



South Central Area Committee Meeting 21.02.2024

Planning No: 7004/23

Location: River Liffey Pontoon, Islandbridge, Dublin 8

The proposed Part 8 development (presented to the South Central Area Committee in April 2023) was put on public display from the 9th November until the 20th December 2023. The plans and particulars were on display in the Civic Offices, Wood Quay and on Citizen Space. The closing date for submissions or observations was the 20th December 2023.

It is the intention of the CRES Department to present this Part 8 to the March City Council Meeting. The approval of a Part 8 is a reserved function of the City Council.

Observations:

12 third party submissions have been received within the prescribed period.

Positive comments:

- Support to animate the River Liffey, to increase the safety of the river's users.
- To reduce the congestion on that stretch of the river.
- Passive supervision of the weir.
- Better use of the river.
- New tree planting on the island.

Negative comments:

- Concerns for the biodiversity of the island – including species of salmon, birds, bats, otters and seals.
- Concerns of rowers and the bridges lower down on the Liffey.
- Concerns on the impact of the river bank the pontoon may have.

LOCATION & DESCRIPTION:

The proposed development is located on an island on the River Liffey, to the east of Islandbridge. The surrounding area of the proposed site is highly urban aside from Phoenix Park, which is located just north of the proposed development and the Memorial Gardens which is located to the southwest of the proposed site. In a wider landscape context, the site is situated in Dublin City, which is a highly urbanized area with the River Liffey flowing in an easterly direction into Dublin Bay.

The subject small island is accessed on foot from the Bellevue apartment complex to the east. However, the rowers gain access the lower section of the River Liffey by using an existing slip on the southern side of the island and carry their boats to a cut-out section of the bank on the northern side. From this area, they can access the lower section of the River Liffey.

PROPOSED DEVELOPMENT:

The subject stretch of the River Liffey near Islandbridge, is home to over 13 Rowing Clubs – one of which belongs to Dublin City Council. In order to link the eastern length of the Liffey from Islandbridge, the Culture, Recreation & Economic Services Department of Dublin City Council is proposing a pontoon to be built on one of the small islands east of the weir - this will allow rowers to start at Islandbridge and have access down to Ringsend and vice versa safely.

To this end, the development comprises a pontoon with associated walkways to facilitate access to the river for rowing boats and kayaks. The project will provide for a platform that would minimize damage to bankside vegetation when launching and retrieving boats, and allow a safe platform for kayakers and boaters to embark and disembark.

The works proposed plan to combine the following elements:

- a) A floating pontoon system within the River Liffey anchored to the existing island shore.
- b) A new stone and concrete platform built out from the riverbank and connected to the pontoon by a new gangway.
- c) The removal of vegetation on approach to the pontoon and installation of a new access walkway from the south upper River Liffey at the weir to the new pontoon located north on the lower River Liffey.
- d) The temporary removal, refurbishment and reinstatement of an existing steel footbridge located on the island.
- e) The removal of poor existing vegetation, pruning of existing healthy trees and the replanting of 25 new high-quality trees and growing shrubs all native to Ireland.
- f) Temporary regrading of land during site works for access onto the island

The extent of the proposed are is illustrated on the extract from the proposed site layout plan shown at figure 1 below:

