# COMHAIRLE CONTAE ÁTHA CLIATH THEAS SOUTH DUBLIN COUNTY COUNCIL



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, 11th January 2021**

**HEADED ITEM No.11**

 **Chief Executive’s Report on Public Consultation in relation to the proposed construction of an Integrated Constructed Wetland development on Council owned lands, Griffeen Valley Park, Esker South, Lucan, Co. Dublin**

1. **Introduction**

In accordance with the requirements of Part XI of the Planning and Development Act, 2000 (as amended) (the Act) and Part 8 of the Planning and Development Regulations, 2001 (as amended) (the Regulations), South Dublin County Council is seeking planning consent to construct an integrated constructed wetland (ICW) on SDCC lands in Griffeen Valley Park, Esker South, Lucan, Co. Dublin.

This Part 8 proposal is a component of the innovative Dublin Urban Rivers LIFE (DURL) project which is a collaborative project between South Dublin County Council (SDCC), Dun Laoghaire-Rathdown County Council and the EU LIFE Fund Programme. The project aims to transform water quality in a selection of rivers in both counties including the River Griffeen, and this proposal is a key component in that transformation

The purpose of this Chief Executive’s Report is to present the outcome of the consultation, to respond to submissions made during the consultation period and to make recommendations in relation to the proposed development where appropriate.

# Site Description

This 1.1 hectare site is located approximately 500m south of the N4 in Lucan and 3.5km west of the M50, within the Griffeen Valley Park. The Griffeen River flows in a northerly direction through the centre of this park. It is proposed to develop the integrated constructed wetland (ICW) itself on the western side of the river. Immediately adjacent to the proposed integrated constructed wetland (ICW) site the river splits into two channels – a primary and a secondary channel. An island with woodland and scrub is situated between the two channels.

# Scheme Description

The development will consist of the construction of an integrated Constructed wetland (ICW). Development of public realm works totalling approximately 1.1ha at Griffeen Valley Park, Esker South, Lucan, on South Dublin County Council lands, including: Build a new Integrated Constructed Wetland, to treat and improve surface water quality, before discharging to the River Griffeen. Proposed works to include wetland planting scheme to treat surface water while offering greater biodiversity to the surrounding area. Proposed new surface water piped links between the existing surface water system and the Integrated Constructed Wetlands and a new surface water outfall to the River Griffeen Reprofiling of levels and small landscaping berms within the Park. All ancillary site development and landscaping works, including biodiverse planting, furniture, and pathways.

The Department of the Environment, Heritage and Local Government’s Integrated Constructed Wetlands (ICWs) documents sets out the principles of operation and build for ICWs in the context of Ireland. It notes. ‘’An ‘Integrated Constructed Wetland’ (ICW) is a series of shallow, interconnected, emergent-vegetated, surface-flow wetland compartments that receive/intercept water-flows from a variety of sources.’’

The intention of the proposed ICW is to optimise stormwater treatment and integrate the benefits from its associated wetland infrastructure to deliver a wide range of environmental returns, such as the protection and enhancement of biodiversity, the delivery of good ecological status of rivers, the protection of fisheries and improved landscape aesthetics. The general construction of the ICWs is they have a standing water depth of approximately 30 cm, are planted with a variety of native Irish wetland plants. They are sparsely planted in the beginning and within a few years they form lush wetlands. They are low maintenance water purification systems with the added benefit of high-density biodiversity, and are visually appealing

The proposed wetland will have a typical standing water depth of 30 cm or approximately 1 ft. which is similar to the adjacent River Griffeen in low flow. However, the main difference is the wetland will have a limit to the amount of water it can accept and therefore, the depth of water in the wetland will not fluctuate very much over the year. The wetland is also expected to be less than 1 meter below the existing ground level at its deepest point and is on average 0.5 meter below existing ground level. Essentially, the wetland is like having two large shallow bowls inserted into the grass at the proposed location. The sides of the wetland will also have a slope gradient of minimum 1:5. This means, for every meter below ground level the side would be 5 metres wide sloping back up to ground level

Plans and reports for proposed development are shown on the following links:

[Sheet 1 - Griffeen Valley ICW Summary Report](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20ICW%20Summary%20Report_0.pdf)

[Sheet 2 - Griffeen Valley ICW Part 8 Drawings](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20Part%208%20Drawings.pdf)

[Sheet 3 - Griffeen Valley ICW AA Screening Final Report](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20ICW%20AA%20Screening%20FINAL.pdf)

[Sheet 4 - Griffeen Valley ICW Preliminary Examination EIA](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20ICW%20Preliminary%20Examination%20FINAL.pdf)

[Sheet 5 - Griffeen Valley ICW Ecologicl Survey Report](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20Ecological%20Survey%20Report.pdf)

[Sheet 6 - Griffeen Valley ICW Archaeological Assessment](https://consult.sdublincoco.ie/en/system/files/materials/5574/Griffeen%20Valley%20Park%20Archaeological%20Assessment.pdf)

# Public Consultation

Plans and particulars of the proposed development were on public display for over six weeks from 5th November 2020 to 18th December 2020 (inclusive). During the public consultation, information on the integrated constructed wetland (ICW) development was disseminated to the public and submissions were invited.

