Works: Bull Road to Causeway Road, communicated their dislike for the inclusion of a hand rail.

The E&TD' Recommendation:

1. The coping stone and roadside face of the sea wall shall match that of the parent permission as constructed, i.e. the Sutton to Sandycove (S2S) Cycleway & Footway Interim Works: Bull Road to Causeway Road.

**Drainage Division, Engineering Department-**

*There is no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).*

*There is an existing public sewer running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite prior to construction work commencing. No additional loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.*

*Permanent discharge of groundwater to the drainage network is not permitted*

*The developer shall comply with all the drainage conditions of the previous grant of permission, ref no: 3601/12*

**DCC Archaeology Department:**

*An archaeological and cultural heritage assessment prepared for the above scheme found that the proposed development would potentially impact on a number (11) of cultural heritage sites and one archaeological site listed on the Record of Monuments and Places (dower house, armorial stone, watermill and millrace – most of which date to the 16th century). The eight architectural sites directly affected by the development are not listed on the RPS for the city and their cultural value has not been assessed. Nevertheless the report recommends that seawall; tram shelter and plaque should be fenced off, the tram shelter renovated and any impact on the tramlines avoided. The report recommends archaeological monitoring of all ground works along the route. The archaeological report is summarised in a report by Roughan O'Donovan Engineers December 2012 section 4.9.*

*The following recommendation should be attached as an archaeological planning condition. (i.e. same as condition no. 8 of reg. Ref. 3601/12 ).*

## Recommendation

I recommend the following to be added as a condition to any grant of permission:

- a) The developer shall retain a suitably qualified licensed-archaeologist to advise regarding the archaeological implications of site clearance, demolition and/or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary.
- b) The recommended mitigation measures summarised in the Project report by Roughan O'Donovan Engineers December 2012 section 4.9 shall be undertaken for the scheme.
- c) The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
- d) The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.
- e) The archaeologist shall consult with and forward their Method Statement in advance of commencement to the City Archaeologist.
- f) In the event of archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall immediately contact the City Archaeologist. The City Archaeologist (in consultation with the National Monuments Service, Department of Arts Heritage and Gaeltacht) shall determine the further archaeological resolution of the site.
- g) A written and digital report containing the results of the archaeological monitoring shall be forwarded on completion to the City Archaeologist and National Monuments Service, Department Arts Heritage and Gaeltacht.
- h) Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the *Dublin City Archaeological Archive Guidelines* (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

**Reason:** In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

## CONCLUSION/SUMMARY

The Planning Division has no objection to the proposed revised scheme of works noting also that an environmental report and an appropriate assessment screening as per the Habitats Directive have been undertaken for various aspects of the Part 8 proposal.

With regard to the Appropriate Assessment the ET&D considered that:

*On the basis of the Screening assessment and application of the precautionary principle, indicators of significance show that there is no potential for short term or long term interference with any Natura 2000 site. It has been concluded that no potentially significant or uncertain effects on Special Conservation Interests / Qualifying Interests and their respective Conservation Objectives are likely to arise from the Project. It has been concluded, in view of the best scientific knowledge and the Conservation Objectives of the Natura 2000 sites within the Likely Zone of Impact, that the works inclusive of the precautionary control measures to avoid disturbance on birds, on their own or in combination with other plans or projects, do not have the potential to give rise to likely significant effects on the Special Conservation Interests / Qualifying Interests of the sites. Significant effects are not likely to arise as a result of construction works and direct impacts can be objectively ruled out.*

The proposing department has also noted and considered the submissions made on the proposal which have been summarised above. The proposed amendments are a result of representations from the local community representatives, The Clontarf Residents Association, The Clontarf Business Association, Raheny Tidy Towns and Save Our Seafront.

It is considered that the proposed development would be fully consistent with the provisions of the Dublin City Development Plan 2016-2022 as it will comply with the relevant policies and objectives contained therein and those also contained within relevant national and regional guidance.

It is recommended that the development proceed subject to the Environment & Transportation Department, Roads and Traffic Planning recommendation and those of the other DCC departments being taken into consideration and incorporated in the development of the proposed local authority works.

### **PLANNING DEPARTMENT RECOMMENDATION**

Accordingly, it is recommended the proposer have regard to the following recommendations:

1. A Construction & Demolition Waste Management Plan to be submitted to DCC's Waste Management Services for approval as part of the Environmental Management Plan.
2. Monitoring of compliance with best practice and control measures detailed in the proposer's submission will be undertaken by an Ecological Clerk of Works.
3. Prior to commencement of any construction works on site, the contractor shall ensure that a Construction Environmental Management Plan (CEMP) is prepared and approved by the employer prior to commencement of works on site.
4. A dust minimisation plan will be formulated for the construction phase of the project, to ensure that all construction activities are minimised wherever possible.
5. The contractor will be required to submit a C&D Waste Management Plan to Dublin City Council for approval which should address all types of material to be disposed of
6. A Traffic Management Plan shall be approved by DCC Traffic Management Division prior to commencement of any works on site.
7. The proposer shall liaise with the National Parks & Wildlife Service as required including agreeing the period(s) for construction activity and any exceptions to the any agreed construction period.
8. DCC's Environment & Transportation Department, Roads and Traffic Planning
  - a) The coping stone and roadside face of the sea wall shall match that of the parent permission as constructed, i.e. the Sutton to Sandycove (S2S) Cycleway & Footway Interim Works: Bull Road to Causeway Road.
9. DCC's Drainage Division
  - a. *The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).*
  - b. There is an existing public sewer running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite

prior to construction work commencing. No additional loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.

- c. Permanent discharge of groundwater to the drainage network is not permitted
- d. The developer shall comply with all the drainage conditions of the previous grant of permission, ref no: 3601/12

#### 10. DCC's City Archaeologist

- a) The developer shall retain a suitably qualified licensed-archaeologist to advise regarding the archaeological implications of site clearance, demolition and/or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary.
- b) The recommended mitigation measures summarised in the Project report by Roughan O'Donovan Engineers December 2012 section 4.9 shall be undertaken for the scheme.
- c) The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
- d) The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.
- e) The archaeologist shall consult with and forward their Method Statement in advance of commencement to the City Archaeologist.
- f) In the event of archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall immediately contact the City Archaeologist. The City Archaeologist (in consultation with the National Monuments Service, Department of Arts Heritage and Gaeltacht) shall determine the further archaeological resolution of the site.
- g) A written and digital report containing the results of the archaeological monitoring shall be forwarded on completion to the City Archaeologist and National Monuments Service, Department Arts Heritage and Gaeltacht.
- h) Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present, the archaeological paper archive shall be compiled in accordance with the procedures detailed in the *Dublin City Archaeological Archive Guidelines* (2008 Dublin City Council) and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.