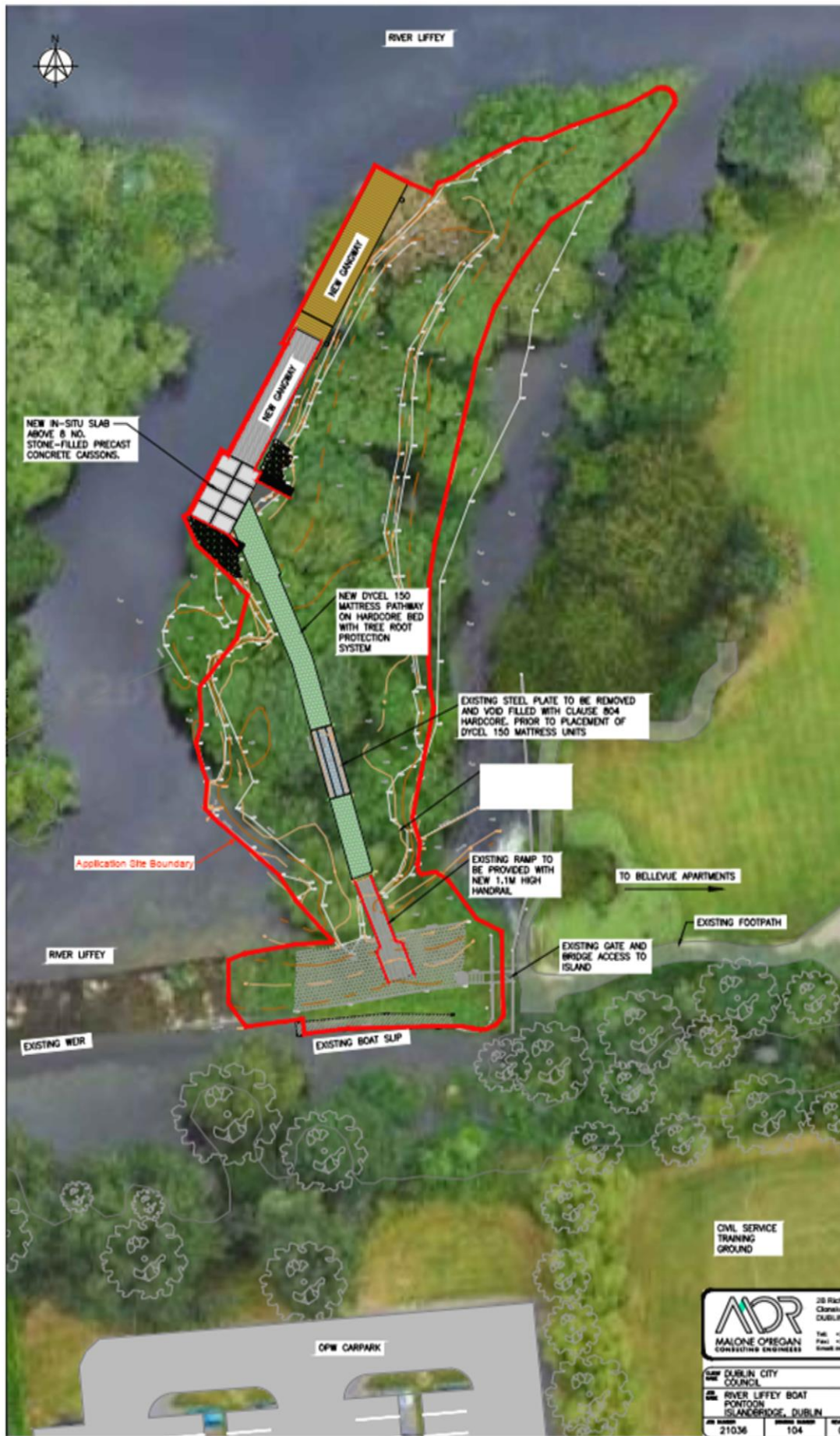


Figure 1 – Proposed Development.

RELEVANT PLANNING HISTORY

There is no relevant planning history relating to the subject site.

OBSERVATIONS:

Plans and particulars of the proposed works were available for inspection, at the Civic Offices, Wood Quay, Dublin 8, from 9th November 2023. The plans were also available online on Citizen Space. Submissions and observations regarding the proposed development could be made up to and including 20th December 2023. A total of 12 no. third party observations/submissions were received.

INTERDEPARTMENTAL REPORTS

There were a number of conditions from different departments set out before the project could proceed to Part 8. These were met in detail, and will also be adhered to during site works and construction.

PRESCRIBED BODIES

- | | |
|---|------------------|
| 1. Irish Water | No report. |
| 2. Irish Rail | No report. |
| 3. Depart Housing, Local Govt. & Heritage | Report received. |

Department of Housing, Local Govt. & Heritage highlighted the biodiversity of the island and area which is also reflected the reports published by the consultant Ecologists. These will be adhered too.