The public consultation on the proposed affordable housing development included the following statutory and non-statutory elements:

* Notice in the Gazette newspaper.
* Public consultation displays in South Dublin County Council offices at County Hall in Tallaght.
* Information on social media (Facebook and Twitter).

Submissions and observations on the integrated constructed wetland (ICW) development could be made online and in writing for a period of over six weeks from 5th November 2020 to 18th December 2020 (inclusive).

# Legislative Background

Section 179 (3) (a) of the Act, requires that the Chief Executive shall, after the end of the public consultation period, prepare a written report in relation to the proposed development and submit the report to the members.

Section 179 (3) (b) of the Act outlines that a report shall—

1. Describe the nature and extent of the proposed development and the principal features thereof, and shall include an appropriate plan of the development and appropriate map of the relevant area.
2. Evaluate whether or not the proposed development would be consistent with the proper planning and sustainable development of the area to which the development relates, having regard to the provisions of the Development Plan and giving the reasons and the considerations for the evaluation.
3. List the persons or bodies who made submissions or observations with respect to the proposed development.
4. Summarise the issues, with respect to the proper planning and sustainable development of the area in which the proposed development would be situated, raised in any such submissions or observations, and give the response of the Chief Executive thereto. and,
5. Recommend whether or not the proposed development should be proceeded with as proposed, or as varied or modified as recommended in the report, or should not be proceeded with, as the case may be.

Under Section 179(4) of the Act, the elected members shall, as soon as practicable, consider the proposed development and the report of the Chief Executive. Following the consideration of the Chief Executive's report, the proposed development may be carried out as recommended in the Chief Executive's report, unless the local authority, by resolution, decides to vary or modify the development, otherwise than as recommended in the Chief Executive's report, or decides not to proceed with the development. A resolution must be passed not later than six (6) weeks after receipt of the Chief Executive's report.

# Environmental Impact Assessment and Appropriate Assessment

The proposal has undergone an Appropriate Assessment Screening under the Habitats Directive (92/43/EEC). This Council has determined that the implementation of the proposed development is not likely to have significant adverse eﬀects on the integrity or conservation objectives of any Natura 2000 network of sites.

It has also undergone a preliminary examination for an Environmental Impact Assessment and the Planning Authority has concluded that there will be no real likelihood of significant effects on the environment arising from the proposed development and therefore an Environmental Impact Assessment is not required.

As a result of the above, in accordance with Part XI of the Act, the elected members of the Council can consider the proposed construction of an integrated constructed wetland (ICW) development on SDCC lands in Griffeen Valley Park, Esker South, Lucan, Co. Dublin, under Part 8 of the Regulations.

# Outcome of Public Consultation Programme

A total of one (1) submission/observation was received, however one submission was incorrectly lodged to the Girffeen ICW Part 8 consultation but was correctly lodged to the Kilnamanagh ICW Part 8 consultation (as per the submission content)

A list of all persons, organisations and bodies that made submissions is provided in the table below together with links to copies of the submissions received:

|  |  |
| --- | --- |
| **Person/Prescribed Body** | **Link to Submission** |
| Inland Fisheries Ireland | [Link](https://consult.sdublincoco.ie/en/submission/sd-c167-2) |

# Summary of Issues Raised and Chief Executive’s Responses and Recommendations

The Inland Fisheries Ireland submission raised a number of items as follows:

IFI highlighted that ICW’s are only part of the solution and the door-to-door inspections and encouraging proper connection of grey water to the foul sewer is also important.

IFI have requested to see the detailed design to endure that the riparian zone is protected and that it is an environmentally sensitive design. All construction work must be done in line with a detailed site specific Construction Environmental Management Plan (CEMP), using the best construction practices and minimise the generation of sediment and silt. IFI also suggested a comprehensive water quality programme of physico-chemical and biological parameters in order to confirm the treatment performance of the ICW and the impacts on the receiving waters.

# Response:

Work in relation to door-to-door inspection and encouraging proper connection to the foul sewer is also part of the Dublin Urban Rivers Life Project (DURL) and will be progressing as part of the DURL project. In relation the design process the DURL project will liaise with IFI through the process. The requirement for a detailed site specific Construction Environment Management Plan (CEMP) will be included in the tender process and in place for the construction phase should the development be approved. Finally in relation to a comprehensive water quality programme, water quality monitoring is currently happening and will continue throughout the DURL project.

# Recommendation

Following detailed contemplation of the submission as outlined above it is considered that the issues raised in those submissions are appropriately responded to and can be satisfactorily addressed where appropriate as outlined in the foregoing report. The requirements of Inland Fisheries Ireland as outlined in their submission, can be incorporated into the proposed development as advertised.

Accordingly, it is considered that the proposed development, as advertised, is in accordance with the proper planning and sustainable development of the area, the County Development Plan 2016-2022 with no amendments required and therefore it is recommended that the Council adopt the following Motion:

*“As the proposed development is in accordance with the proper planning and sustainable development of the area, the Council approves the development of an integrated constructed wetland (ICW) and new stormwater outfall to the River Griffeen on Council owned lands in* Griffeen Valley Park, Esker South, Lucan, Co. Dublin*.”*

*Daniel McLoughlin 4th January 2021*

Chief Executive Date