DUBLIN CITY DEVELOPMENT PLAN 2022-2028 CONTEXT:

Dublin City Council's policy regarding such developments is set down in the Dublin City Development Plan 2022-2028

Chapter 10 Green Infrastructure and Recreation

Section: 10.5.1 – 'Green Infrastructure' of the City Development Plan

Green infrastructure (GI) has a critically important role to play in making Dublin a climate resilient, healthy and green city. GI can be defined as an interconnected network of green space (or blue in the case of water features) that conserves natural ecosystem values and functions and provides associated benefits to human populations. The city's green and blue spaces include (interalia) rivers & canals that perform multiple functions to deliver a wealth of social, environmental and economic benefits to the city. Key relevant Policies are as follows:

Section 10.5.2 – Biodiversity

The city has a wide range of habitats which have been mapped. These include natural and semi-natural grasslands, wetlands and watercourses, dunes, woodland and hedgerows, stone walls, street trees, scrub and cultivated ground.

Section 10.5.5

Rivers and Canals' advises that the city's rivers and canals and their riparian zones / towpaths form important elements of the city's GI network. These waterways and their riparian zones serve as wildlife corridors and aquatic habitats, floodplains, green spaces, the setting for heritage features / development, areas of beauty and tranquillity and a means of connection in the city. Many facilitate river focused amenity, sports and riverside cycle and walkways. The River Liffey is the city's key waterbody and urban space. It links Dublin Bay to the Phoenix Park and to the wider region and has important civic, amenity, ecological, historical and cultural connections.

Section 10.5.7 Trees

GI40 - Tree Planting – General

To require appropriate and long-term tree and native hedgerow planting in the planning of new development, urban spaces, streets, roads and infrastructure projects. New development should seek to provide for additional tree planting using a diversity of species including native species as appropriate to the location of the development in the interests of natural heritage, amenity, environmental quality and climate resilience.

GI41 – Protect Existing Trees as Part of New Development

To protect existing trees as part of new development, particularly those that are of visual, biodiversity or amenity quality and significance. There will be a presumption in favour of retaining and safeguarding trees that make a valuable contribution to the environment.

GIO41 - Dublin City Tree Strategy 2016

To support the implementation of the Dublin City Tree Strategy 2016 and any future revision thereof, which sets a vision for the long-term planting, protection and maintenance of trees, hedgerows and woodlands within Dublin City.

Chapter 11: Built Heritage and Archaeology

BHA9: Conservation Areas

To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

BHA26: It is the policy of the Dublin City Development Plan 2022-28 to protect and preserve monuments, Sites and Zones of Archaeological interest.

PLANNING ASSESSMENT

Principle of Development

This Part VIII application is for the proposed installation of a pontoon with associated walkways to facilitate access to the River for rowing boats and kayaks. As noted above, under the current Dublin City Development Plan 2022-2028 the site is zoned Z9 – (open space) with the objective ‘to preserve, provide and improve recreational amenity, open space and ecosystem services’. Section 14.7.9 of the Plan advises that the only new type of development allowed in these areas, are amenity/recreational uses and those associated with open space use. The provision of a sports facility and recreational uses and water-based recreational activities, is listed as ‘open for consideration’ within lands Zoned Z9.

Section 14.3.1 of the City Development Plan advises that an ‘open for consideration’ use may be permitted where the planning authority is satisfied that the proposed development would be compatible with the overall policies and objectives for the zone, and would otherwise be consistent with the proper planning and sustainable development of the area.

The Culture, Recreation and Economic Services Departments of Dublin City Council has a remit for providing sports and recreational opportunities and facilities within the city of Dublin. The rationale for the proposed construction of the pontoon is to facilitate and enhance safe access for the rowing clubs in the area. The Department has indicated that this stretch of the River Liffey near Islandbridge is home to over 13 rowing clubs, catering for just over 700 members. These clubs have been established since the 20th century and form a valuable part of the community that animates the river.

Rowing boats currently use an existing slip on the southern side of the island. The slip is in poor condition, having been roughly formed using a number of sandbags filled with cement. From the slip, rowers carry their boats across the island and, from a cut-out section of the bank, launch them into the lower section of the River Liffey. The Culture, Recreation and Economic Services Department considers that this current arrangement is dangerous due to the uneven ground across the island and the difficulty in accessing the lower reaches of the river.

The proposed development will allow for the rowers to gain access in a safer and more secure environment. This project will also support partnerships with the local rowing clubs. Dublin City Council currently own and operate the Municipal rowing Centre that would also benefit from the proposed development.

Overall, the proposal aims to deliver improved facilities to citizens whilst promoting health and wellbeing opportunities. In these terms, it is considered that the proposal accords with the relevant Policies of the City Development Plan, namely:

- Policy GI023 which seeks to continue to manage and protect and/or enhance the city’s parks and public open spaces to meet the social, recreational, conservation and ecological needs of

the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.

- Policy GI33 which seeks to promote the sustainable development of this key resource for amenity and recreational uses in and along the river and its development as a green corridor in the city; and
- Policy GI46 which seeks to Improve and Upgrade/ Provide Access to Sports / Recreational Facilities.

Having regard to the above, it is considered that the proposal is considered acceptable in principle.

Impact on River Liffey

Policy GI29: 'Protect Character of River Corridors' aims to protect, maintain, and enhance the watercourses and their river corridors in the city and to ensure that development does not cover or encroach upon rivers and their banks. To maintain natural river banks and restore them as part of any new development. The impact of the proposal, the extent of the works outlined above on the key characteristics and Ecological Features of the River Liffey at this location are considered below:

Impact on Trees

The tree cover on the subject site is dominated by early-mature and mature sycamore, with a number of willow and ash. An arboricultural report prepared in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction – Recommendations', has been submitted with the application.

The arboricultural report considers that the extent of tree removal is not significant as they are not of high quality. Although the loss of these trees will have an initial impact on the island's visual appearance and canopy cover, the overall impact on the wider local landscape will be minimal due to the extent of vegetation and tree cover along this area of the Liffey. .

The proposed loss of trees has been assessed and will not have a significant visual impact on the character and appearance of the wider local landscape. The development proposal has taken into consideration the loss of these trees and has proposed new planting that will replace the canopy cover lost whilst improving the diversity of species on the island.

Having regard to the above, it is considered that the constraints posed by the existing trees have been adequately assessed in the arboricultural report. Where impacts occur i.e. the required loss of trees, this has been addressed via the sensitive design of the proposal and mitigation measures i.e. new tree planting.

Ecology & Biodiversity

In accordance with the requirements of Policy GI14 – ‘Ecological/Wildlife Corridors’ of the City Development Plan, an Ecological Impact Assessment (EclA) was prepared by CAAS Ltd and submitted with the application. It is based on the results of a multidisciplinary ecological site visit carried out in December 2021, June 2022 and November 2022; an additional, dedicated otter survey was undertaken of the island in June 2023.

No Annex I habitats were found on site. The habitats present are of high local importance in terms of support for local biodiversity, resource availability, and ecological connectivity across an urban landscape to other pockets of ecological value in the urban Dublin landscape.

No evidence of badger setts was found on site and there was no evidence found of otter activity on the island / proposed site. The EclA advises that this could indicate low use of the site by these mammals, especially given that the surveys were conducted during the optimum season for signs. This could be attributed to the current baseline levels of disturbance on the site from fishing and kayaking, the intermittent flooding of the island in the winter months.

Based on the ecological information submitted with the application, and the nature of the works proposed, it is not considered that there will be a net decrease in terms of the ecological integrity of the site due to the maintenance of the vast majority of natural features and vegetation and maintenance of existing habitats across the site.

Having regard to the construction phase measures and the mitigation measures as set out in the EclA, it is considered that the potential impacts to the biodiversity/ecology of the existing environment will be negligible, and of a temporary duration (i.e., construction phase only).

The operational phase will be in keeping with the current recreational function, activities and condition of the site current use in terms of both human pressures and ecological condition.

Archaeology

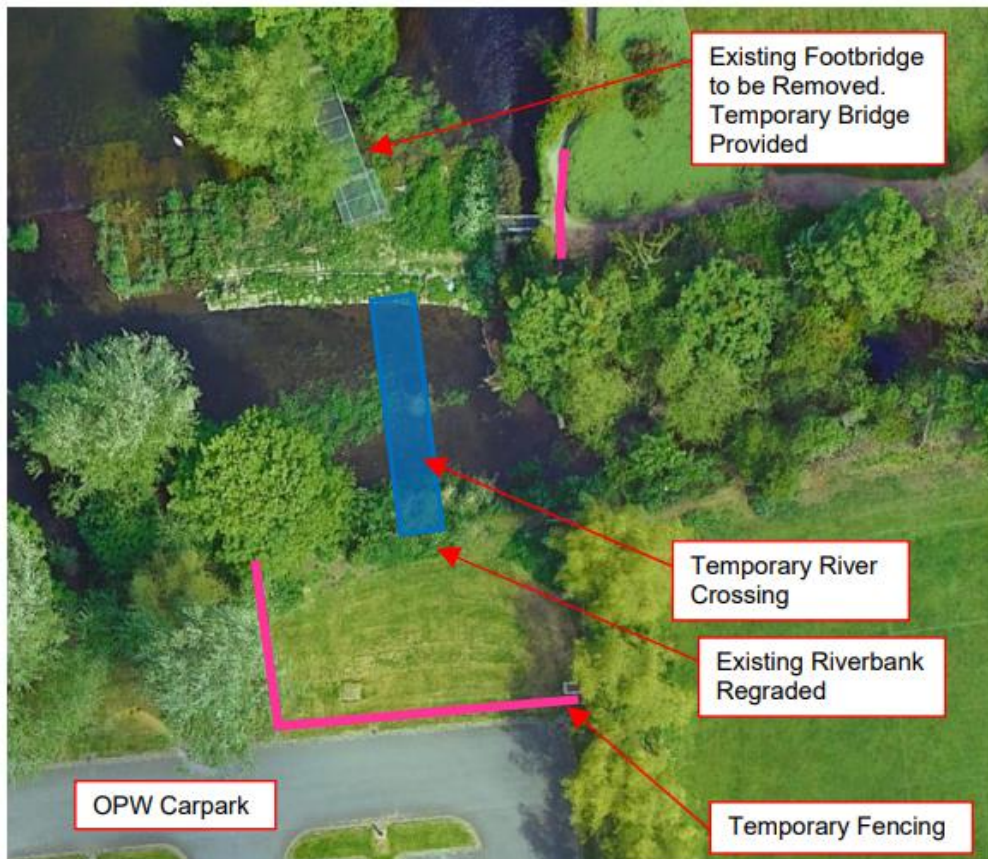
It has been demonstrated that the site is one of archaeological potential due to its nature as an historic island on the River Liffey. Riverine archaeological features, such as weirs and submerged landscapes, harbours, jetties, landing places, prehistoric and later fish traps and bridge sites may survive within the portion of the river bed to be impacted. Wrecks over 100 year’s old and archaeological objects underwater, irrespective of their age or location, are protected under Section 3 of the National Monuments (Amendment) Act 1987. Groundworks associated with the proposed pontoon may impact on archaeological and industrial features within the Recorded Monument DU018-020.

It is the recommendation of City Council’s Archaeology officer that Archaeological Monitoring, as per section 3.7 of the Framework and Principles for the Protection of the Archaeological Heritage (1999) and as described below, shall be carried out in order to preserve or preserve by record archaeological material likely to be damaged or destroyed in the course of development.

Transportation & Access

Access onto the island is currently via a stepped pedestrian route from the rear of the adjoining Bellevue apartment complex. This route is too constrained to be viable as a construction access. Instead, it is proposed that construction access would be provided via different routes.

It is proposed that the primary access route would be from the southern side of the river via the OPW carpark located within the National War Memorial Gardens. Construction vehicles will use the existing access road between South Circular Road and the OPW carpark.



The existing vehicular access to the OPW carpark will be maintained for the duration of the works. A temporary river crossing will need to be constructed for the construction period in order to access the island from the southern side of the river.

A secondary access route along the River Liffey is also proposed. The larger components will be delivered to a DCC facility located on the northern bank of the River Liffey, immediately upstream of Islandbridge. From here, they will be carried by barge to the pontoon location or, in the case of the floating pontoon units, they will be towed into position.



Construction traffic will be limited and will also be restricted to certain times of day, with the aim of keeping disruption to existing traffic to a minimum and preserving public enjoyment of the adjoining OPW gardens.

Conclusion

The subject site is zoned Z9 – (open space) with the objective ‘to preserve, provide and improve recreational amenity, open space and ecosystem services’. The proposal seeks to make safe and enhance an existing recreational and amenity facility along the River Liffey and therefore represents an appropriate form of development within this zoning objective.

The issues raised by the third party submissions have been duly noted and addressed within this report, and the planning issues addressed. The Planning Authority is supportive of the proposed construction of the pontoon is to facilitate and enhance safe access for the rowing clubs in the area. The proposal is considered to be compatible with the overall policies and objectives for the Z9 Zoning and is consistent with the provisions of Dublin City Development Plan 2022-2028 and is in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

The Planning Authority completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed pontoon development on Islandbridge on designated European sites, taking into account the proposed development’s small scale, temporary timeline, and its nature in the context of the urban, highly developed local environment setting, and the submitted Screening Report for Appropriate Assessment. In carrying out the screening exercise, the Planning Authority concluded that, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect on any European site in view of the

conservation objectives of such sites, or the overall integrity of any Natura 2000 site and that a Stage 2 Appropriate Assessment is therefore not required.

EIA

The Planning Authority completed an EIA Screening having regard to the nature of the development, comprising the proposed pontoon development on Islandbridge, and the likelihood of it causing significant environmental impacts. The screening has followed the relevant legislation and has had regard to the relevant guidance. The proposed project does not correspond to or have similar characteristics to any of the project types that require an EIA. It does not fall into a project type in Part 2 of Schedule 5 and is considered not to be 'sub threshold development' and it is therefore not required to review it against the Schedule 7 criteria. The Planning Authority concluded that there is no real likelihood of significant effects on the environment arising from the proposed development. The proposed development does not need to be subject to Environment Impact Assessment and no Environment Impact Assessment Report is required for it.

Recommendation

The proposed development is considered to be in accordance with the Dublin City Development Plan 2022-2028. Having regard to the nature and scale of the proposed works, it is considered that the proposed development would positively contribute to the amenities of the area and subject to compliance with the recommendations set out below it is considered that the proposed development is in the interests of proper planning and sustainable development of the area.

It is recommended that the Elected Members approve the proposed development and the proposing Department should have regard to the following recommendations:

1. General:

All mitigation, environmental commitments and monitoring measures identified in the Archaeological, Architectural and Cultural Heritage Impact Assessment, Ecological Impact Assessment, Invasive Alien Species Survey and Arboricultural Report, shall be implemented in full as part of the proposed development

2. Transportation

Prior to commencement of development, and on appointment of a main contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise and dust management measures and off-site disposal of construction waste. The Construction Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport.

3. Trees

That any trees to be removed during the proposed development works should only be felled on the grounds of safety or because they directly obstruct these works.

A tree replacement planting plan as shown at Appendix B of the Arboricultural Report shall be fully implemented prior to the operation of the pontoon development.

4. Biodiversity/ecology

A survey for the presence of otter holts should be conducted by a suitably qualified ecologist on the island and its outer perimeter as well as any banks opposite the proposed development within a distance of not less than 150 metres prior to any works taking place on the site. If an Otter Holt is recorded within 150 metres, the National Parks and Wildlife Service should be contacted and a derogation licence should be sought.

A survey for the presence of bat roosts should be completed on all of the trees on the proposed development site by a suitably qualified bat ecologist. This should take place at least 4 weeks prior to any works taking place on the site, including any pre construction clearance. If bat roosts are present, a derogation licence from the National Parks and Wildlife Service is required prior to any works taking place.

The proposed development should produce a Construction Environmental Management Plan (CEMP), which includes measures to use bat friendly lighting during the construction phase. The plan should include measures to limit the hours of operation of the lights, including switching off lights prior to dusk and throughout the night. The following should be consulted: Lighting for Bats (Guidance Note 08/18 - Bats and artificial lighting in the UK, published by Bat Conservation Trust and Institution of Lighting Professionals, 2018) along with any updated guidelines 2023.

The CEMP should be approved by the project ecologist and in consultation with Inland Fisheries and the DCC Protection of Waterbodies Office prior to any works taking place on the proposed development site.

Site clearance works, including removal of existing buildings and vegetation should avoid the nesting season (from 1st March to 31st August inclusive). If works must take place during this period, then the applicant must hire a suitably qualified ecologist to inspect all trees and foliage on the site for nesting birds' prior to any works taking place. If any nests are present, then the ecologist must apply for a licence from the National Parks and Wildlife Service and submit a copy of any approved licences to the Dublin City Biodiversity Officer.

A survey for the rare toothwort *Lathraea squamaria* should be conducted by a suitably qualified ecologist prior to any works taking place on the proposed development site. If recorded, appropriate mitigation measures should be instigated to ensure that there is no destruction of the *Lathraea squamaria*. The ecologist should also coordinate with the Dublin City Biodiversity Officer.

The recommendations and measures contained in the Invasive Alien Species (IAS) Management Plan produced by Invas Biosecurity (dated February 2023) shall be fully implemented prior to any works taking place on the site. Any works should be conducted by a registered Invasive Alien Species specialist.

5. Archaeology Division:

No construction or site preparation work shall be carried out on the site until the following archaeological requirements are complied with

Archaeological monitoring is to take place of all works that involve groundworks or any impacts to the riverbed and riverbanks, as outlined in the submitted report and as follows:

- i. The services of a suitably qualified and suitably experienced underwater archaeologist shall be engaged to carry out the archaeological monitoring.
 - ii. The archaeological monitoring shall be licensed by the Department and a detailed method statement that sets out the monitoring strategy is to accompany a licence application.
 - iii. A Finds Retrieval Strategy shall be included in the methodology and all excavated deposits shall be spread and metal detected (under licence) to recover any archaeological objects that they may contain.
- a) The monitoring archaeologist shall obtain a dive survey licence in order to facilitate investigation of underwater archaeological materials should they be uncovered/identified.
 - b) Please note vetting of licence applications by the Department takes 3-4 weeks.
 - c) A communication strategy is to form part of the monitoring strategy to ensure full communication is in place between the monitoring archaeologist and the plant operator(s) at all times during works. The archaeological personnel undertaking the monitoring will be in a position to monitor directly all elements of the works, to ensure they have unobstructed views of the excavations, and the plant and machinery operators shall be prepared to facilitate the archaeological personnel in the undertaking of their monitoring work.
 - d) Should archaeological materials be found during the course of monitoring, the archaeologist shall have work on the affected area of the site stopped pending further archaeological investigation and a decision by the Department and Dublin City Archaeologist regarding appropriate mitigation. The developer shall be prepared to be advised by the Department with regard to any mitigating action (preservation in-situ and/or excavation). The developer shall facilitate the archaeologist in recording any material found.

- e) The Planning Authority, the Department and Dublin City Archaeologist shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

The Area Committee as appropriate were informed of the initiation of the Part 8 planning process for the proposed development and the recommendation of the Planning Department at its meetings on the 19.04.2023 and 21.02.2024 respectively.

This project is funded by the Dublin City Council/CRES Dept.

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development.

